



IADAA NEWSLETTER MARCH 2025

What the media have to say about the new EU import licensing regulation

IADAA, in tandem with art market colleagues across several trade associations, has been briefing the media on remaining challenges under EU Reg 2019/880 as we approach the deadline for enforcement.

Two notable articles, one in the *Financial Times*, the other in *Apollo*, took up much of our time recently, with rather differing results.

After almost a decade of campaigning on the issue, this is a big topic to cover in under 2,000 words, but both publications gave it a shot.

Each noted that former MEP Daniel Dalton, who acted as rapporteur guiding the legislation through the European Parliament, had little good to say about the result – indeed, he has joined the market’s campaign to have the worst aspects of the regulation watered down. In fact, Dalton was not a fan of the regulation in the first place and was actively pointing out its failings to his EU Parliament colleagues even as he presented its terms to them, making pleas that largely fell on deaf ears.

Apollo talked to a wide range of dealers who highlighted the potential damage to the market and the likelihood of diverting business out of the EU to New York, London and the Far East – the potential damage to fairs staged in the EU is a major consideration. Over all, it gave a fair representation of the challenges and fears surrounding the regulation, while also setting out what drove it forwards.

The *Financial Times* piece was problematic because it contained errors that gave a misleading view. First, it stated that the new law affected the antiquities market, ignoring the extensive impact on the wider art market. It also claimed that an “importer statement” is “just a declaration and does not require proof”, a claim wide of the mark as the importer must have all relevant documents available for Customs inspection before and after import on pain of criminal prosecution.

The FT also referred to UNESCO’s 2020 *The Real Price of Art* campaign to illustrate the problem with trafficking but failed to mention that campaign’s public exposure [by IADAA] as fraudulent, or the fact that UNESCO had to apologise to the Metropolitan Museum of Art in New York for using images from its collection archive to fake adverts purporting to show trafficked objects.

It went on to describe UNESCO’s related \$10 billion claim as the value of trafficking as “unverified” – a term lending credibility to the claim when it was proven false at the time, the quoted source, Professor Marc-Andre Renold, telling the *Art Newspaper* he had no idea where UNESCO got the figure from. Nor did it mention IADAA’s notification to UNESCO of the claim’s inaccuracy within a day of the campaign’s launch, nor the fact that, knowing this, UNESCO continued to promote the figure for 18 months before admitting that no one had any idea of what the true figures were.

A letter to the FT setting out these clarifications was accompanied by an extensive file of proof to demonstrate all this, and the result was a dialogue with the FT’s Letters editor over several days before they went silent. A subsequent approach was met with more demands for evidence – almost all of which had already been supplied. It became clear that they had no intention of publishing.

An insider’s guide to collecting antiquities (and dodging knock-offs)

Financial Times: March 6: A rather refreshing and positive piece on antiquities prompted by the advent of this year’s TEFAF Maastricht, it starts with the following:

“This year’s Tefaf art and antiques fair in Maastricht includes eight antiquities galleries (a small percentage of the fair’s 273 exhibitors): specialists who are passionate about winning people over to their niche. They share some refreshing reminders about the realities of the market — plus some pleasant surprises — for the would-be collector.”

It continues: “...it’s a small market but covers thousands of years and numerous cultures so is the broadest niche of all,” says the London dealer [and IADAA member] Rupert Wace.

A rare acknowledgement in the media comes next: “The trade is heavily and increasingly regulated but absolute oversight is impossible, particularly in the digital age — witness the recent appearance on eBay of some of the hundreds of objects that were stolen from the British Museum.”

Further explanation of why, when it comes to provenance and documentation, matters can be complicated, is neatly capped by Martin Clist of Charles Ede Ltd {also of IADAA}: “the absence of evidence is not evidence of absence”.

Full marks for journalist Melanie Gerlis for also noting the following: “A reputable dealer will have done a lot of heavy lifting. “Even we can’t do it all ourselves,” says the Roman arts specialist Ollivier Chenel. “We reach out to scholars and other researchers to chase down sources and provenance.”

Then a nod to the associations for helping potential buyers find a reliable dealer: “But how to know a dealer is reputable? The main trade bodies are the International Association of Dealers in Ancient Art (IADAA) and the Antiquities Dealers’ Association (ADA), while some individual regions have their own professional organisations, such as the British Antique Dealers’ Association and the Syndicat National des Antiquaires.”

If the *FT* got it somewhat wrong in its coverage of the new EU import licensing regulation [see above], this article has certainly helped redress the balance.

D.A. Bragg Announces Return Of 20 Antiquities To The People Of Nepal

Manhattan District Attorney media release: March 7: A straightforward return from one point of view; these were pieces trafficked by disgraced dealer Subash Kapoor, and now valued at more than \$3 million.

Tourist, 61, faces ten years in Greek jail after stealing ancient marble column in latest case of holidaymakers desecrating treasured historical sites

Daily Mail: March 7: News of a German national being caught trying to board a ferry to Italy at the Port of Patras with a stolen column concealed in his car.

“The suspect claimed in court that he purchased the piece near the Acropolis in Athens, believing it was a replica rather than a genuine artifact.” the *Mail* reports.

US hands over Tibetan Buddhism relics to China

Radio Free Asia: March 13: As the Greek authorities honour Manhattan Assistant District Attorney Matthew Bogdanos with the Order of the Phoenix in thanks for his extensive work returning seized artefacts to their country, his antiquities trafficking unit is under scrutiny for another return. This one involved handing Tibetan artefacts over to the Chinese, oppressors and occupiers of Tibet.

According to this article, the Manhattan D.A.’s office handed over the 41 artefacts to China on March 3 — some are pictured here, courtesy of China’s National Cultural Heritage Administration via *Xinhua*.

However, the D.A.’s office, usually keen to publicise returns — indeed on March 7 it issued a release about returns to Nepal — appears to have made no mention about the Tibetan case.

“The transfer was conducted as part of an agreement between the two countries to protect cultural heritage and identity and prevent Chinese cultural relics from

illegally entering the U.S. Since the pact was first agreed to on [Jan. 14, 2009](#), the U.S. has sent 594 pieces or sets of cultural relics and artworks to China,” said RFA. It then raised its concerns: “But sending Tibetan artifacts to China has raised concern that Beijing will use them to justify its rule in Tibet, which the country annexed in 1950.”



“The Chinese government will certainly misuse these returned artifacts and will use them to further promote their false historical narrative that Tibet has always been a part of China,” Vijay Kranti, director of the Center for Himalayan Asia Studies and Engagement, based in New Delhi, told RFA.

Kate Fitz Gibbon, executive director of the Committee for Cultural Policy, the U.S. think tank established in 2011 to strengthen the public dialogue on arts policy, is equally critical.

“It is an outrageous act to return Tibetan objects in the diaspora to the People’s Republic of China, which is deliberately destroying Tibetan cultural heritage,” she said.

“Since China occupied Tibet, U.S. authorities have accepted that Tibetan artifacts belong to the Tibetan people, not China’s government,” Fitz Gibbon said in an email. “The turnover by the Manhattan District Attorney’s Antiquities Trafficking Unit directly challenges that policy.”

Two questions: Why is the D.A.’s office happy to act against the Tibetan people’s interests in this way, and if it considers such a return appropriate, why no publicity when it is always so keen to promote its returns, and did so just four days later in relation to Nepal?

[How illegally excavated Greek pottery came into the trade at Mieke Silverberg \(Translated from Dutch\)](#)

NRC: March 15 & 16: (Published on day of the opening of TEFAF 2025): The article concerns an Attic Siana cup from the 6th century BC sold at Sotheby’s in London in 1985 and consigned on commission for sale to Dutch dealer Mieke Silverberg in 2020, who promoted it on her website at the time and showed it at TEFAF Maastricht.

This case raises a whole set of wider questions, so it is worth reminding ourselves about the origins of the Medici scandal and its repercussions.

Giacomo Medici was an Italian antiquities smuggler and art dealer convicted in 2004 of dealing in illegally excavated ancient artifacts. On the one hand, Medici was prosecuted and punished for the inexcusable offence of trafficking antiquities on a grand scale, thereby inflicting considerable damage on the historical context of

heritage finds as well as blighting honest trade in a manner that has echoed down the years. On the other hand, the Carabinieri also had to return a large quantity of Polaroid photos of antiquities to Medici, that had been seized in 1995, after the court found no evidence that the objects were illicitly excavated.

(As an aside, Medici claims to have the copyright of these photos; if so, under what authority did *NRC* publish them?)

When Silberberg took the cup on commission in 2020, she consulted classical archaeologist Professor Herman Brijder, the leading expert on such cups, who raised no issues with it.

Silberberg exhibited the cup, *pictured here*, at TEFAF in 2020, where due diligence included an Art Loss Register search, which confirmed it was not registered as stolen. Vetting would have included officers from the Italian Carabinieri on the lookout for illegal objects. The cup passed the test. However,



Toeboosch's article does not mention this fact.

With the above in mind, we turn to the law.

The EU Directive and the statutes of limitations

The European Union has a specific Directive that provides the rules of how to behave in cases like this one: *DIRECTIVE 2014/60/EU on the return of cultural objects unlawfully removed from the territory of a Member State*. Article 1 refers to 'national treasures' unlawfully removed from a member state. With 2,500 Siana cups known, a single cup would hardly command the status of 'national treasure'. Even if it did, Article 8.1 limits return claims to three years after the requesting Member State becomes aware of the location of the cultural object and of the identity of its possessor or holder. Having inspected it and taken no action at TEFAF Maastricht in 2020, five years on a Carabinieri claim would not meet the terms of the Directive. On top of that, Article 8.1 also stipulates: "*Such proceedings may, in any event, not be brought more than 30 years after the object was unlawfully removed from the territory of the requesting Member State.*"

This clause is based on Roman law's period for acquisitive prescription (if you are in possession of an object for 30 years you become the rightful owner) as applied in most European countries – a principle that is often forgotten in these debates. To recap, the cup was sold at auction in London 40 years ago – long before the Medici problem arose – and would have been inspected by the Carabinieri five years ago, when they raised no questions about it. The Statute of Limitations for claims has passed on more than one count.

Bearing all this in mind, what was *NRC* doing publishing an article about it – and doing so on the day that this year's TEFAF Maastricht opened, especially considering that Kunsthandel Mieke Silberberg was not exhibiting there?

This appears to be yet another attempt to harass and embarrass the trade by weaponising the Medici Polaroid archive to which it has no access.

Professor Tsirogiannis has unofficial access to the archive. Collectors, dealers and auction houses do not. When challenged on the point, Professor Tsirogiannis has previously stated that the trade can complete their due diligence by submitting items to him for checking against the archives, or they can submit them to the Carabinieri. However, his antagonistic approach to the art trade means he is not trusted, and anyway he has no official standing to act as arbiter.

Submitting details to the Carabinieri for checks also comes with a catch: applicants must sign a form that gives the Carabinieri the right to seize the item in question if they believe it to be illicit, but without having any obligation to justify such a seizure. The trade has asked the Italian authorities in the past to make the Medici Polaroid archive available for dealers to complete due diligence, but this has never happened. Given that 30 years have passed since the seizure of the Polaroid archive – matching the EU Directive's statute of limitations that might have allowed claims – the Medici case should now be put to rest.

The objects, of types generally well represented in public and private collections, should be allowed to circulate, with their provenance clearly stated, rather than be withdrawn from the market and public visibility, for fear of negative publicity, only to languish in a storeroom or perhaps an Italian museum basement.

Ancient Egyptian treasure discovered with gold statuette depicting family of gods

Daily Star: March 6: A team of archaeologists has uncovered a 2,600-year-old pot of gold jewellery at Karnak in Egypt. The find took place in what is said to be the tomb of Hatshepsut, one of the few female Pharaohs, which was recently discovered.

3,200-year-old Egyptian tomb may belong to military commander who served under Ramesses III

Live Science: March 21: A newly discovered ancient Egyptian tomb may be that of an important military commander who served the Pharaoh Rameses III, the second pharaoh of the Twentieth Dynasty whose reign is thought to have dated from 1186 to 1155 B.C.

The theory is based on the discovery of a gold ring in the tomb which carries the name of the Pharaoh, and arrowheads.

The tomb was discovered at the site of Tell el-Maschuta in northeastern Egypt. Built of mud bricks, it consists of a burial chamber and three other chambers.

Archaeologists also found a small ivory box and inscribed pottery vessels.

“Some of the inscriptions contain the name of Horemheb (also spelled Haremhab), a pharaoh who reigned from about 1323 to 1295 B.C. and was a military leader before becoming pharaoh,” the article explains. “It’s not clear why the inscriptions mention Horemheb, but one possibility is that pottery from an older burial was reused in this burial.”

British Museum's Latest Trustees Stir Debate Over Stolen Antiquities

Greek City Times: March 24: New Trustees for the British Museum include Dr Tiffany Jenkins, whose book *Keeping Their Marbles* sets out arguments against the return of the Parthenon Marbles to Greece. Jenkins' appointment “reignites debate” over the marbles, the article claims.