



**Neil Brodie**

## **AUCTION HOUSES AND THE ANTIQUITIES TRADE**

From their prestigious premises in London and New York the large auction houses Sotheby's and Christie's and to a lesser extent Bonhams dominate the antiquities market. Straddling the wholesale-retail divide, selling to collectors and dealers alike, their auctions are highlights of the annual antiquities sales calendar. Not surprisingly, given their central place in the market, they frequently become embroiled in disputes over the possession of stolen and illegally-exported (illicit) antiquities. One reason for this seeming vulnerability to third-party fencing operations is their dismissive attitude towards published provenance, considered here to comprise the published ownership history of a piece. In auction catalogues provenance is often not supplied or offered only in barest anonymized outline – "property of a European gentleman" or "bought on the London market" have become clichés. Even when more informative and reliable information is made available, it is usually limited to one or two public events in the otherwise private life of the object – the date and place of a previous sale, for example, or the object's mention in a scholarly publication. Only on rare occasions is a full provenance detailing an unbroken chain of ownership provided. With nothing that might help to reveal their true nature, there is nothing to hinder the entry onto the market of stolen, illegally-traded or counterfeit antiquities. For this reason alone, auction houses facilitate illegal trade by providing an environment that is conducive to the marketing of illicit material. But their involvement is sometimes thought to go beyond simple facilitation, and extend to more active support. This paper describes cases of auction houses having been caught selling stolen or otherwise illegally-traded material, and examines what they reveal about the policies and practices of auction houses as regards the illicit trade in antiquities, and what evidence there is of the more intimate involvement of auction houses.

### **THE INVESTIGATION OF SOTHEBY'S LONDON DURING THE 1990s AND ITS FOLLOW-UP**

For a long time, the propriety of the auction business was considered beyond reproach. 20 years ago, a paper such as this one would not have been written. But times and opinions have changed. Perhaps the first sign that auction houses might be selling stolen antiquities came in June 1995 when Italian authorities recognized at Sotheby's New York a marble torso of Artemis that had been stolen in 1988 from a convent in Naples and secured its return<sup>1</sup>. The appearance of a stolen antiquity in a Sotheby's catalogue was surprising to many people at the time, but not to everyone. Throughout the 1980s and into the 1990s, Sotheby's London

<sup>1</sup> Mason 1997.

had been selling unprecedented quantities of unprovenanced artifacts from Italy, attracting the critical attention of archaeologists who suspected illegal excavation, though the evidence needed to confirm that suspicion was initially hard to come by. The evidence did arrive in 1991, however, when a disgruntled former employee of Sotheby's London came to journalist and author Peter Watson with three suitcases full of internal documents recording what he alleged to be malpractice at the auction house. The documents prompted Watson to investigate the activities of Italian antiquities dealer Giacomo Medici and Indian antiquities dealer Vaman Ghiya, who both appeared to have been consigning large quantities of illicit material to Sotheby's through the offices of front companies based in Switzerland. The documents also suggested that some Sotheby's staff were aware of the situation. In 1985, for example, Dietrich von Bothmer of the Metropolitan Museum of Art had written to warn Sotheby's that an antiquity offered for sale at a forthcoming auction had been illegally excavated in Italy<sup>2</sup>. Sotheby's withdrew the piece without alerting Italian authorities, but even though it could be traced back to Medici, continued accepting consignments that could be sourced to him. So profitable was the relationship with Ghiya for Sotheby's that in 1986 the company proposed that their India expert should visit him twice a year to discuss what objects might be suitable for sale<sup>3</sup>. In 1997, Watson finally announced his findings on television and in a book<sup>4</sup>. The suspicions of archaeologists about the source of the unprovenanced Italian antiquities looked to be confirmed. Sotheby's announced that it was stopping London sales of Classical and South Asian antiquities, which in future would be held only in New York. The two heads of the respective departments also left the company<sup>5</sup>. The glittering myth of auction house propriety had been shattered.

While Watson's enquiries were ongoing, in Italy the Carabinieri had started their own investigation of Medici, and in 1995 raided his warehouse in Geneva Freeport, where they seized 3,800 objects, 4,000 photographs, and 35,000 sheets of paper relating to his business practices. Included among the photographs was a dossier of Polaroid photographs taken by Medici of recently looted objects in his possession, and that could be used to identify illicit objects that had subsequently been acquired by collectors and museums or offered for sale at auction. The Carabinieri also discovered that while Medici had been selling illegally-obtained artifacts through Sotheby's, he had been laundering them too. He would consign a looted antiquity through one front company and buy it back through another company. He would then be able to sell the same artifact at a future date with a Sotheby's provenance, thus providing it with an aura of legitimacy. In only four auction catalogues, the Carabinieri investigators were able to identify 29 examples of this type of object laundering<sup>6</sup>. Medici was convicted in 2005 of trafficking in stolen artifacts. In May 2002 the Carabinieri in collaboration with Swiss police went on to raid the Swiss premises of another Italian antiquities dealer, Gianfranco Becchina, recovering another haul of documents and photographs of looted objects<sup>7</sup>.

To begin with, the Italian authorities used the evidence seized from Medici and Becchina to launch successful claims for repatriation of illicit material acquired by major US museums. Increasingly though, they started to make their presence felt in the market by reclaiming identifiably illicit objects when they appeared for auction. In 2009, for example, a Corinthian column krater was retrieved from Christie's New York, where it had been scheduled for sale in the June Antiquities sale, on grounds that it had been introduced illegally to the market by Medici<sup>8</sup>.

<sup>2</sup> Watson 1997, 184.

<sup>3</sup> Watson 1997, 146-147.

<sup>4</sup> Watson 1997.

<sup>5</sup> Watson 1997, 311.

<sup>6</sup> Watson and Todeschini 2006, 135-145.

<sup>7</sup> Isman 2011; Watson and Todeschini 2006, 292-293.

<sup>8</sup> Gill and Tsirogiannis 2011, 30; ICE 2009b.

<sup>9</sup> ICE 2009a, 2009b, 2012; Gill and Tsirogiannis 2011, 30.

<sup>10</sup> Rountree 2008.

<sup>11</sup> Squires 2008; Gill 2009, 83-84.

<sup>12</sup> Gill and Tsirogiannis 2011, 29.

<sup>13</sup> Isman and Gerlis 2010.

<sup>14</sup> Squires 2008.

<sup>15</sup> Hughes 2010.

<sup>16</sup> Tsirogiannis 2013.

<sup>17</sup> Bookidis 2007, 119-120; IFAR 1990.

<sup>18</sup> Axarlis 2001.

<sup>19</sup> Axarlis 2001; USA 2001.

<sup>20</sup> Bookidis 2007, 124.

<sup>21</sup> Bookidis 2007, 124.

<sup>22</sup> Axarlis 2001.

Also in 2009, two ceramic vessels that had been sold at the same Christie's June sale were seized, and together with a Roman marble Janiform Herm sold at Christie's New York in December 2009, returned to Italy. All three pieces had been illegally-exported from Italy to Switzerland and had passed through the hands of Becchina before arriving in the United States<sup>9</sup>.

Christie's was not the only auction house to fall under Italian scrutiny. In October 2008, Bonhams in London announced the forthcoming sale of material from the collection of Graham Geddes<sup>10</sup>. The sale had originally comprised 180 lots, but the day before it was due to go ahead the Italian authorities informed Bonhams that ten pieces probably derived from illegal digs. Bonhams ultimately withdrew 15 pieces from auction, in the expectation that Italy would make a formal claim for their return<sup>11</sup>. Seven of the pieces had been acquired at Sotheby's London between 1984 and 1989. Bonhams was also forced to withdraw four pieces from its London April 2010 sale<sup>12</sup>. By October 2010, however, Bonhams seems to have developed a more robust attitude toward claims for recovery, refusing to withdraw two objects said to feature in the Medici Polaroid dossier, objecting that they did not appear in any stolen art database such as those maintained by Interpol and the ALR and complaining about lack of access to the Medici and Becchini photographs<sup>13</sup>. After the Geddes sale, Bonhams' chairman Robert Brooks had similarly expressed his frustration when he was quoted in the *Telegraph* as saying "We would welcome a greater openness on the part of the Italian government, which would allow us far more advance warnings and information about concerns they have"<sup>14</sup>. The Italian authorities have refused calls to share or make public the Medici and Becchina photographs because they constitute evidence in ongoing investigations. Nevertheless, the auction houses feel aggrieved that despite their official status as evidence the photographs still seem to find their way into the accusatory hands of journalists and scholars<sup>15</sup>, who are not slow to call attention to allegedly illegally-traded antiquities appearing in catalogues<sup>16</sup>.

#### OTHER CASE STUDIES AND WHAT THEY REVEAL

Although it is now been established that the major auction houses were centrally implicated in the illegal trade of Italian antiquities, even if only unwittingly, other investigations have shown that their involvement in illicit trade did not stop there. In April 1990, for example, thieves stole more than 270 artifacts from the Museum of the Corinth Excavations in Greece<sup>17</sup>. By 1993, some of the stolen material was in Miami, in the hands of one Wilma Sabala, a friend of one of the thieves. In December 1997 and March 1998, Sabala sold five pieces by auction at Christie's New York<sup>18</sup>. In September 1999, FBI agents in collaboration with Greek police recovered another 265 of the stolen objects in twelve plastic boxes hidden in crates of fresh fish in a Miami warehouse<sup>19</sup>. 14 pieces were still missing, however, including three marble heads – of Julius Caesar, Serapis and Eros. The heads were subsequently recovered from sales at Christie's New York in 1999<sup>20</sup>. Christie's did not divulge the name of the consignor<sup>21</sup>. Sabala was arrested in Miami in June 2000 and subsequently pleaded guilty to interstate transport of stolen property<sup>22</sup>.

Auction houses are often imagined to be relatively passive commercial institutions, offering a physical space and the professional services necessary to create a context of trust within which buyers and sellers can transact indirectly and if they so desire

in conditions of anonymity. Watson's investigation showed this characterisation to be far from the mark, however, when he described how auction houses actively seek out business, they do not simply wait for consignors to walk through their front doors. They look for customers too, though occasionally the auction houses' active search for "clients" has unintentionally exposed the illicit provenance of consigned objects. In 2008, for example, an alabaster vessel in the form of a trussed duck that had been officially excavated in 1979 from a burial chamber at Dashur and stolen from storage in Saqqara sometime later was returned to Egypt<sup>23</sup>. Hoping to secure a sale, in 2006 Christie's New York had brought the vessel to the attention of a curator at the Metropolitan Museum of Art, who was ironically its excavator and who recognized the piece as stolen. The identity of the consignor was not revealed. In August 2008, the Long Island University Hillwood Museum's outgoing director Barry Stern stole nine of the museum's Egyptian artifacts. He sold five at Christie's New York in December 2008 and a further three in June 2009<sup>24</sup>. The theft was discovered in June 2009 when Christie's faxed the dispossessed Hillwood Museum a purchase offer on the remaining unsold piece. Stern confessed the crime and in October 2010 was sentenced to one year's imprisonment<sup>25</sup>.

Most illicit pieces appearing in auction catalogues that are subsequently returned to their legitimate owners are identified by outside agencies such as scholars or police. If an auction house's own internal investigation of provenance uncovers evidence of illegal trade it is not publicized, presumably because it is bad for business, so it is not known for certain how often this happens and what procedures are followed when it does happen. One example of auction house policy as regards the in-house discovery of possible stolen pieces is provided by a South Arabian stele consigned in 2002 by Phoenix Ancient Art of New York for sale at Sotheby's New York<sup>26</sup>. Sotheby's staff discovered that the piece had been stolen from the Aden Museum during the 1994 Yemeni civil war and offered to investigate the museum's claim to title on behalf of Phoenix<sup>27</sup>. Phoenix decided instead to relinquish ownership and the stele was returned to Yemen in 2004. Sotheby's did not alert INTERPOL or any other law-enforcement agency about the presence of a possibly stolen object on their premises. Their offer to intervene privately with Aden Museum on behalf of Phoenix shows instead that their first obligation was to the consignor, or perhaps more realistically to their own sales commission.

The illegally-traded and recovered pieces so far discussed have been offered for auction with either no provenance or with a meaningless anonymized provenance. Sometimes, however, fuller provenances are simply fabricated. In 2002, 70 artifacts excavated officially from the Egyptian site of Ma'adi were reported stolen from a storage facility at Cairo University<sup>28</sup>. Five stone and two ceramic vessels turned up for sale at Bonhams in October 2004 when they were recognized by a French egyptologist, who alerted Bonhams and caused their withdrawal and return to Egypt. In the catalogue's saleroom notice the provenance was said to be "acquired by Joseph Garnish while working in Cairo for a mining company in the 1930s. Thereafter, they stayed in the family until acquired by the present owner from his grandson". Another Ma'adi stone vessel was sold through Christie's New York in June 2004, said to have been excavated at Ma'adi with a provenance "J. Garnish Collection, acquired in Egypt in the 1930s". The purchaser offered the piece on loan to the Metropolitan Museum of Art in New York, whereupon the Metropolitan's staff recognized the piece as stolen, and arranged with the purchaser for it to be returned to Egypt.

<sup>23</sup> SCA 2014a.

<sup>24</sup> Cornell and Mollica 2009.

<sup>25</sup> Maddux 2010.

<sup>26</sup> New York 2003.

<sup>27</sup> New York 2003.

<sup>28</sup> Brodie 2005; Sciences et Avenir 2005.

Neither Bonhams nor Christie's revealed the identity of the consignor, though it was soon discovered. By 2004, a large number of stolen Ma'adi ceramic vessels had appeared for sale on various websites, usually advertised with photographs, and sometimes with an excavation number, in which cases they were easy to check against the 1987 publication of the official excavation. Working together with the ALR, US Immigration and Customs Enforcement (ICE) launched an investigation into the trade of the Ma'adi material, and in February 2008 it announced the arrest of US Army helicopter pilot Edward George Johnson<sup>29</sup>. Johnson had been on active service in Cairo from February to October 2002. On his return to the US in January 2003 he had contacted Sands of Time Antiquities, a retail gallery, claiming that the Ma'adi artifacts which were then in his possession had belonged to his grandfather who had acquired them in Egypt during the 1930s and 1940s. Johnson's arrest warrant states that although he devised the false provenance, he failed to provide Sands of Time with any documentary or other verification<sup>30</sup>. Nevertheless, Sands of Time paid in the region of \$20,000 to Johnson for something like 80 pieces, and was subsequently able to sell them to other dealers and collectors around the world, including Bonhams and Christie's as already described<sup>31</sup>. Thus if Sands of Time did not receive any material proof of provenance, the implication must be that Christie's and Bonhams then took Johnson's false account of provenance as repeated by the consignor Sands of Time at face value, again without any substantive verification. In July 2008, Johnson pleaded guilty to possession and selling of stolen antiquities<sup>32</sup>, and in December 2008 ICE returned 79 artifacts to Egypt<sup>33</sup>.

Johnson pleaded guilty to possession and handling, but falsifying provenance in itself can be a criminal offence, even when the exact nature of illegal provenance is not known. In August 2013, for example, Neil Kingsbury pleaded guilty to charges relating to the fraudulent misrepresentation of provenance of Egyptian artifacts he had sold through auction at Christie's and Bonhams in London<sup>34</sup>. He denied knowing the material was stolen. The case hinged on six pieces he had consigned to Christie's for their May 2013 Antiquities sale. He told Christie's that he had inherited the pieces from his uncle who had lived in Egypt in the 1940s, and their provenance was described in the Christie's catalogue as "Private collection, UK, acquired Egypt 1940s; thence by descent". One of the pieces, a red granite relief fragment depicting a Nubian captive, was recognized by a curator in the British Museum as having been discovered in 2000 in the Temple of Amenhotep III. A colleague in Egypt confirmed it had been stolen from a storage depot. Christie's withdrew the all six pieces from sale and alerted the police and the Egyptian embassy. Kingsbury claimed to have bought the material in a tourist shop in Egypt, and admitted to having previously sold another five pieces at Bonhams and eight pieces at Christie's.

Limited space precludes in-depth discussion of many other stolen and illegally-exported objects that have been recovered from auction houses, but they include:

- A fragment of wall relief from an ancient Egyptian temple at Behbeit el-Hagar recovered from Christie's New York in June 2002 and returned to Egypt in August 2004<sup>35</sup>.

- Seven ancient Egyptian artifacts stolen from the Amsterdam Bijbels Museum in July 2007 recovered from Christie's New York in May 2009 and returned to the Museum<sup>36</sup>.

- Six figurines stolen from the tomb of the Chinese Western Han Empress Dou recovered from Sotheby's New York and returned to China in July 2003<sup>37</sup>.

<sup>29</sup> USA 2008.

<sup>30</sup> USA 2008.

<sup>31</sup> ICE 2008a; ICE 2008b; USA 2008.

<sup>32</sup> ICE 2008b.

<sup>33</sup> ICE 2008b.

<sup>34</sup> Bailey and Gerlis 2013.

<sup>35</sup> Pogrebin 2004.

<sup>36</sup> ICE 2009c.

<sup>37</sup> Beech 2003.

– A marble head of the Roman emperor Marcus Aurelius stolen from a museum in Skikda, Algeria in 1996 featured on the front cover of the Christie's New York 8 June 2004 Antiquities catalogue and returned to Algeria in January 2008<sup>38</sup>.

– A marble relief panel stolen from the Tomb of Wang Chuhzi of the Five Dynasties recovered in March 2000 from Christie's New York and returned to China on 23 May 2001<sup>39</sup>.

– A limestone relief fragment from the Egyptian Late period Tomb of Murtidis recovered from Bonhams in May 2008 and returned to Egypt<sup>40</sup>.

– A head of the Roman emperor Vespasian's daughter Flavia Domitilla stolen from Libya's Sabratha Museum in 1990 and sold in April 2011 at Christie's London before being returned to Libya later the same year<sup>41</sup>.

– A small bronze statue of Zeus stolen from the National Museum of Italy in 1980 and sold at Sotheby's New York in December 2004 before being returned to Italy in November 2010<sup>42</sup>.

– A 10th-century AD Khmer sandstone statue of the Hindu hero Duryadhana stolen from the Prasat Chen temple site at Koh Ker in the early 1970s, recovered from Sotheby's New York and returned to Cambodia in December 2013<sup>43</sup>.

– Three (of more than a hundred) Cambodian stone sculptures stolen from storage at Angkor Wat sometime during the 1970s, one sold at Sotheby's New York in 1992, one at Sotheby's London in 1985 and one at Sotheby's London in 1993; all later returned to Cambodia<sup>44</sup>.

– A 2nd-century AD mosaic stolen from ancient Edessa in Turkey and sold by Christie's New York in December 1999 to the Dallas Museum of Art from whence it was returned to Turkey in 2012<sup>45</sup>.

#### IRAQI ARTIFACTS INSIDE AND OUTSIDE THE AUCTION HOUSES

The archaeological sites and museums of Iraq were very badly looted during the wars of the 1990s and early 2000s, and it wasn't hard at the time to find suspicious-looking Iraqi artifacts coming up for auction. An Old Babylonian cuneiform-inscribed clay barrel, for example, appeared for sale at Sotheby's New York in May 1997, without provenance, though with the comment that "only three other examples of this inscription are known", which was true enough. Over the next five years a further seven previously unknown examples of the very same inscription on similar barrels were offered for sale at Sotheby's and Christie's<sup>46</sup>. The sudden and suspicious appearance of so many previously unknown barrels at a time of such severe looting in Iraq does not seem to have raised any questions for the auction houses where the sales went ahead as planned.

The failure to subject the provenance of the barrels to a rigorous and critical examination is all the more surprising given the trade embargo imposed on Iraq in 1990 by United Nations Security Council Resolution (UNSCR) 661 in response to the Iraqi occupation of Kuwait. The auction houses included notices of this embargo in their catalogues, so were clearly aware of its existence. Christie's London, for example, in its 12 December 1990 Fine Antiquities catalogue, had this to say: "A recently imposed United Nations trade embargo prohibits us from accepting bids ... from any other person where we have reasonable cause to believe ... that the lot(s) will be used for the purposes of any business carried on in, or operated from, Iraq or Kuwait".

In the context of the barrels, however, it is clear that "reasonable cause to believe"

<sup>38</sup> ICE 2008c.

<sup>39</sup> US Customs 2001.

<sup>40</sup> SCA 2014b.

<sup>41</sup> Bailey 2011.

<sup>42</sup> Telegraph 2010.

<sup>43</sup> Mashberg and Blumenthal 2013.

<sup>44</sup> ICOM 1997.

<sup>45</sup> Dallas Museum of Art 2012.

<sup>46</sup> Brodie 2008a, 43-44, 50 table 1.

*Table 1. Number of lots of cylinder seals sold biannually at Christie's London from 1998 to 2013, showing diminishing number of lots with no provenance and increasing number of lots with a pre-1990 provenance, with a sales hiatus in the mid-2000s. (Note the complete absence of any lots with a provenance stretching back to 1990 or after. The 1990 or after category is included in the key to emphasize that its absence from the histogram is a real one).*

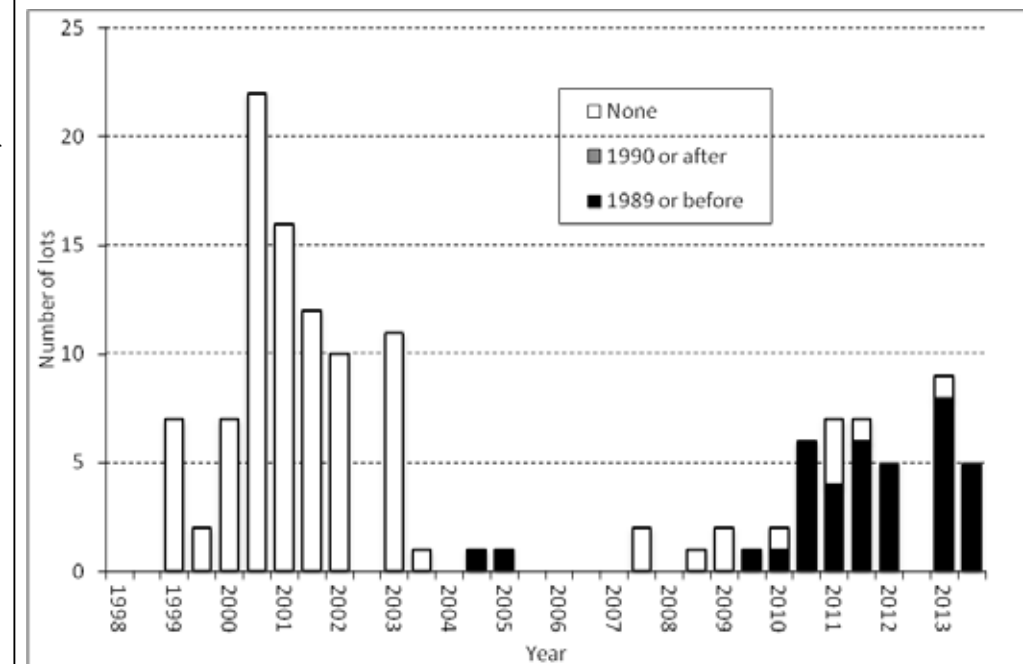


Table 1 shows the spring and autumn sales volumes of cylinder seals at one auction house (Christie's London) over the period 1998 to 2013. The sale of large numbers of unprovenanced seals being sold in the late 1990s and early 2000s stopped in the years immediately following 2003, only for sales to start again from late 2007 onwards, though not in such large quantities as previously. It also shows

since 2009 increasing quantities of material with a 1989 or earlier provenance, but nothing with a provenance stretching back to the period 1990 to 2013. In other words, if the provenances provided are to be believed, there is nothing on the face of it that would give “reasonable cause to believe” of illegal export from Iraq after the date of UNSCR 661. The example of the Nimrud earrings, however, and indeed of other case studies presented here, shows that the provenances supplied to auction houses and reproduced in their catalogues cannot be relied upon, and must raise questions about the real origin of some of the material now being sold.

Auction house sales of cuneiform tablets raise another question. Given the scale of archaeological theft and destruction in Iraq, the number of tablets appearing at auction was not really so high. Between 1991 and 2003, for example, Christie’s London and Sotheby’s New York between them offered approximately 491 cuneiform tablets for sale. Over the same period, one private collector in the USA accumulated 10,000 tablets<sup>50</sup>, and another one since 2011 claims to have assembled “one of the largest collections of cuneiform tablets in the Western Hemisphere”<sup>51</sup>. It is clear from these figures that the auction houses were offering only a small proportion of all cuneiform tablets coming out of Iraq. The remainder were being traded privately, no doubt with false provenances, from dealers to private collectors. This observation is not really new. High-quality objects of suspicious provenance have always been acquired for high prices from private dealers on the so-called invisible market<sup>52</sup>. Auction houses might be offering a window onto the flow of illicit antiquities rather than providing a major conduit. Private sales are also coming to constitute an important part of Sotheby’s business<sup>53</sup>, so it is important to bear in mind that public auctions do not constitute the entirety of the auction houses business.

### CONCLUSION

The preceding case studies prompt several observations about auction house policies and practices as regards the trade in stolen or illegally-exported antiquities. First, it is obvious that the standard and transparency of internal due diligence as regards the investigation of provenance are weak. False provenances supplied by consignors are readily accepted, an indication that that consignors are not supplying material validation, or that any such materials that are supplied are not subject to rigorous examination. Auction houses do appear to search stolen art databases such as INTERPOL or the ALR, but for antiquities these databases are of limited utility. Illegally-excavated and thus undocumented material will not appear on a stolen art database, as the ALR is careful to point out on its search certificates. The reluctance of auction houses to enquire too closely about provenance talks of a more general policy of confidentiality as regards consignors<sup>54</sup>. Time and again, when illicit material is identified at auction, the auction houses do not reveal the identity of the consignor, thus stymieing further police action or due diligence on the part of buyers of the type recommended by Article 4(4) of the UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects that takes account of the character of vendors. Thus auction houses seem readier to protect the interests of their consignors than those of their customers or dispossessed owners. There are also hints of a culture of impunity. It remains the case that despite the ongoing recoveries of illicit material, and notwithstanding what appear to be the damning

<sup>50</sup> Felch 2013.

<sup>51</sup> Green 2014.

<sup>52</sup> Nrskov 2002, 291-292.

<sup>53</sup> Sotheby’s 2012, front inside cover, 9-10; Yates 2006, 39.

<sup>54</sup> Tsirogiannis 2013.

revelations of Watson and the Carabinieri, not one auction house employee has faced criminal charges arising out of auction house malpractice. Consignors yes, auction houses no. Furthermore, although between them, the auction houses offer thousands of antiquities for sale each year, recoveries are few and far between. Certainly they are not enough to damage profitability or customer confidence. Thus there is no real incentive for auction houses to reform policies and practices that appear to serve them well.

The advice for custodians of archaeological sites and monuments and curators of museum and other antiquities collections is simple: buy a camera! Many if not all of the recoveries have been of objects stolen from inventoried collections or documented monuments, or through the Carabinieri investigations that have relied heavily on the evidence of seized Polaroids. Thus all collections of antiquities need to be properly inventoried, including photographs (though Egyptian officials have pointed to the prohibitive cost of photographing and recording all objects in storage<sup>55</sup>). The fact that most recovered antiquities are from documented collections also suggests that the market penetration of illegally-excavated and thus undocumented material is likely to be much worse than would appear from the number of recoveries discussed here.

### ACKNOWLEDGMENTS

This paper was prepared in response to a kind invitation by the General Directorate of Antiquities and Cultural Heritage and the Directorate for the Documentation and the Protection of Cultural Goods of the Hellenic Ministry of Culture and Sports to participate in the Third International Conference of Experts on the Return of Cultural Property. The author would like to thank the organisers for extending this invitation and for making the conference such an enjoyable and worthwhile occasion. The paper was written while the author was funded by the European Research Council under FP7, grant number ERC StG-2011 283873 GTICO as part of the Trafficking Culture project.

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<sup>55</sup> Sultan 2013.

## BIBLIOGRAPHY

- Arraf, J. 2008. "Iraq Bids to Stop Christie's Sale of Ancient Earrings", *The Christian Science Monitor*, 4 December. Available online <<http://www.csmonitor.com/World/Middle-East/2008/1204/p07s02-wome.html>> accessed 5 February 2014.
- Axarlis, N. 2001. "Corinth Antiquities Returned", *Archaeology online*, 6 February. Available online <<http://archive.archaeology.org/online/features/corinth/index.html>> accessed 5 February 2014.", *Time*, 13 October. Available online <<http://content.time.com/time/world/article/0,8599,2056101,00.html>> accessed 5 February 2014.
- Bookidis, N. 2007. "The Corinth Theft", in Rhodes, R.F. (ed.), *The Acquisition and Exhibition of Classical Antiquities* (Notre Dame), 119-131.
- Brodie, N. 2005. "In the News", *Culture Without Context*, no. 16, 12-13.
- Brodie, N. 2006. "Iraq's Archaeological Heritage and the London Antiquities Trade", in Brodie, N., Kersel, M.M., Luke, C. and K.W. Tubb (eds.), *Archaeology, Cultural Heritage, and the Antiquities Trade* (University Press of Florida), 206-226.
- Brodie, N. 2008a. "The Market Background to the April 2003 Plunder of the Iraq National Museum", in Stone, P. and J. Farchakh Bajjaly (eds.), *The Destruction of Cultural Heritage in Iraq* (Woodbridge), 41-54.
- Brodie, N. 2008b. "The Western Market in Iraqi Antiquities", in Rothfield, L. (ed.), *Antiquities Under Siege: Cultural Heritage Protection After the Iraq War* (Lanham, USA), 63-74.
- Cornell, K. and J. Mollica 2009. "LI's Pharaoh 'Phraudster'", *New York Post*, 16 September.
- Dallas Museum of Art, 2012. "Orpheus Taming Wild Animals". Available online <<http://www.dma.org/art-deaccessioned-artworks/orpheus-taming-wild-animals>> accessed 16 February 2014.
- Felch, J. 2013. "Cornell to Return 10,000 Ancient Tablets to Iraq", *Los Angeles Times*, 3 November.
- Gill, D. 2009. "Looting Matters for Classical Antiquities: Contemporary Issues in Archaeological Ethics", *Present Pasts* 1, 77-104.
- Gill, D. and C. Tsirogiannis 2011. "Polaroids from the Medici Dossier: Continued Sightings on the Market", *Journal of Art Crime* 5, 27-33.
- Green 2014. "Overview: the Green Collection". Available online <<http://demoss.com/newsrooms/museumofthebibble/background/overview-the-green-collection>> accessed 16 February 2014.
- Hughes, M. 2010. "Bonhams: Lots of Trouble on New Bond Street", *Independent*, 27 October.
- ICE 2008a. "US Arrests Army Pilot for Dealing in Stolen Egyptian Antiquities", press release, 6 February (US Immigration and Customs Enforcement).
- ICE 2008b. "ICE Returns Stolen Antiquities to Egypt", press release, 3 December (US Immigration and Customs Enforcement).
- ICE 2008c. "ICE Returns Ancient Marble Sculpture of Roman Emperor to Algerian Government", press release, 15 January (US Immigration and Customs Enforcement).
- ICE 2009a. "Stolen Italian Artifact Smuggled into the United States Found at Auction House", press release, 1 June (US Immigration and Customs Enforcement).
- ICE 2009b. "ICE Returns Stolen Artifacts to Italy", press release, 2 December (US Immigration and Customs Enforcement).
- ICE 2009c. "ICE Recovers Egyptian Artifacts Stolen from a Museum in the Netherlands", press release, 27 May (US Immigration and Customs Enforcement).
- ICE 2010. "ICE Returns Artifacts and Antiquities to Iraq Embassy: Assistant Secretary Morton Returns Six Cultural Items to Iraqi Ambassador Sumaida'ie", press release, 25 February (US Immigration and Customs Enforcement).
- ICE 2012. "ICE Returns Stolen and Looted Art and Antiquities to Italy", press release, 26 April (US Immigration and Customs Enforcement).
- ICOM 1997. *One Hundred Missing Objects: Looting in Angkor* (International Council of Museums).
- IFAR 1990. Special Issue: "Theft at Ancient Corinth, Greece", *International Foundation for Art Research Reports*, vol. 11, no. 6, June.
- Isman, F. 2011. "The Masterpiece Sold for \$1,000 and a Suckling Pig", *Art Newspaper*, June, 50-52.
- Isman, F. and M. Gerlis 2010. "Medici 'Loot' for Sale?", *Art Newspaper*, October. Available online <<http://www.theartnewspaper.com/articles/Medici-loot-for-sale/21569>> accessed 15 February 2014.
- Maddux, M. 2010. "LI Museum Director Sentenced for Egyptian Artifact Theft", *New York Post*, 15 October.
- Mashberg, T. and R. Blumenthal 2013. "Disputed Statue to be Returned to Cambodia", *New York Times*, 12 December.
- Mason, P. 1997. "UNESCO Convention Invoked for the First Time in the US", *Art Newspaper*, January, 25.
- New York 2003. "U.S. Seizes Antiquity Stolen from Yemen Museum", press release, 4 September (United States Attorney, Southern District of New York).
- Nyrskov, V. 2002. *Greek Vases in New Contexts* (Aarhus University Press).
- Pogrebin, R. 2004. "Stolen Relic from Temple is Returning to Egypt", *New York Times*, 20 August.
- Rountree, C. 2008. "The Geddes Collection", *Bonhams Magazine*, 43.
- Supreme Council of Antiquities, 2014a. "Royal Duck Vessels from Saqqara". Available online <[http://www.sca-egypt.org/eng/RST\\_Duck\\_Vessels.htm](http://www.sca-egypt.org/eng/RST_Duck_Vessels.htm)> accessed 5 February 2014.
- SCA 2014b. "Relief Fragment from the Tomb of Mutirdis". Available online <[http://www.sca-egypt.org/eng/RST\\_003\\_Mutirdis.htm](http://www.sca-egypt.org/eng/RST_003_Mutirdis.htm)> accessed 5 February 2014.
- Sciences et Avenir, 2005. "La saga d'un trisor igitien", *Sciences et Avenir*, February, 30.
- Sotheby's 2012. *Annual Report 2012* (New York: Sotheby's). Available online <[http://files.shareholder.com/downloads/BID/2841405695x0x648544/03391A34-2880-4F51-878A-3B9FDD6C4225/BID\\_2012\\_annual\\_report.pdf](http://files.shareholder.com/downloads/BID/2841405695x0x648544/03391A34-2880-4F51-878A-3B9FDD6C4225/BID_2012_annual_report.pdf)> accessed 5 February 2014.
- Squires, N. 2008. "Suspicious that Roman Artefacts Were Illegally Traded", *Telegraph*, 16 October.
- Sultan, A. 2013. "British Museum and Archaeologist Confirm Identity of Stolen Egyptian Artefact", *Ahram online*, 9 August. Available online <<http://english.ahram.org.eg/NewsContentPrint/9/0/78641/Heritage/0/British-Museum-and-archaeologist-confirm-identity-.aspx>> accessed 5 February 2014.
- Telegraph 2010. "Zeus Statue Returned to Italian Museum After Thirty Years", *Telegraph*, 19 November.
- Tsirogiannis, C. 2013. "Something is Confidential in the State of Christie's", *Journal of Art Crime* 7, 3-19.
- USA 2001. "Stolen Corinth Artifacts Return to Greek Authorities", press release, 18 January (US Embassy, Athens).
- USA, 2008. Complaint, USA v. Edward George Johnson, January (Southern District of New York).
- US Customs 2001. "US Customs Service Returns Rare 10th-Century Burial Sculpture to China", press release, 23 May (US Customs Service).
- Watson, P. 1997. *Sotheby's: Inside Story* (London).
- Watson, P. and C. Todeschini 2006. *The Medici Conspiracy. The Illicit Journey of Looted Antiquities from Italy's Tomb Raiders to the World's Greatest Museums* (USA).
- Yates, D. 2006. "South America on the Block: The Changing Face of Pre-Columbian Antiquities Auctions in Response to International Law" (MPhil dissertation, University of Cambridge).

## ΔΙΑΚΙΝΗΣΗ ΑΡΧΑΙΟΤΗΤΩΝ Ο ΡΟΛΟΣ ΤΩΝ ΟΙΚΩΝ ΔΗΜΟΠΡΑΣΙΩΝ

Στην παρούσα ανακοίνωση εξετάζεται ο τρόπος με τον οποίο οι οίκοι δημοπρασιών διευκολύνουν τη διακίνηση αρχαιοτήτων. Από τη δεκαετία του 1990 έχει καταστεί σαφές ότι οι υπηρεσίες μεγάλων οίκων δημοπρασιών, όπως ο Sotheby's και ο Christie's, γίνονται αντικείμενο εκμετάλλευσης από ασυνείδητους εμπόρους αρχαιοτήτων για την πώληση ή τη νομιμοποίηση παρανόμως διακινούμενου υλικού. Έρευνες της αστυνομίας και των μέσων επικοινωνίας έχουν αποκαλύψει στοιχεία για αρχαιοτήτες που έχουν κλαπεί από την Ιταλία, την Ινδία, το Ιράκ, την Αίγυπτο και την Καμπότζη και προσφέρονται προς πώληση από οίκους δημοπρασιών, ενώ πολλές αρχαιοτήτες από μουσεία και ιδιωτικές συλλογές, οι οποίες φαίνεται ότι είχαν κλαπεί, έχουν κατά καιρούς αγοραστεί ή πωληθεί σε δημοπρασίες. Η εγκληματική εκμετάλλευση των οίκων δημοπρασιών από εμπόρους διευκολύνεται από την πρακτική των ίδιων των οίκων να μην παρέχουν πληροφορίες για τους πωλητές και το προγενέστερο ιστορικό ιδιοκτησίας των αντικειμένων (την προέλευση, όπως ονομάζεται συνολικά) δήθεν για λόγους απορρήτου των πελατών, καθώς οι πωλητές δεν θέλουν να δημοσιεύονται λεπτομέρειες σχετικά με την περιουσιακή τους κατάσταση. Ωστόσο, όποια και αν είναι η αιτία, αυτή η πρακτική της μη δημοσίευσης της προέλευσης προσφέρει ένα ευνοϊκό περιβάλλον για την πώληση παρανόμως κατεχόμενου υλικού. Μέσω μιας σειράς ποσοτικών αναλύσεων της αγοράς δημοπρασιών και της παρουσίας ορισμένων υποθέσεων, θα διερευνηθεί σε ποιο βαθμό οι οίκοι δημοπρασιών εμπλέκονται στη διακίνηση αρχαιοτήτων.

Τα ζητήματα και οι υποθέσεις που θα εξεταστούν περιλαμβάνουν, χωρίς να περιορίζονται σε αυτά, τα ακόλουθα:

1. Τη μελέτη στοιχείων επαναλαμβανόμενων πωλήσεων για να γίνει φανερό ότι η αποδοτικότητα των πωλήσεων αρχαιοτήτων συνεχίζει να αυξάνεται, παρά την αρνητική δημοσιότητα.

2. Τη διακίνηση αρχαιοτήτων, που έχουν κλαπεί από την Ιταλία και την Ινδία, μέσω των οίκων δημοπρασιών, όπως αποκαλύπτεται από τις έρευνες των Peter Watson, Patrick Keefe και της Ιταλικής Αστυνομίας.

3. Την πώληση πολιτιστικών αγαθών ιρακινής προέλευσης και την επιστροφή από τον Οίκο Christie's της Νέας Υόρκης το Δεκέμβριο του 2008 ζεύγους χρυσών ενωτίων, τα οποία είχαν κλαπεί από ένα θησαυρό χρυσών κοσμημάτων, που είχε ανακαλυφθεί στη Νιμρούτ το 1988.

4. Την επιστροφή από τον Οίκο Bonhams το 2005 επτά αρχαιοτήτων από τον αρχαιολογικό χώρο του Ma'adi της Αιγύπτου, που εκλάπησαν από αποθηκευτικό χώρο του Πανεπιστημίου του Καΐρου.

5. Τη συνεχιζόμενη διένεξη μεταξύ της Καμπότζης και του Οίκου Sotheby's για την πρόθεση του οίκου να πωλήσει ένα άγαλμα από τον αρχαιολογικό χώρο του Κο Κερ.

6. Τη σύλληψη, το Μάιο του 2013, ενός άνδρα ύποπτου για την παράδοση επί παρακαταθήκη κλεμμένων αρχαιοτήτων στον Οίκο Christie's του Λονδίνου.

7. Μια μελέτη στοιχείων πρόσφατων πωλήσεων που εξετάζει τη θέση ότι οι οίκοι δημοπρασιών καθιερώνουν διαδικασίες για να εμποδίσουν την πώληση παρανόμως διακινούμενου υλικού.

Τέλος, εξετάζεται ο ρόλος που εξακολουθούν να διαδραματίζουν οι οίκοι δημοπρασιών στη διακίνηση αρχαιοτήτων, ιδιαίτερα όσον αφορά στην πρόσφατη μετατόπιση του επιχειρησιακού μοντέλου από δημόσιες δημοπρασίες σε πωλήσεις με ιδιωτικά συμφωνητικά, η ευρύτερη ανάμειξη πανεπιστημιακών και επιστημόνων που εργάζονται σε μουσεία με τους οίκους δημοπρασιών και τα περιθώρια που υπάρχουν για μελλοντικές ρυθμίσεις.