



[Trade bodies submit robust critiques of European Commission working document on anti-money laundering proposals](#)

IADAA and fellow trade bodies including the ADA, CINOA, Germany's Interessengemeinschaft Deutscher Kunsthandel (IDK), as well as the International Association of Professional Numismatics have launched damning attacks on the updated Staff Working Document on anti-money laundering regulations presented for consultation by the European Commission.

Titled the Supra-National Risk Assessment (SNRA), the report came in for serious criticism over its heavy reliance on data already exposed as false, the illogical nature of its arguments, its further reliance on assumption and hearsay rather than clear evidence, and the fact that its conclusions are not supported by the arguments it presents.

At one point on page 155 of the report, as IADAA noted, the SNRA's argument for heightened risk of money laundering in the art market was reduced to "Furthermore, criminals typically enjoy luxury possessions, which can include artwork".

IADAA concluded the following:

"As they [the SNRA] show, evidence of a problem with money laundering is minimal, while the evidence of a problem with terrorist financing is all but non-existent. Where the SWD [Staff Working Document] does not have evidence – which accounts for much of its research and thinking – it simply assumes that its very absence is evidence itself of a problem: under reporting. Effectively, this is a **"heads, I win; tails, you lose"** position, under which no circumstances exist where it could be considered that a risk, substantial or otherwise, does not exist. This is a common mistake: to confuse correlation with causation. It never occurs to the authors of the SWD that low levels of reporting might reflect low levels of criminal activity.

"These assumptions also indicate a serious knowledge gap regarding the workings of the art market; other factors in play mean that its structure and nature is not as attractive to criminals as the SWD presumes.

"The use of multiple incompatible terms to describe the market throughout the SWD (as shown above) displays a lack of precision, which undermines confidence in the robustness of its analysis. This is further undermined by the SWD's reliance on multiple data points which it has not checked properly and are wrong."

IADAA further noted that the SNRA did not explain why, if crime was as widespread as it claimed, there was so little evidence to show this.

"Taking into consideration the SWD's use of other sources and data (accurate or not) to support its case, and the European Commission President's instructions regarding the importance of evidence for policy making, it is not acceptable to brush these conditions aside when they don't suit, to pursue a policy that cannot be justified under the rules," IADAA concluded.

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IADAA has now proposed two changes to the European Commission with regards to the law:

1. Review the risk categorisations for ML and TF in the art market and reclassify them in this context as low.
2. Raise the value threshold for art market transactions to a much higher level (>€1 million) for AML that reflects FIU reporting and analysis. This would conserve vital resources for the authorities while allowing them to focus on real areas of risk.

French antique art dealers lobby against EU rules that threaten trade

Yahoo News: March 31: Further coverage of the trade's campaign against the enforcement of the EU import licensing regulation as it stands.

A Colorado Auction House Rebuffs Mexico's Pleas to Halt a Sale of Mayan Artifacts

Artnet News: April 1: An important if rare article where the media outlet does not simply take the official line as accurate, this report shows an auction house fighting back against accusations of trading in looted and trafficked goods.

Mexico's culture minister and the country's first lady have accused Colorado auction house Artemis Gallery of selling artefacts that were "illegally stolen from our territory".

As usual with these commonplace claims from Mexico regarding any Mexican cultural items sold anywhere, they are not accompanied by any evidence to support them. The accompanying claim that "There is nothing more immoral than to put a price on the heritage of a nation" indicates that the claims are a political move rather than an attempt to fight crime.

Such attacks on the market are often effective, scaring dealers and auction houses into handing over consignments for which no evidence is forthcoming that they are illicit in any way. It has not worked here, though.

The items in dispute have a provenance to the private collection of Alan Kaplan in Florida in the 1960s, and Artemis Gallery co-owner Bob Dodge is reported as telling *Artnet News*: "All items legal to buy/sell under U.S. Statute covering [cultural patrimony Code 2600](#), CHAPTER 14, and are guaranteed to be as described or your money back." Dodge's wife, Teresa, also a co-owner, said that they had "long received requests from foreign consulates' and "not just Mexico" which she said has amounted to "harassment".

Artnet News went on: "She also expressed disdain at news reports surrounding repatriation efforts that don't offer clarity on what is legal and illegal to sell."

As Teresa Dodge concluded: "Just because any country says 'you can't sell this' does not mean what we and other dealers sell is illegal. It's not... Reporting should be based on facts, not accusations by a government that doesn't want to acknowledge U.S. laws that apply for businesses doing business in the U.S."

Her husband also went on the attack: "Mexico wants everything back," he added. "To what end? Because it's theirs? When it was made, there was no Mexico."

British Museum Under Investigation Over Looted Ethiopian Artifacts

Artnet News: April 2: A fresh drama involving Ethiopian artefacts looted during the Battle of Maqdala in 1868 has brought the focus back once more to the British Museum. This time the BM has been targeted by Returning Heritage, a non-profit online resource established in 2019 "with the aim of providing reliable information in the pressing debate about cultural restitution".

Returning Heritage had put in a Freedom of Information request regarding Maqdala objects in August 2023, asking to see records of internal BM meetings discussing the objects and the justification for not returning them. The documents released were heavily redacted and Returning Heritage has now lodged a complaint with the Information Commissioner's Office.

To Returning Heritage's credit, it has acknowledged that other views exist on repatriation. In an article dated August 9, 2022, as it celebrated the Horniman Museum's decision to return its Benin Bronzes to Nigeria, it noted the objections from the New York-based Restitution Study Group, which had complained that the return meant handing the bronzes back to the descendants of those who had sold their own people and others into slavery. Instead, the museums should hold the bronzes in trust on behalf of the descendants of the slaves who were sold, the group argues.

As with the bronzes, so the story surrounding Maqdala is not as simple as it might, at first, seem. While the British may not be blameless, the battle in which they seized the items arose after the king of Maqdala slaughtered British missionaries he had taken hostage after the British failed to meet his demand for arms. This context was missing from Returning Heritage's reporting, an oversight for an organisation that campaigns on the basis of educating the public on such matters.

If Returning Heritage is questioning the ban on returns under law from the British Museum, it might be intrigued by news on April 10 that the BM had done just that. In an article titled [*British Museum and Victoria & Albert Museums return Asante royal objects of 1874*](#), it was reported that the day before the BM had sent back 32 royal objects to Ghana after negotiations. It seems that the return is not so much a hand-over as a loan: "The objects were taken from the Palace in Kumasi during the Anglo-Asante Wars of the 19th century, including items from the Sargrenti War of 1874.



A ceremonial cap worn by courtiers at coronations is among the Asante treasures heading back to Ghana.

"Gold and silver regalia associated with the Asante royal court will be displayed at the Palace Museum as part of a long-term loan commitment by the V&A and [the British Museum](#)."

The notion of such loans has been discussed for some time now, but few believe that anything once sent back to a source country will ever return. This has proved a significant stumbling block in the Parthenon Marbles debate, not least because the Greek government steadfastly refuse to agree to a loan because it would implicitly acknowledge that the BM has a right to own the Marbles.

[*Spanish Police Recover Nearly 200 Looted Archaeological Pieces*](#)

OCCRP: April 5: This report details the seizure of a selection of coins and antiquities from a suspect thought to have been offering them for sale on social media networks in Seville.

The 191 items comprise rings, pins, needles, buckles, coins, arrowheads, axes, appliques coins from different periods as well as ceramic plates.

“The authorities highlighted a medieval Islamic bronze lamp from the Caliphate period, dated between the mid-ninth and mid-thirteenth centuries. The well-preserved piece would have been part of the domestic furniture of a wealthy Hispano-Muslim house, officials said.” It is clear from the items shown that any looting would have been fairly local.



Among the seized pieces was a medieval Islamic candle dated between the mid-ninth and mid-thirteenth century in good condition. (Photo: Policía Nacional/X, License).

The role of social media in exacerbating fakes and looting

Several reports in April have highlighted issues surrounding the use of social media to promote and sell illicit antiquities and fakes. Some interesting points have arisen.

On April 5, *Culture* published an article entitled [Reddit and the illicit antiquities trade](#), in which Madison Leeson noted that online platforms had “inadvertently facilitated the illicit antiquities trade”.

“With the click of a button, ancient artifacts can be advertised, bought, and sold on social media platforms, often with little regard for their provenance or legal status. This ease of access has fuelled international demand for looted antiquities and indirectly contributed to the destruction of archaeological sites worldwide,” Lesson explained.

While fakes and looted material are promoted for sale by those looking for buyers who do not care about provenance, some groups are fighting back. Sub Reddit groups r/Archaeology and r/Cuneiform are both forums that have banned posts asking for authentication or valuation of unprovenanced artefacts. “This rule aims to mitigate the unintentional support of the illicit antiquities trade within the community.”

While much of the rest of the article goes over old ground in discussing challenges surrounding auction houses and the market, Leeson acknowledges that “In the antiquities market, authenticity is of the highest importance for both buyers and sellers,” before explaining the methods used to establish authenticity, provenance and legitimacy. She also

raises the spectre of archaeologists and researchers authenticating unprovenanced objects, thereby contributing the illicit market.

An April 26 article in *The National News of the United Arab Emirates*, titled [Facebook trade in fake relics fuels Middle East looting](#), shows how those who claim to protect antiquities and vulnerable sites also encourage looting by exaggerating values of items taken.

“The treasure hunters who are inspired by seeing the fake items then ‘destroy archaeological sites’ as they ‘have no clue’ what they are doing, which hampers the work of archaeologists,” says Dr Monica Hanna, a leading Egyptologist.

“Many people who do not know about antiquities think that they can get rich by doing this.

“People always have this dream that they will find something and will get rich. This is problematic because they disrupt archaeological sites and that causes damage.”

If those who rightly attack Facebook for its failure to act effectively can see that such activity encourages looting, then they should also be aware that massively exaggerated claims as to the value of the illicit market will have the same effect.

[Archéologie: un marché en voie d’extinction en France \(Archaeology: a market on the verge of extinction in France\)](#)

Le Figaro: 11 April: This wide-ranging article assesses the troubles that face the market in the wake of the Louvre affair, while raising the question as to just how far regulation should go in the quest to beat crime.

Cultural property lawyer Yves-Bernard Debie, a high profile campaigner for the market in France and Belgium, sets out the arguments against the impending import licensing regulation and the highly damaging attempt to impose the reversal of the burden of proof on importers, rendering them guilty unless they can prove their innocence.

Drouot President Alexandre Giquello expresses his alarm at the likely impact of the law:

“The decision makers who are imposing these rules on us, without taking our advice into account, want the end of this market to avoid the whole problem,” he says.

Political claims by countries like Mexico, made solely on the basis of reclaiming patrimony rather than exposing crime, add to the burden for the market.

Dealers are beginning to give up, having had enough of the attacks and accusations, with legislators making their lives increasingly impossible.

[Using Secret Documents, an Antiquities Researcher Uncovers Looted Works at Christie’s](#)

ARTnews: April 11: Another Dr Tsirogiannis sting involving Becchina, in many ways this story is nothing new. However, it does include an important afterword that is so often overlooked in consideration of Tsirogiannis’s exclusive access to the Medici and Becchina archives:

“According to the Art Newspaper, there have for years been calls for the seized archives of convicted traffickers in looted cultural property to be accessible in order to facilitate provenance research.

“The Association of Art Museum Directors in 2015 said institutions often find themselves in a ‘Catch 22’ when they are blamed for ‘owning objects with provenance issues, while simultaneously denied the ability to confirm whether those objects passed through the hands of these dealers’.”

As subscribers to this newsletter will know all too well, it’s not just institutions who face this problem; the trade has also asked for access to help with provenance research. If they got it, where would that leave Tsirogiannis?

[The rise of provenance research posts at museums](#)

Following scandals at the Louvre and the Metropolitan Museum of Art in New York, among others, institutions are rushing to appoint specialist provenance researchers to inspect their

collections and, hopefully stave off any further problems. The Met announced a major appointment earlier this year and has just repatriated a third millennium BC Sumerian sculpture to Iraq; now Worcester Art Museum, which repatriated a bronze bust last year, has appointed Daniel Healey, a former North York District Attorney's office antiquities analyst, as the provenance research specialist, a newly created position.

"We are delighted to have Daniel Healey bring his experience and expertise to our work researching WAM's exceptional collection. Last fall...we identified a need to create a dedicated position for provenance research, a critical position to ensure the integrity of our collections," said Worcester Art Museum Director Matthias Waschek.

Healey joins the Museum from the New York County District Attorney's Office, where he served as an Antiquities Trafficking Analyst from 2021-2023.

Looted art: the woman tackling Switzerland's historical burden

Swiss Info: April 16: Nikola Doll has been appointed to the Swiss Culture Ministry to address the issue of looted art in the country's public collections. While Nazi-looted art is the prime focus here, it remains to be seen just how far her remit will spread.

How a Danish museum was asked to safeguard and then return 290 stolen gems to British Museum

Art Newspaper: April 17: A useful overview by Martin Bailey of the British Museum thefts case, it provides some interesting insights: "It is significant that Gradel's purchases, totalling 351 items, seem to have come from only two sources. This suggests that the objects stolen from the BM may have been dispersed over a long period of time through a relatively small number of channels."

Kenya ratifies the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property

April 18: UNESCO media release: It may come as a surprise that this has not happened before, and it will be interesting to see how Kenya approaches the issue of restitution in light of this development. It comes into force on May 15.

Antiquities repatriation fosters deeper China-US cultural exchanges

IPP Media: April 20: Celebrating the ever-closer cultural ties with China over the latest repatriation exercise at the hands of the New York District Attorney's Antiquities Trafficking Unit, and its head, Assistant District Attorney Matthew Bogdanos, this article quotes him thus: "I haven't met half of the people in this room, and that doesn't matter because for cultural heritage, what it does is it brings us all together, and all the differences melt away when we consider the shared cultural heritage of all humanity."

He goes on to explain the mission: "We recognize two of the most important aspects to cultural heritage – one is a reminder that we have far more in common than you might otherwise believe from all the headlines you read. And the second is that we have far more in common when we roll up our sleeves and get to work returning these antiquities where they belong because that's our only goal."

This article doesn't reveal whether the items in question were actually stolen or simply subject to the terms of the Memorandum of Understanding between the US and China, allowing them to be seized without any proof of illegitimacy. It also fails to consider that the MoU has resulted in the return of seized Tibetan items to the Chinese authorities – an insult to the Tibetans whose culture is suppressed by the Chinese as an occupying force of the Tibetan homeland.

The injustice of this is further exacerbated by a Chinese media source, Xinhua, publishing a jaw-dropping propaganda piece on the same day as Bogdanos signed away the Chinese

artefacts. Titled [Feature: Belt and Road breathes new life into Tibetan cultural heritage](#), the piece focuses on the success of the Shengyuan Carpet Group and how the Chinese are striving to popularize Tibetan carpet culture around the world”.

A rather different tale emerged two days later on April 22 courtesy of *The Taipei Times*, under the heading [Tibetans maintain their heritage](#).

“More than 1,000 Tibetans, including monks, were arrested following peaceful protests against the construction of the Gangtuo Dam in China’s Sichuan Province,” it began. “Some of the arrested Tibetans have been released, but with strict restrictions on their communication and movement.”

Arrests included a young monk, seized for holding up a portrait of the Dalai Lama. “These events highlight the tensions and challenges faced by Tibetans in expressing their cultural and religious identity,” the article reports.

In his [Cultural Property Observer blog](#), lawyer and collector Peter Tompa accuses Bogdanos of becoming a “Prop for Chinese Propaganda”: “Attention-seeking ‘world culture cop’ Matthew Bogdanos has allowed himself and Alvin Bragg’s Manhattan DA’s office to become a prop for [Chinese propaganda](#) of the Communist Party’s *Xinhua News Agency* by repatriating Tibetan cultural heritage to the very same government which has been engaged in “cancelling” Tibetan culture,” he writes. “Unfortunately, this and the recently [renewed](#) State Department MOU with the PRC [recognizes the rights](#) of China’s authoritarian Communist Government to the cultural heritage of its repressed minority populations. The basis for the seizure is unclear, but even if it were a valid one, why shouldn’t such materials instead be given to the representatives of the Tibetan people in exile?”

It’s disappointing that no one in the media seems to be asking these important questions as they report the return.

To further underline the questionable behaviour of China in this regard, a report from [Radio Free Asia](#) on April 28 explained that China had now reversed its policy on the destruction of the Uyghur city of Kashgar on the Silk Road. Having ordered the traditional heart of the city to be destroyed and rebuilt, after a 15-year programme of demolishing 85% of Kashgar’s ancient quarter, China now reportedly wants what is left of it preserved for tourism. On March 31, it passed The Regulation on the Protection of the Ancient City of Kashgar. Critics are said to believe the move is an attempt to deflect criticism of Beijing’s persecution of the 11 million mostly Muslim Uyghur.

[The Getty Museum Returns an Ancient Bronze Head to Turkey](#)

Artnet News: April 24: The New York Assistant District Attorney’s Antiquities Trafficking Unit (ATU) have struck again. This time at the Getty Museum in California – way outside the NY ADA’s jurisdiction, but doubtless another example of wielding power based on an obscure law that allows it to intervene when an object passed through its territory at some time in the past.

In the past the Getty has resisted demands to hand the life-size head of a young man in bronze c.100BC-100AD back to Turkey.

“The Getty Museum said that its policies are to return objects to the country of their origin or modern discovery when reliable information indicates they were stolen or illegally excavated. In 2022, the [museum returned a cache of artworks](#) to Italy after learning that they were linked to disgraced antiquities dealer [Gianfranco Becchina](#),” the report notes. Whatever the ATU had to say – and that has not been forthcoming – it was enough to change the Getty’s mind: “In light of new information recently provided by Matthew Bogdanos and the Antiquities Trafficking Unit of the Manhattan District Attorney’s Office indicating the illegal excavation of this bronze head, we agreed that the object needed to be returned to Türkiye,” museum director Timothy Potts said in a statement.

It's time to stop abusing UNESCO's 1970 cultural property convention for political ends

Antiquities Forum: April 24: As part of the joint initiative between IADAA and the ADA, known as the Antiquities Forum, April 24 – the 52nd anniversary of the Convention – served as the perfect opportunity for reflecting just how far attempts have gone to adapt its aims and terms to the political demands of today. The article refocuses on what the Convention's true aims were, what States Parties have actually signed up to, rather than what some think this may be, and why the terms of the Convention should be honoured rather than manipulated for specific agendas. For those without access to Linked In, where the Antiquities Forum publishes its thoughts, the article is also available via the [ADA website](#).