



IADAA NEWSLETTER NOVEMBER 2024

Fritz Hugelmann (1943-2024)



We have received the sad news that our former member Fritz Hugelmann passed away on October 7 at the age of 81.

Fritz was a member of IADAA from the early 1990s until his retirement in 2016. He started his career in this profession as an assistant to the legendary Wladimir Rosenbaum who ran his antiquities gallery in the monumental building Casa Serodine located on a picturesque square in Ascona. After Rosenbaum's retirement in the mid-1980s, Fritz and Yvonne Hugelmann took over the business and founded Galeria Serodine.

Over the years, Fritz and Yvonne Hugelmann were welcome participants at the art and antiques fairs held in Basel; KAM – Kunst & Antiquitätenmesse Basel, TEFAF Basel, its successor CULTURA and last but not least the Basel Ancient Art Fair in the Wenkenhof in Riehen near Basel.

Fritz and Yvonne Hugelmann specialized in Greek and Etruscan antiquities and had a special dedication to Cycladic culture. Many beautiful objects from Galeria Serodine can be found in countless private collections and museums around the world.

We wish Yvonne strength in this difficult time.

The clock is ticking for the European art market

Antiquities Forum (Linked In): November 23:

It is astonishing that so many of the high level art market seminars and conferences being held across the world – and notably in the UK and Europe – fail to address what is likely to be the biggest issue for those concerned next year.

For all the talk of AI, the rise of the Middle East as an art hub and the role of art advisors, no one seems interested in the one thing that might bring the whole transnational market across Europe to a juddering halt: the enforcement of EU Reg 2019/880 on the import of cultural goods.

Nominally introduced to fight terrorism financing (for which there has been no evidence) and money laundering, the unrealistic demands of the regulation when it comes to import documentation mean that honest market professionals will find themselves unable to send works they have bought or sold to the EU.

The law also applies to private citizens, thereby undermining the European Convention on Human Rights as it applies to property rights.

By now, members states within the EU should be on top of this law. They need to know what impact it will have on their resources when it comes to assessment and Customs, and they need to have a clear idea of exactly how they will enforce the law so that the roll-out across the 27 EU countries will be



uniform or at least harmonised so that they do not unwittingly create weak spots for entry that might attract criminals.

Guidelines promised in September have still not appeared. Behind closed doors, industry professionals are horrified at the state of affairs and find themselves unable to submit to the legal liabilities that signing off import documents will bring.

Advice from the authorities in Brussels has been conflicting – and those receiving it do not know if what they are being told is simply the interpretation of officials or binding law.

Too many questions remain unanswered as we approach the New Year, with an enforcement date of June 28. We are promised a set of guidelines before Christmas, but will they be enough?

Key questions that need answers now

Here are some key questions that still need to be settled:

- Who must sign off on the terms and conditions of import? The buyer? The seller? An intermediary such as an auction house?
- How can a buyer who has not personally inspected the goods they are importing, or does not have absolute knowledge of the accompanying documentation and its reliability prior to import, accept legal liability for its validity – to the point of risking criminal prosecution if it is not?
- Why would an auction house expose itself to such liability on behalf of a buyer or seller?
- Will the EU and its members states, including their Customs teams, accept third-party affidavits as sufficient evidence of legal export in order to solve the issues set out above?

- The regulation separates antiquities from archaeological artefacts and applies differing rules to each. However, it does not define how they are different. Will it accept the standard difference as set out in the complementary EU export law (116/2009)?
- How does the regulation distinguish between antiquities and antiques? This also remains unclear.
- Existing Customs codes do not distinguish between non-EU origin items, to which the new regulation applies, and EU-origin items which are exempt. How will Customs officers, who do not have relevant expertise in this area, decide what to do? While some of the above may seem fairly technical, these questions go to the heart of the import process. The lack of clarity means deep uncertainty over whether goods will be blocked or even seized at the border, or delayed, in some cases for up to five months.

Just as uncertain will be the costs involved, while the administrative burden for those completing the paperwork is daunting. As one leading insurance broker concluded: "This would be a total non-starter for the art market."

Already some members of the trade have said they will not import to the EU. While that may mean more business for non-EU art market centres like London, it would be a disaster for Paris, which has seen an uptick in its global share since Brexit. Ultimately, though, as a global industry, a law that proves insurmountable in a leading market jurisdiction will be bad news for us all.

Apollo Magazine names Dr Ittai Gradel as Personality of the Year

Following his ground-breaking work on exposing the British Museum scandal, collector, scholar and sometime dealer Dr Ittai Gradel has been named as Personality of the Year by Apollo Magazine.

In accepting the honour, he told Apollo: "I've been compared to Sherlock Holmes, which is very flattering, but he would have solved the case much more quickly and would have been less naive than me. I had to stumble my way into what happened simply because I couldn't imagine that it could be true – that I, sitting at my computer on a small Danish island, should have spotted a thief in the British Museum."



Whistleblower Dr Ittai Gradel, whose concerns were at first dismissed, but have now been vindicated, pictured during an interview with Sky News.

Italian market follows France and Germany in calling for lower VAT rate

The Italian art market has followed France and Belgium in calling for lower VAT on the sale of artworks. Associazione Gruppo Apollo, an association of dealers, collectors, auction houses and other related interests, have been particularly inspired by the French market's success in persuading its government to improve competitiveness by introducing a reduced marginal VAT rate of 5.5% on all transactions as of January 2025 instead of the prospective (and ruinous) rate of 20%. Germany, which had been operating a marginal rate of 19%, now applies a rate of 7%. Failure to move with the trend will put Italy at a distinct disadvantage, the Associazione Gruppo Apollo argues.

The story first broke in June.

Investigators Say a High-Profile Dealer Trafficked 2,000 Looted Artifacts

New York Times: October 31: In the latest development in this long-running case, Manhattan prosecutors have secured an arrest warrant for former antiquities dealer Eduardo Almagià, who is accused of trafficking artefacts to the tune of tens of millions of dollars from Italy.

"The 80-page warrant for Mr. Almagià's arrest describes a debonair figure who sold and donated prized artifacts to important museums and collectors, but who also operated under a cloud after the Italian authorities came to suspect decades ago that he had dealt with tomb raiders," the NYT reports.

Mr Almagia's comment following the news is consistent with his equivocal approach to the case so far: "In a telephone interview the day after the warrant was issued, Mr Almagià broadly denied wrongdoing and responded to the charges by saying: 'I do not deny them but I do not accept them'."

Metal Detectorist's Fine of 500 Bronze Age Relics Acquired by Scottish Museum

Artnet News: November 4:
Four years after it was uncovered on the Scottish Borders by a metal detectorist, a remarkable collection of Bronze Age artefacts dubbed the Peebles Hoard has found a new permanent home at [National Museums Scotland](#).

Containing more than 500 bronze and organic artifacts dating back to 1000–800 B.C.E., it includes several items never found before in Western Europe.

Two rattle pendants are the sort usually found in Denmark, northern Germany, and northern Poland – Scotland has never seen any before. They consist of interlinked bronze rings and pendant plates that would rattle when attached to horses or wooden vehicles. Other items range from a sword still in its wooden scabbard, and bronze



buttons still threaded on their original cords, to intricate decorative straps.

"The Peebles Hoard is exceptional," said Matthew Knight, senior curator of Prehistory at National Museums Scotland, in a statement. "It's an utterly unique discovery that rewrites our understanding of both Bronze Age communities in Scotland and our prehistoric international connections."

Shown here is a selection of objects from the hoard. ***Image courtesy of National museums Scotland.***

Yemen Signs International Treaty Denouncing Illicit Trafficking of Cultural Artifacts

ARTnews: November 8: Yemen has signed the UNIDROIT Convention, which comes into force there on April 1 next year.

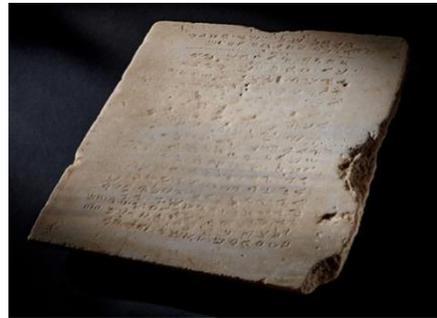
War, poverty and political instability have made the country's vulnerable archaeological sites a target for looters, according to ARTnews.

The Oldest Stone Tablet Carved With the Ten Commandments Is Up for Sale

Artnet News: November 12: "The oldest stone tablet depicting the Ten Commandments of Jewish and Christian faiths will be auctioned, more than a hundred years after it was first discovered," this article reports.

The 2ft high marble tablet (*pictured here, courtesy of Sotheby's*) is due to be displayed at Sotheby's New York from December 5 before going up for sale on December 18 with an estimate of \$1m-2m.

New York's Living Torah Museum previously sold it in 2016 for \$850,000, with the condition that the buyer display it to the public after the Israel Antiquities Authority designated the piece a "National Treasure."



International Day Against Illicit Trafficking in Cultural Property/ Officials Stress Need for Efforts to Recover Smuggled Antiquities

Qatar News Agency: November 13: UNESCO held its International Day against antiquities trafficking on November 14. Acting as a reminder of the numerous trouble spots around the globe, it also gave rise to a raft of statistics, including the revival of much mentioned bogus figures. This report states: "Trafficking in cultural property is the third largest international criminal activity, second to drug and arms trafficking. According to international reports, experts estimate that the total illicit trafficking in cultural property may reach USD 10 billion each year (separately). According to Interpol, this number has increased over the past decade."

As subscribers will know, the \$10 billion never was true and it took IADAA less than ten minutes to expose this when it was first published in October 2020. UNESCO now accepts that no one has clue as to the value of illicit trade in antiquities.

However, we have long known from World Customs Organisation figures that it forms the smallest area of concern when it comes to transnational illicit trade, not the 'third largest' as is claimed here yet again.

IADAA also challenged social media claims linked to the International Day, supplying independently verifiable data to support its case.

Bogus data has been less in evidence over the past year as bodies such as the European Commission and UNESCO have accepted the lack of supporting evidence, but these occasions show that they are only a mouse click away, so we must be vigilant in challenging them when they do appear.

British Museum Receives Donation Worth \$1.2 Billion—the Largest Gift in U.K. Museum History

Artnet News: November 13: The British Museum has enjoyed a major boost to its standing with the gift of the Percival David Collection, arguably the world's most outstanding collection of Chinese porcelain, which has been on loan there since 2009.

Donated by the Sir Percival David Foundation, the £1 billion collection has its origins more than a century ago when British businessman Sir Percival David started gathering together major pieces.

“This is the largest bequest to the British Museum in our long history,” said George Osborne, chair of the British Museum. “It’s a real vote of confidence in our future and comes at a highly significant moment for us as we embark on the most significant cultural redevelopment of the museum ever undertaken.”

Comment | EU’s new anti-looting law is another blow for legitimate trade

Art Newspaper: November 15: One of many articles now being written by art market lawyers on the threat of the EU import licensing regulation of cultural property (2019/880) due to be enforced from June 28 next year.

Rudy Capildeo is head of Art and Luxury Law at Wedlake Bell and neatly summarises many of the challenges the law will bring, calling it "potentially market-altering".

"Smaller galleries or dealers who may not have the resources to handle the administrative burden of complying with these regulations could find themselves at a disadvantage and many collectors simply won't have kept the necessary paperwork," he writes. "Some have also expressed concerns that the legislation could lead to a chilling effect on the legitimate trade of cultural goods, with some importers avoiding certain categories of items altogether."

None of this is news to readers of this newsletter and, indeed, IADAA and the Antiquities Dealers Association (ADA) in the UK have led the campaign against the most damaging aspects of this law for the past eight years and continue to do so, now leading a much wider group including some of the biggest names in the global industry.

Where we would disagree with this article is in Capildeo's belief that the lobby against regulation is "too little, too late". To be fair, he is unlikely to be aware or briefed on the work of the campaign group, which has a detailed and effective strategy and is on the cusp of launching its next phase in France, with more to come in Brussels.

Unesco steps in to protect Lebanese heritage sites

Art Newspaper: November 19: With air strikes breaking out in the Israeli/Hamas/Hezbollah conflict, cultural sites in Lebanon are at risk, with damage already recorded at the historic UNESCO World Heritage Site of Baalbek.

Now UNESCO has placed 34 sites on its enhanced protection list. But what does that mean in practice?

“Since the outbreak of hostilities, Unesco says it has been in close contact with site managers, cultural professionals and national authorities in Lebanon,” The *Art Newspaper* explains. “The organisation has offered its support in identifying emergency measures, inventorying museum collections, and moving works that can be moved to safe locations elsewhere in Lebanon,” says a statement.

German Museum Returns Ancient Marble Head to Greece

The Collector: November 22: Another report about the voluntary return of an ancient object to Greece, this time by a German museum, which had accepted it as a gift from a collector in 1989.

The Archaeological Museum of the University of Münster in Germany decided to return the marble head ‘after new research raised concerns about its ownership history’. From the report, these concerns seem to be based on the fact that prior to being owned by the German donor, ‘the previous whereabouts of the sculpture – including how it ended up in Germany – are uncertain’ and ‘more recently, researchers failed to confirm the provenance of the ancient marble head’.

The museum says it conducts periodic review to ensure that it meets the terms of the 1970 UNESCO Convention on illicit cultural property. That is understandable, but it is difficult to see how it has done so in this case. While the provenance may be uncertain prior to the previous owner’s donation of the head, the museum itself has

acknowledged that it has found no evidence of an illicit nature. The UNESCO Convention addresses illicit material. This being the case, the museum's decision may be politic, but it does not appear to be necessary under the terms of the Convention.

- Also reviewing museums' acquisitions and collecting policies will be the Penn Museum, which has just [announced a comprehensive study](#) that will report back in 2027. The [Museums: Missions and Acquisitions Project](#) is not interested in 'gotcha' moment, according to Brian I. Daniels, who will lead the investigation: "Ultimately, the report will offer both a real, honest, retrospective look at what's going on," Daniels said. "This whole project isn't interested in 'gotcha' moments, but it's interested in being able to provide museums with a roadmap of what needs to be done next and how museums can rethink the relationship between their collections and the public interest."

The project will be based on the PennCHC's Cultural Property Experts OnCall Program, a partnership with the U.S. Department of State's Cultural Heritage Coordinating Committee. It acts as a resource for law enforcement to identify cultural property that has been looted, stolen, or trafficked.

[Sale of Contested Roman Plate Sparks Debate Over Auction House Due Diligence](#)

Artnet News: November 28: The latest intervention by Christos Tsirogiannis, this time the academic archaeologist has accused Bonhams of offering a looted Roman silver plate for sale. Notorious for his attacks on the market, Tsirogiannis has made a reputation out of his exclusive access to the archives of disgraced dealers Becchina and Medici – access denied to auction houses and dealers. With it, he routinely alerts the media to items for sale that he believes were stolen, either by Becchina and Medici themselves, or their suppliers. What he does not do is to alert the auction houses or dealers offering the item for sale. The result is public embarrassment for the market and publicity for himself.

As Bonhams explains in this case, while conducting due diligence into what it puts up for sale, it cannot inspect archives to which it does not have access. Tsirogiannis knows this but in the past has suggested that auction houses run everything by him for inspection or, as in this case, submit it to the authorities for clearance.

He accuses the market of using a 'fake argument' over its lack of access to the archives: "He noted that market players can access the archives through the authorities, and all they need to do is send 'a simple email' with the basic information required about the objects in question and images of the objects as an attachment. The authorities should search the archives for them promptly and free of charge."

As anyone in the market knows, however, such replies to such requests are never prompt, and neither he nor the authorities are minded to help the market in a timely manner. Matters are further complicated by the fact that, especially in the case of Medici, a significant part of the archive involves items that were returned to the dealer after the authorities found no evidence of them being linked to any crime. Attitudes outside the market remain firm, however: any item linked to either dealer must be treated as tainted and removed from sale.

Tsirogiannis has his many champions, but he also has his critics, as this social media exchange from 2019 shows:



Frank Veritas @FrankVTruth · 25 Jun

it is not a secret data bank. it is copies of court records that Tsirogiannis was given access to as a witness in a Greek law case. He is not authorised to use the documents in this way. police have told me that if he is using these for financial gain, he could be charged.



Elginism @elginism · 24 Jun

Using a secret database of tens of thousands of photos, looted artefact tracer Christos Tsirogiannis is fighting to prevent auction houses from selling stolen works. [bloomberg.com/news/features/...](https://www.bloomberg.com/news/features/)

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