



EU Action Plan against Trafficking in Cultural Goods

Published in full last December, this document (*the full title is COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS on the EU Action Plan against Trafficking in Cultural Goods*) reveals just how far the European Commission is prepared to go to damage the art market.

Most shockingly, it declares its full support for UNESCO's fraudulent anti-market campaign, *The Real Price of Art* (see 3.4 on page 15), whose attempt to mislead the public was exposed by an IADAA investigation in late 2020.

In its introduction, the document also shows how the unreliable figures published by Europol and Interpol relating to the past decade of transnational operations (Pandora, Athena et al) are harnessed to push an anti-market narrative (see, also, *Europol admits to having no reliable data to support stolen objects claim for Pandora VII, below*).

A flurry of footnotes apparently supporting the EC's claims are rather less impressive when checked. Many are used as 'evidence' of widespread looting and trafficking, but actually refer to perceived but unproven risks that have led to earlier sanctions from the UN Security Council and others.

The document highlights the impending enforcement of EU regulation 2019/880 on the import licensing of cultural goods, a piece of legislation that threatens to inflict serious damage on the legitimate art market, not just within the EU itself but elsewhere too. Although the electronic licensing system due to manage the import process is not yet ready, the EC will look at extending its use to cover EU exports too, as well as suggesting further control measures.

It claims that "currently, the available intelligence picture does not adequately reflect the prevalence of cultural goods trafficking" in an attempt to boost the chances of states signing up to the repressive Nicosia Convention. It also admits that there is little understanding of the modus operandi of traffickers.

At no point does it consider that the lack of intelligence might reflect the possibility that looting and trafficking is not as extensive as the EC believes.

The danger here is not so much the lack of data and intelligence, but the reliance on demonstrably inaccurate data and intelligence, simply because it supports the accepted but baseless narrative that the European art market is a hotbed of crime.

Behind the scenes with French authorities tracking down stolen cultural goods

France 24: Focusing initially on the recovery of documents belonging to a French novelist, this feature turns to the work of the Ministry of the Interior and its work fighting cultural heritage crime.

"The black market for stolen cultural goods is the third most profitable in the world, behind only drugs and arms trafficking – the UN's cultural agency UNESCO estimates its worth some \$9 billion each year," the accompanying written report begins. Apart from yet another repetition of the bogus claims regarding drugs, weapons and cultural property, it is interesting to note that the equally bogus \$10 billion claim made by UNESCO has here been reduced to \$9 billion. However, this is explained in the programme itself, which renders the

claim as €9 billion, roughly \$10 billion – the figure that UNESCO has now eschewed, admitting it has no idea of what any true figure might be. However, this does not stop *France 24* reporting it against footage of UNESCO's Paris headquarters.

It would have been easy to check these claims with UNESCO's deputy-director in charge of Culture, Ernesto Ottone Ramirez, whom they interview live, especially as he is the senior official who has acknowledged that the true figure is unknown.

The new blockbuster exhibition dedicated to ancient luxury

The Times: May 1: With the subheading *At the British Museum, Dr Lindsay Allen explores what the 6th-century BC Iranian dynasty can tell us about the modern art market*, this review of the BM exhibition falls into the usual traps at the hands of an academic archaeologist.

This is another case of history biting the hand that feeds it, as Allen uses the review to level inaccurate accusations at the art market.

"This is a live issue, since every glamorous reveal of such antiquities, however educational, stimulates the private market for similar artefacts, which in turn can trigger the looting or faking of such pieces to meet demand," writes Allen, a statement whose lack of academic evidence or rigour would not pass muster in a sixth form essay. Far more likely to trigger looting or faking, as research such as the 2020 RAND Report has shown, is the exaggerating of market values for antiquities by academics and campaigners wishing to attract funding or more attention for their work and agendas.

"Unprovenanced Achaemenid and Hellenistic gold and silver artefacts are still popular collectibles for those buyers aspiring to the regal or imperial heights of the market," she claims, an uninformed claim since the regal and imperial heights of the market are for well-provenanced masterpieces only. Otherwise, we are talking about the illicit market. Ignored entirely is the fact that many of the world's leading public collections, including those of the British Museum, started life in private hands, being gathered and paid for by dealers and collectors who later generously donated them for the public benefit, along with their research, expertise and ongoing support. It's an irony that of the "five items not to miss" illustrated in this article, several are objects donated by such benefactors.

The Art World Redefines Ownership

New York Times: May 5: As this article notes, seizures of antiquities in New York have made potential buyers and sellers apprehensive. What it does not do is to consider whether those seizures were justified or not.

"As TEFAF New York gets underway this week, the art and antiquities market is facing more and more pressure to give back objects that were smuggled out of their countries of origin, whether recently or in colonial times," the article reports. "The notion of provenance — where an object came from, and who its previous owners were — is being redefined, and the goalposts are being shifted. That's making some dealers uneasy about showing work in New York for fear that it might be seized, several art professionals said in interviews."

What the article ignores is the fact that there is no conclusive evidence to show seized items have been looted and trafficked in the overwhelming number of cases reported and that this is happening in New York largely because of the District Attorney's office exploiting an obscure law that allows it to seize items in this way.

[Europol admits to having no reliable data to support stolen objects claim for Pandora VII](#)



Europol has admitted not having any reliable statistics to support its headline claim over stolen objects in Operation Pandora VII, aimed at tackling cultural property trafficking. Many media outlets have covered the results of the latest transnational operation coordinated by Interpol and Europol with a view to tackling trafficking in cultural property. Pandora VII, led by the Guardia Civil in Spain, took place over 11 days in September 2022 with two cyber weeks in May and October.

The Europol media release itself stated that the operation led to the arrest of 60 people and the recovery of 11,049 stolen objects across 14 countries.

As the IADAA knows well, there is a great deal of difference between seizing items and showing that they are stolen, just as arrests do not equate with convictions.

These operations, along with others named Athena and Odysseus, have been running for almost a decade, and to our knowledge, the authorities have never published either conviction rates or figures confirming how many seizures later proved justified. The [IADAA](#) and fellow trade association ADA have sought this information from Europol more than once, but Europol has replied each time that it does not have it, which makes its official release claim this time that 11,049 seized items were stolen all the more surprising.

The twin priorities in carrying out these operations have always been to clamp down on money laundering and terrorism financing, but while there may have been limited evidence of the former across the years, we have heard of no evidence at all of the latter.

Once again, we contacted Europol asking the following about the present and all past operations: a) *How many arrests have led to successful convictions?* b) *How many seizures proved to be valid + how many had to be returned to their owners?* c) *How many seizures were shown to be linked to money laundering?* d) *How many seizures proved to be linked to terrorism financing?*

As others have also argued, without these accurate clear-up figures, the data serves no purpose beyond propaganda.

Europol's media office replied on May 10 as follows: *"Unfortunately, we won't be able to help as we do not have these figures. Europol is not a statistical organisation – Europol's priority is to support cross-border investigations and the information available is solely based on investigations supported by Europol."*

Confirmation, then, yet again that Europol has no statistics to support the claims it makes, with the further emphasis that Europol is “not a statistical organisation”. If so, what is it doing making statistical claims it admits it cannot support in the introduction to its media release, claims that history tells us will influence policy at a national and international level, as with the introduction to this recent important European Commission document? Interpol, which has also denied having any reliable statistical information in this field, compounded the error.

Arguably more shameful is the number of media outlets that have reported the unsupported claims Europol has put out in this release without checking them. Newspapers, art market websites and others – all of them experts in their own fields and trained to check their sources – have singly failed to do so in this case.

They include *Yahoo News*, *Artnet News*, *Euronews*, and *Reuters*, among others.

It also includes outlets whose credibility entirely relies on accurate data, such as the *Organised Crime and Corruption Reporting Project*, and *Border Security Report* (the Journal of border security and transnational crime).

This is not the first time this has happened; these operations have been going on for a decade and the IADAA and ADA have highlighted the failure of intelligence on numerous occasions. As we showed in this instance, a single email request revealed the truth. So why can't the experienced journalists working on this story make such a simple check as this to ensure that their reporting is accurate?

One of the worst offenders was Ursula Scheer, a journalist for *Frankfurter Allgemeine*, who not only swallowed everything she was told without apparently checking, but added even more bogus data to the story unchecked: “According to estimates by the FBI and UNESCO, the annual turnover of the global black market for art and antiques is ten billion dollars, which puts the black market right behind the illegal drug and arms trade.” She also stated: “Selling art and antiques helps mafia activities finance terrorism and war.”

What next for the Benin Bronzes?

Controversy over the Benin Bronzes continues. A matter of weeks after campaigners [The Restitution Study Group \(RSG\)](#) urged The University of Oxford not to return the bronzes it holds in the Pitts Rivers Museum to Nigeria, the group's worst fears have been realised back in Nigeria itself.

The [RSG](#) is demanding slavery reparations for US descendants of people sold into slavery by the Oba of Benin, many of whom were paid for by manilla, the brass slave currency melted down to create the bronzes.

Sending the bronzes back to Nigeria is effectively rewarding slavery twice, says the RSG, which argues that they are simply being restored to the descendants of the slavers, not the slaves.

“Deadria Farmer-Paellmann, founder of the RSG, described the plans as ‘morally indefensible’, calling on the university to delay its plans as any return would be “against the express wishes of those of us in the UK, the US, and the Commonwealth whose ancestors literally gave their lives so the Bronzes could be created”.

[It has now been reported](#) that Nigeria's president Muhammadu Buhari has presented bronzes returned by the German government to the current Oba, Ewuare II, the head of Benin's former Royal family.

“On March 23, Nigerian President Muhammadu Buhari announced that all restated artworks from the former kingdom of Benin would be given to the Oba of Benin, who is by right the original owner and custodian of the culture, heritage and tradition of the former Kingdom of Benin. This applies both to artifacts that have already been returned and to

those that have not yet been returned.” What Ewuare II does with the items is his decision, it was explained.

Many of those who support the return of the bronzes expected them to be put on display in museums for the public benefit. If the current Oba is now allowed to keep them in private or even sell them for his personal gain, sympathies may change.

Swiss scholar *Brigitta Hauser-Schäublin writes in the Frankfurter Allgemeine Zeitung* newspaper: “Was that the point of restitution?” calling it a “fiasco”.

Germany had planned to finance the building of a public museum in Nigeria to house the bronzes. Whether that will go ahead now is uncertain, but the German government’s view remains that the bronzes ultimate fate is a matter for the Nigerian government, and they should be returned there.

However, as the *Art Newspaper* reports, “The latest development complicates matters for Western institutions aiming to reconstitute Benin Bronzes”.

The news comes just days after *Sonita Alleyne, the new Master of Jesus College, Cambridge, told the United Nations that “the time of Africa bargaining for, begging for and buying back its stolen loot is over”*.

Referring specifically to the Benin Bronzes – one of which her college decided to return to Nigeria soon after she took over as Master in 2019 – Alleyne was reported to have told the UN that research was still ongoing into the college’s historical links to slavery and colonial violence, with the promise of a report later this year.

The RSG has yet to announce its reaction to the news from Nigeria but will doubtless see the gifting of the bronzes to the direct descendants of the original royal slavers – potentially for their immense personal profit – as the ultimate insult.

It has had some success with a new short film, *They Belong to All of Us: The Benin Bronze Slave Trade Story*, at the Cannes Film Festival in May, where it won two awards. Equating the transatlantic slave trade with the Holocaust, in terms of historic lessons, Sheila Camaroti, the Germany/Brazil Mobilizer for the RSG, said: “Today, the school children in Germany visit concentration camps to learn about the Holocaust so that it never happens again. What will our children have to teach them Germany’s role in the transatlantic slave trade for 300 years, and that Benin kingdom and European human trafficking was wrong? We need to keep our bronzes.”

The Oba’s family connections to slavery have been assiduously ignored by several articles that have otherwise gone into great depth on the issue.

Bearing in mind the demand for reparations and the cancelling of historical figures who have had even a remote link to benefitting from slavery, it is astonishing that those whose ancestors were among the most vigorous slavers of all should be rewarded today, with the German government sanctioning such behaviour with its ongoing policy. One German MP has attempted to shut down debate following the debacle by stating that restitution with conditions is simply a form of neocolonialism. Such handwashing is unlikely to convince many.

If Sonita Alleyne is determined to root out her college’s historic links to slavery and atone for them, what does she think should happen as a result of the decision to hand over the returned bronzes to the Oba? And how does she view the demands of the RSG?

Police find ex-MPs illegal collection of antique swords, armour, and other artifacts worth millions

Yahoo News: May 9: Police have uncovered a cache of arms, armour and antiquities dating from ancient times up until the 19th century in the home of a former MP in Ukraine. Including more than 1,000 items, it is thought that they may have been illegally removed from the Museum Fund of Ukraine or may have been found during illicit excavations.

In response to scandals and stolen art seizures, the Met plans to scour its own collections for looted artifacts

International Consortium of Investigative Journalists: May 11: The Metropolitan Museum of New York, having been subjected to a relentless assault on its reputation and collections in recent months, has decided to hire a team of specialists dedicated to provenance research. Met director Max Hollein said: “First, we will broaden, expedite and intensify our research into all works that came to the Museum from art dealers who have been under investigation. This examination will build on decades of research, and it is important that we allow whatever time is necessary for this urgent work to be completed.”

Having bowed to the pressures of the New York District Attorney’s office and New York’s media, Hollein will doubtless hope that this policy move will take the pressure of the Met, with the crusading spotlight of Assistant District Attorney Matthew Bogdanos and the *New York Times* moving elsewhere.

There’s a chilling new punishment for those who question certain ‘facts’

The Telegraph (UK): May 11: This article focuses on the growing corruption of news and facts by political influence. In particular, it notes the dangers of confirmation bias, where data and ‘facts’ are selected carefully to fit the right agenda, with any inconvenient data being ignored.

“Whenever all parties agree (as they did on lockdown, and still do on net zero and international aid), the biggest policy errors are most likely to creep in. So it’s more important than ever that the major claims are held up to scrutiny. When fact-checkers instead target those who go against the grain, it serves to enforce groupthink.”

This could have been written for policy debates over the art market, particularly antiquities, where facts are routinely ignored if they do not fit the agenda and where – as the revelations about Pandora VII and Europol above show – law makers and law enforcement seem happy to ignore facts in the pursuit of their goals.

The IADAA’s record in challenging these wrongs have led its representatives to experience what the Swedes call the “opinion corridor”, according to this article: “If you step outside it, you can expect investigation, harassment or to be flattened.”

The article is also notable for arguing that one of the areas subjected to this sort of treatment is any debate over jihadi financing. Again, as the IADAA and other campaigners in the art market have found, despite there being no reliable data showing that terrorism financing via the sale of antiquities is a problem, policy and regulation forged on the assumption that it is gathers apace.

India to ally with Greece on return of Elgin Marbles

Telegraph: May 14: More evidence of the arguments shifting over claims on antiquities and other items exported from source countries. With evidence of theft and trafficking often hard to come by, officials in India are now looking at other ways of launching successful claims. As this article reports: “...Indian officials are seeking to take a broader look through a ‘moral and ethical lens’ at artefacts taken in circumstances that may have been acquired legally, but under circumstances of coercion under a colonial power”.

This theme of acquisition under coercion is one of the reasons museums in Berlin give for revisiting their collections, as reported by the *Art Newspaper*. They are “starting a systematic investigation of the provenance of the state’s archaeological collections with a view to repatriating objects that were illegally excavated or exported from their place of origin”, the article reports.

The process will also revisit partage agreements, especially as these were frequently abused, according to Christina Haak, the deputy director of the Berlin State Museums, although she did not explain how she knew this. More chillingly, as the article goes on to state: “Even in cases where such agreements were observed, some could today be viewed as the product of “asymmetrical power structures” and therefore exploitative, she said.” Martin Maischberger, the deputy director of the classical antiquities collection, added: “There are no specific restitution claims, but we have some suspicious cases” where objects may have been brought back from these sites to Germany in contravention of permit agreements.”

The general idea seems to be that where no evidence exists of illegal activity, the museums will turn their attention to ethical questions in pursuit of repatriations and will do so even where no claim has been made by the source country.



Mid-sixth-century bronze vessel from Didyma, Turkey, in the antiquities collection of the Berlin state museums © State Museums in Berlin, Antiquities Collection / Johannes Laurentius / via The Art Newspaper

[In Afghanistan, looting massif of a site archaeological attributed to IS \(Translated from French\)](#)

Le Monde: April 7: An extensive article all about the destruction of cultural heritage sites in Afghanistan, it sets out to demonstrate that what took place could only have been at the hands of ISIS and that this, in turn proved that they were funding themselves significantly from the looting of artefacts.

While this would be a significant development in the search for such evidence, it fails in its objective, a fact the article itself admits.

To start with, it makes the common mistake of assuming that digging at sites means finding things, when the extensive experience of archaeologists and others shows that it is far more common to find nothing, especially at sites that have been exploited before.

French start-up Iconem, specializing in the digital analysis of heritage around the world, commissioned French Archaeological Delegation in Afghanistan (DAFA) to carry out the investigations. *Le Monde* bases its theory initially on their assurance that the destruction

“could only have been carried out by highly organized networks acting on behalf of or under the control of IS”, although their reasons for this are not given.

Looters “hoped to find treasures”, with a “theoretical inventory of stolen objects” based on partial excavations carried out half a century earlier in the 1970s. “The evacuation of the archaeological objects could be done by containers, on board trucks that cannot be seen in the Iconem photos.”

And so it continues – a great deal of theorising but no actual evidence – until the article admits: “But no looting was observed.”

It attempts to revive the credibility of its arguments by the prospect of “priceless” coins that might be found, concluding: “It is likely, according to the DAFA, that the objects taken from the site are now stored, after being cleaned and sorted.” However, it immediately goes on to admit: “None of these pieces has yet appeared on the art market, no doubt for the sake of not flooding it,” they say within the delegation.”

To hammer home the point, it continues: “There is therefore, for the time being, no formal proof of the involvement of members of the IS in the looting of Dilbarjin, no more than the names of suspects who may have orchestrated this criminal search which made the treasures of humanity disappear.”

Having made the claims and serially admitted the lack of evidence to support them, *Le Monde* does not give up, concluding: “Nevertheless, a large body of evidence gathered by Iconem and the DAFA confirms the idea that this theft may have been a significant source of funding, while the organization intends to challenge Taliban power in Afghanistan.”

If such a large body of evidence exists and *Le Monde* has been interviewing Iconem and DAFA so extensively, it is baffling why it has not been able to publish any of this evidence, as it admits.

The Martinez Report: the end of the inalienability of French museums?

La Tribune de l’Art: May 19: Cultural property lawyer and art market champion Yves-Bernard Debie gives his considered view of this long-awaited report, praising its assessment of legal concerns and references, while noting that he and the author’s analysis may differ on key points.

Debie expresses his gratitude that the concerns of collectors and the antiquities market have finally been given some consideration here but warns that the context of the report – effectively commissioned to sanction future political action – needs to be remembered. At its worst, Debie argues, ministry policy is changing so that “where museum collections were inalienable, they would become restitutable on a simple political decision”. He adds: “Obviously, care would be taken to surround the process with diplomatic cover, bilateral or even multilateral commissions if the property was of interest to competing modern states, and a decree by the Conseil d’État, but the final decision, the only one that counts, would be political!”

Debie goes on to argue that mistaken assumptions have led to the development of this new French policy and that instead of focusing on repatriating objects, the focus should have been on “a doctrine of sharing and transmission of knowledge”.

Graves of Egypt's kings to be bulldozed for highway

The Telegraph: May 21: News that for all the dedication to their ancient history, the Egyptian authorities have other priorities which can take precedent; in this case new highways to boost the country’s modernisation.

“Authorities are ploughing their way through the ‘City of the Dead’, a 7km-long Unesco World Heritage site, to build highways as part of President Abdel Fattah El-Sisi’s rampant modernisation drive,” *The Telegraph* reports.

“The roads tear through a network of mausoleums dating back as far as the seventh century to link up congested central Cairo with Mr Sisi’s ‘[New Administrative Capital](#)’, a glistening satellite city set to become Egypt’s new capital.”

Amateur historians are rushing to save what they can and have found artefacts dating back thousands of years. But how many have already been destroyed and will be lost to the bulldozers?

The crisis has led to a dispute: “The government claims it does not demolish antiquities registered under the Egyptian Antiquities Law, but critics say most of the City of the Dead’s antiquities are unregistered.”

Underlying everything is politics. The country’s [economy is in crisis](#), a typical backdrop for those in power to launch eye-catching schemes as diversions from their failures.

“Egypt has spent heavily on non-revenue-generating megaprojects such as quick highways, monorails and new city infrastructure without conducting feasibility studies. The most visible is the \$58 billion desert administrative capital east of Cairo,” the article explains.

“Egypt is struggling to repay the loans that funded these projects amid a severe economic crisis that threatens default.”

As the pressure builds on the government, it is interesting to note that the International Monetary Fund assessed [Egyptian debt](#) in April 2023 at 92.9% of GDP – over \$162 billion, and that projected gross debt ratio in Egypt is higher than in other emerging markets and developing economies. [External debt](#) reached a record high in Q2 2022-2023.

Now the [IMF wants cuts](#) as Egypt faces bankruptcy.

One of the [most serious concerns](#) is the influence of China and its Belt and Road initiative. With mixed success, it promotes a policy of exchanging debt for assets in the case of default, embedding its influence in the regional economy and infrastructure. Egypt appears more vulnerable to succumbing to China’s ambition now, which raises the temperature of international diplomacy in the region, possibly explaining what appears to be an increasing number and tightening of bilateral agreements on cultural goods with countries such as the United States.

[Greece recovers hundreds of stolen artefacts](#)

BBC News: May 21: Widespread coverage has been given to this story of the return of hundreds of artefacts linked to the disgraced British dealer Robin Symes. Unfortunately, this article fails to set the seizure and return in context, giving no history or dates, which show that this is a scandal that dates back rather a long time.

[ABC News](#) in Australia does a better job, explaining that the fight for repatriation began in 2006, with the recovery of the 351 items finally taking place ten years later when they were found stored in the Geneva Freeport.

Even the *South China Morning Post* managed to convey a more accurate picture than the BBC, headlining the story [Greece recovers hundreds of priceless antiquities from British art thief after 17-year legal battle](#).

Symes’s activities have been a blight on the reputation of the market for more than two decades, with questions over his activities arising during legal disputes following the death of his partner since the 1970s, Christo Michaelides, in an accident in 1999.

Although unrelated to today’s market in any way, the lasting impact of Symes’ activities, as witnessed through the media coverage arising yet again, illustrate yet again how the wrongdoing of one person can cast a shadow over honest traders for decades. As the IADAA has long argued, this means that antiquities dealers have more of an incentive than anyone else to prevent criminals penetrating the market.

Why Israel's Archaeologists Want to Stop Digging

Haaretz: May 24: With six kilometres of shelves packed with 1.3 million archaeological objects from every period of humankind in the National Treasures Department in Israel, archaeologists are now saying enough is enough. The focus should switch from excavation to investigation of what has already been dug up.

“The problem is that the flow of new finds continues unabated. Every year, the staff here catalogue well over 30,000 new items, and they can’t keep up with the pace,” this article reports.

And as Dr Michael Saban, the director of the National Treasures Department, adds: “If we were to be locked in here and given food under the door, we could work five years nonstop without emerging – just on the material that’s here. If they were to bring everything that has already been published and hasn’t gotten to us yet, it would take 10 years.”

Professor Erez Ben-Yosef, of Tel Aviv University goes further: “Archaeology is destructive. It’s not possible to repeat the ‘experiment’ [in this field]. I would advocate an extreme approach and say that we need to stop digging as of tomorrow morning.”

Art thieves, child soldiers and the looting of Southeast Asia's priceless antiquities | 101 East

Al Jazeera: May 25: A 30-minute documentary showing how the media, law enforcement and campaigners are now focusing just as much on Asian art from Cambodia, Thailand and India as they have been on MENA antiquities.