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‘Due Diligence’? Christie’s antiquities auction, London, October 2015

In September 2015 Christie’s released the online version of the printed antiquities catalogue for the auction scheduled for October 1, 2015 in London. In this catalogue, I identified three antiquities (lots 6, 8 and 16) from Gianfranco Becchina’s archive, confiscated by the Swiss and Italian authorities in 2002 and 2005 (Watson and Todeschini 2007:292-293). This was no surprise, given that since 2007, I have identified in Christie’s many antiquities which are depicted broken or/and covered with soil in confiscated archives of dealers convicted for trafficking antiquities.

In this latest case, the three antiquities were offered by Christie’s as part of Professor Heissmeyer’s antiquities collection (Heissmeyer 2008, 2015). The information I added through my research extends the collecting history of each object back to Becchina, who was convicted in Italy in 2011 (Isman 2011a, ICE 2012) and in Greece in 2015 for trafficking illicit antiquities looted and smuggled from those two countries (I am grateful to the Greek state attorney Mrs Aphroditi Tsaka, who was in charge of the Greek prosecution, for this information).

In the same auction, I identified a fourth antiquity (lot 93) of suspect provenance. For this object, Christie’s omitted to declare that it was temporarily confiscated by the Swiss authorities in 2008 from the Japanese illicit antiquities dealer Noriyoshi Horiuchi (Knowles 2010, Isman 2011b:51) and has since been put back on the market.

As I always do, a few days before the auction I notified the relevant authorities, in this case Interpol, the Carabinieri Art Squad and Scotland Yard’s Art & Antiques Unit, supplying them with evidence for my findings. At the same time, I notified Professor David Gill and the Association for Research into Crimes against Art, who immediately published the cases in their respective blogs, *Looting Matters* (Gill 2015a) and *ARCA blog* (Albertson 2015a). On the day of the auction, Christie’s withdrew all four objects (Gill 2015b, Albertson 2015b). However, DS Claire Hutcheon, head of Scotland Yard’s Art & Antiques Unit, contacted me a week later to inform me that there had been no official state claim on any of the antiquities identified. At the time of writing, it is still not known whether or not any such claim has been submitted. However, once an object is identified, then, sooner or later, through the complexities of the market, it will be repatriated to its country of origin.

Analysing these four new case studies, this article asks whether the ‘due diligence’ process (much advertised by the antiquities market) is producing an incomplete result due to incapable provenance researchers, or is, rather, a process that selectively removes or disguises tainted sections in the true collecting histories of illicit antiquities coming up for auction.

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The four cases in detail

Lot 6: AN ATTIC POTTERY FIGURAL OINOCHOE, CIRCA 500-475 B.C.



Fig. 1. Left: Oinochoe depicted in the Becchina archive. Right: the same oinochoe on exhibition in Christie's, London, on September 26, 2015. © Christos Tsirogiannis

For this object, the collecting history ('Provenance') given in Christie's catalogue, was:

**Private collection, Germany, acquired prior to 1990.
with Galerie am Museum Jürgen Haering, Freiburg.
Prof. H.-H. Heissmeyer collection, Schwäbisch Hall, acquired from
the above in 2005 (inv. no. 32).
Beazley Archive no. 9024860.**

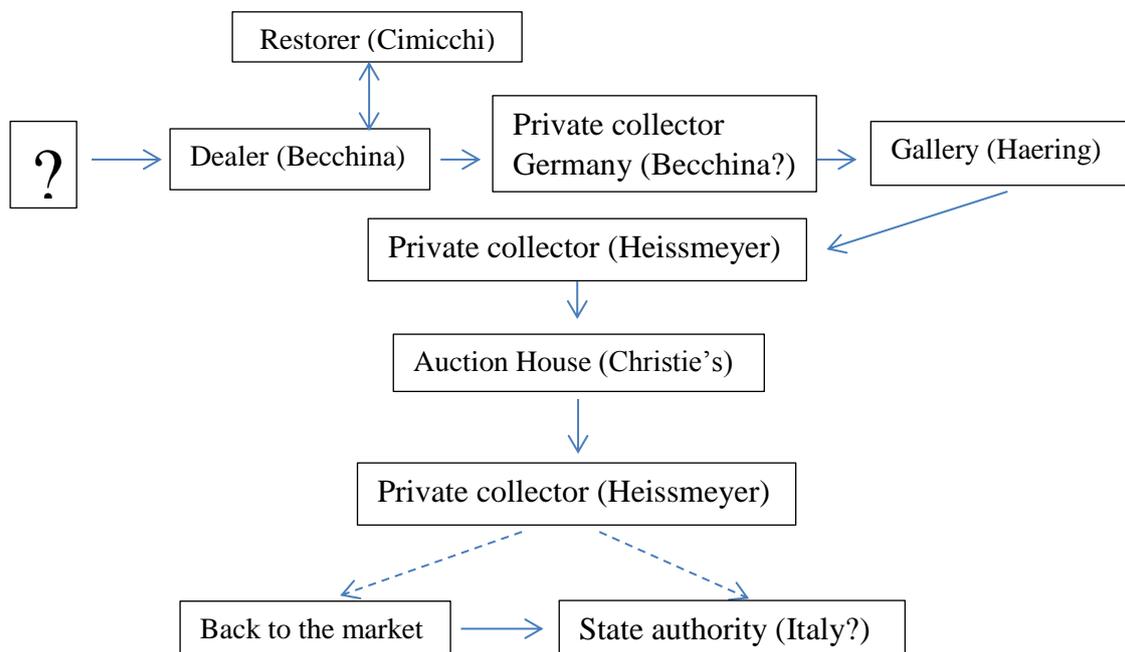
However, the same oinochoe is depicted in a cut Polaroid image from the confiscated Becchina archive, with handwritten notes which suggest that the collecting history supplied by Christie's is at best selective. The vase is covered with encrustations, lying on what appears to be a white plastic tray (fig 1, left). This Polaroid image is stuck among seven more such images on an A4 sheet (six of the eight Polaroids were cut in order to fit onto the page), before the sheet was put in a folder entitled: 'Sandro II. Ogg. in restauro' and underneath, ditto marks [for 'Ogg.'] followed by 'in comm.' ('Sandro II. Objects in restoration. Objects in the market [commercio]'). A handwritten note at the end of the sheet reads: 'Oggetti al restauro da Sandro 1.12.1989' ('Objects for restoration by Sandro, December 1, 1989'). This Becchina folder includes handwritten notes and lists of antiquities, invoices, and dozens of Polaroid images depicting antiquities in fragmentary condition and covered with soil and salt encrustations that have been sent for restoration from Becchina to Sandro Cimicchi, a restorer based in Basel (Watson and Todeschini 2007:79), before they were sold in the market. Therefore, although it is technically possible for the oinochoe to have become part of a 'Private collection, Germany, [...] prior to 1990', as Christie's declare, the timetable makes it seem unlikely. Moreover, as we will see from researching the case of Lot 8, below, in at least one case, Becchina was selling directly to Galerie Haering, evidence which casts some doubt upon the existence of a 'Private Collection' in Germany. Note that Christie's do not inform potential buyers of the dates of acquisition of this object by the Galerie Haering.

The restorer, Sandro Cimicchi, has consistently been connected with illicit antiquities dealers. At least until September 2013 (if not still), he was working for 'Cahn AG' gallery in Basel, the antiquities gallery owned by Jean-David Cahn (Cahn 2013:4). Jean David's father,

Herbert, was convicted in 1976 in Italy for receiving stolen property related to antiquities (Watson and Todeschini 2007:165). Looted and smuggled, or even stolen antiquities were discovered in Jean-David Cahn's gallery in 2007, 2008 and 2011 (Patris 2007, Godart, De Caro & Gavrili 2008: 204-205; Gill 2008; Tsirogiannis 2013a:13, Cahn 2011:173-174, lot 173).

At the other end of the collecting history given by Christie's, we find mention of the object's number in the Beazley Archive [at the University of Oxford], thereby implying to a non-expert (potential buyer) that the object is (more generally) registered, legal and authenticated. Just before the Christie's auction, the entry of the oinochoe and those of the other two antiquities I discuss below were temporarily withdrawn from the Beazley Archive, in order for the auction of October 1, 2015 to be added to their 'Collection' and 'Publication Record' sections. Once updated, all three entries re-appeared online on the morning of the Christie's auction. In the case of this oinochoe, information from the Beazley Archive website records that the electronic file was created on June 9, 2011, which means that this antiquity was first recorded by the Archive while it was already in Professor Heissmeyer's collection. Therefore, Christie's reference to the Beazley Archive at the University of Oxford is misleading for the uninformed, since in reality it does not add anything to the collecting history of the object. The same point stands regarding Christie's use of the Beazley Archive to 'validate' the other two vases in the Heissmeyer collection, which I identified in the Becchina archive and discuss in this article.

My own 'provenance research' therefore leads to the following reconstruction of this oinochoe's collecting history (dotted arrows indicate the options for the object in the future):



Lot 8: AN ATTIC BLACK-FIGURED DROOP CUP, CIRCA 550-530 B.C.



Fig. 2. Left: Droop cup depicted in the Becchina archive. Right: the same cup on exhibition in Christie's, London, on September 26, 2015. © Christos Tsirogiannis

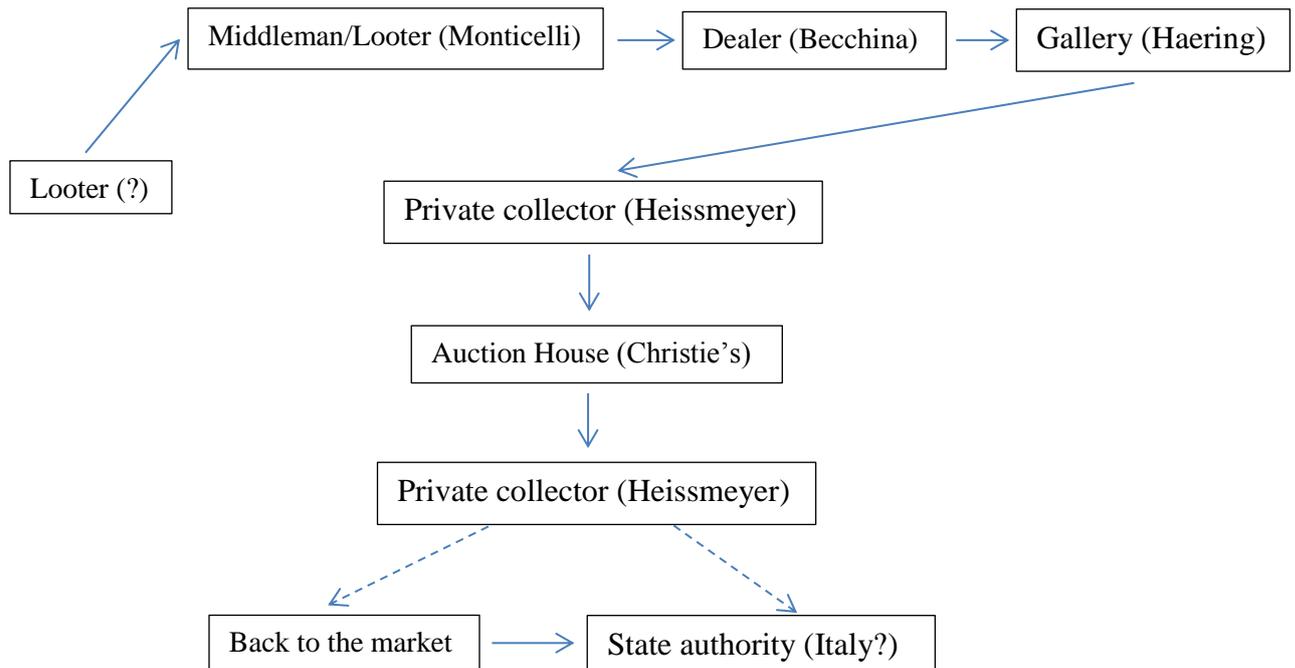
This cup's collecting history ('Provenance'), as it appeared in the Christie's catalogue, was:

**Private collection, Switzerland, acquired prior to 1980.
with Galerie am Museum Jürgen Haering, Freiburg.
Prof. H.-H. Heissmeyer collection, Schwäbisch Hall, acquired from
the above in 1995 (inv. no. 17).
Beazley Archive no. 9024849.**

In this case, the evidence from the confiscated Becchina archive contradicts the first stage of the collecting history in Christie's catalogue. In the Becchina archive, the same cup is depicted in a Polaroid image, upside down and partially covered with encrustations, among three other cups (fig. 2, left; I identified this cup from the position of the panthers painted on the lower part of the body of the vase). A handwritten note under the Becchina image states 'RAF Fr. 1' 12 '1 / 4.3.93', meaning that all four cups depicted in the Polaroid were bought by Becchina for 12,000 Swiss Francs from the middleman Raffaele Monticelli on March 4, 1993 (not 'prior to 1980').

One might then argue that the phrase 'Private collection, Switzerland' covers Monticelli (who in 2002 was sentenced to 4 year's imprisonment for conspiracy related to the trafficking of antiquities (Watson and Todeschini 2007:240)). However, another handwritten note on the Polaroid states: 'V/ Hae CH' [sold to Hae Swiss Francs]. 'V[enduto]' means 'sold'; the second abbreviation, decoded from the collecting history given by Christie's, suggests that Becchina sold the cup directly to the Galerie am Museum Jürgen Haering, at some point after March 4, 1993. This proves false Christie's claim that the object was first in a 'Private collection, Switzerland'.

Christie's reference to the Beazley Archive is again spurious as part of a collecting history, since the electronic file for the cup was created the same day as that for Lot 6 (June 9, 2011), while the cup was already part of the Heissmeyer collection. The true collecting history of this cup is as follows:



Lot 16: AN ATTIC RED-FIGURED LEKYTHOS, ATTRIBUTED TO THE SABOUROFF PAINTER, CIRCA 450-440 B.C.



Fig. 3. Left: Lekythos depicted in the Becchina archive. Right: the same lekythos on exhibition in Christie's, London, on September 26, 2015. © Christos Tsirogiannis

This lekythos' collecting history ('Provenance') given in the Christie's catalogue was:

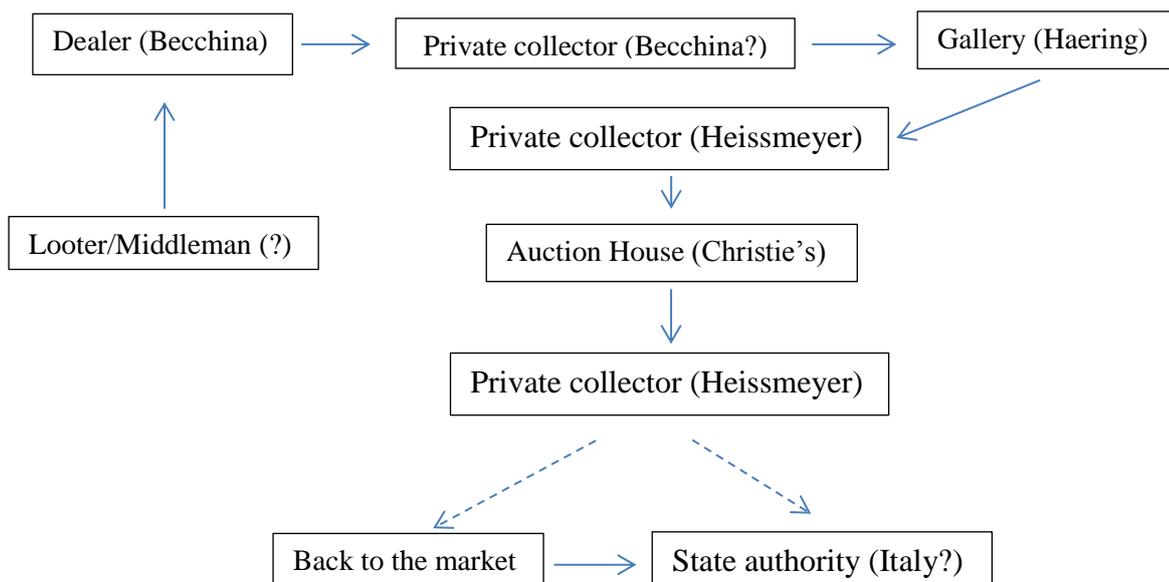
**Private collection, United Kingdom, acquired prior to 1980.
with Galerie am Museum Jürgen Haering, Freiburg.
Prof. H.-H. Heissmeyer collection, Schwäbisch Hall, acquired from
the above in 1992 (inv. no. 23).
Beazley Archive no. 21590.**

However, the same lekythos is depicted in two professional black and white images from the Becchina archive (fig. 3, left). The two images are pasted on a lined record card; the typed numbers along the top ('339-341') suggest that a third image (340?) had been produced, but such an image is not to be found in the confiscated archive. A handwritten note on the lower right of the card gives the height of the lekythos ('H. 36,7cm'). Below that, a blue round sticker has '12.' written with a red marker, crossed out with a pencil and, on top, '14' was added. I suggest that these are Becchina's proposed reserve prices. It is possible that the number '20400', which appears in pencil below the blue sticker, indicates the price at which the lekythos was finally sold. Regarding provenance research, the most important information can be found in the middle below the two images, where it is written: 'E Nov 78' ('E[?] November 1978'). Whatever 'E' stands for, this note indicates that Becchina had this object in his possession from November 1978 if not earlier.

This evidence points in two possible directions. Either the 'Private collection, United Kingdom, acquired prior to 1980', the starting-point of the collecting history supplied by Christie's, is completely fictional, in reality covering Becchina, or it covers the identity of the individual(s) with whom Becchina traded the object between 1978 and the end of 1979.

As before, Christie's closing reference to the Beazley Archive number adds no new information to the collecting history, since the electronic file for this lekythos too was created while the cup was already part of the Heissmeyer collection (October 18, 2003, whereas Oakley 1997:105, n. 131, pl. 181C, already records the object 'in a private collection in Schwäbisch Hall', a phrase which avoids naming Heissmeyer).

My reconstruction of the true collecting history is as follows:



Lot 93: AN ATTIC RED-FIGURED LEKYTHOS ATTRIBUTED TO THE NIKON PAINTER, CIRCA 460-450 B.C.

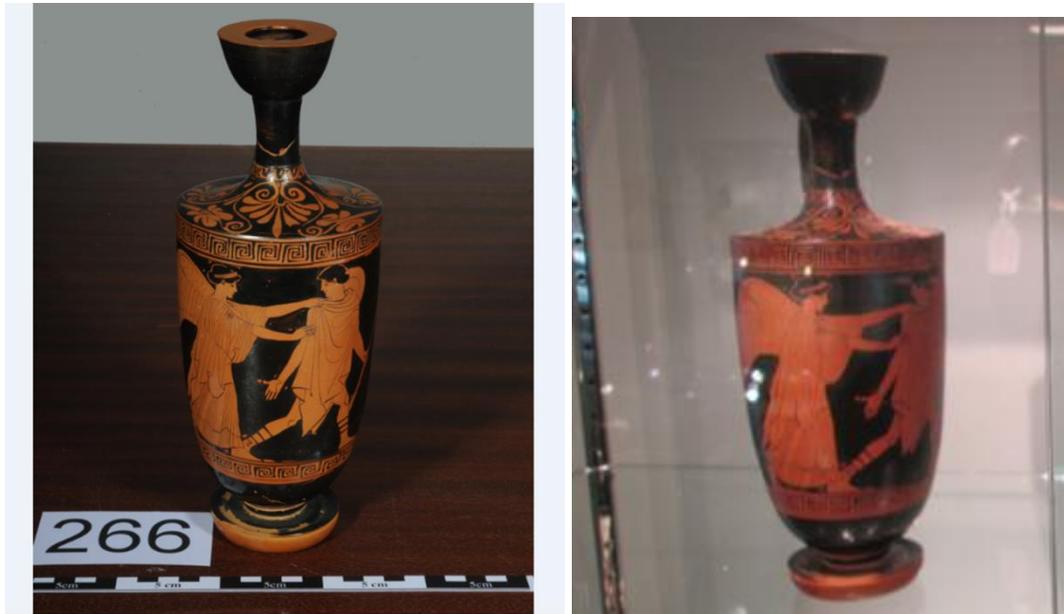


Fig. 4. Left: Lekythos depicted during its confiscation in a photograph taken by the Italian authorities during a raid on Horiuchi's warehouse in Geneva in 2008. Right: the same lekythos on exhibition in Christie's, London, on September 26, 2015. © Christos Tsirogiannis

The Nikon lekythos' collecting history ('Provenance') given in the Christie's catalogue was:

**Anonymous sale; Münzen und Medaillen AG, Basel, 14 November 1986, lot 213.
Formerly private collection, Japan, acquired privately in 1997.**

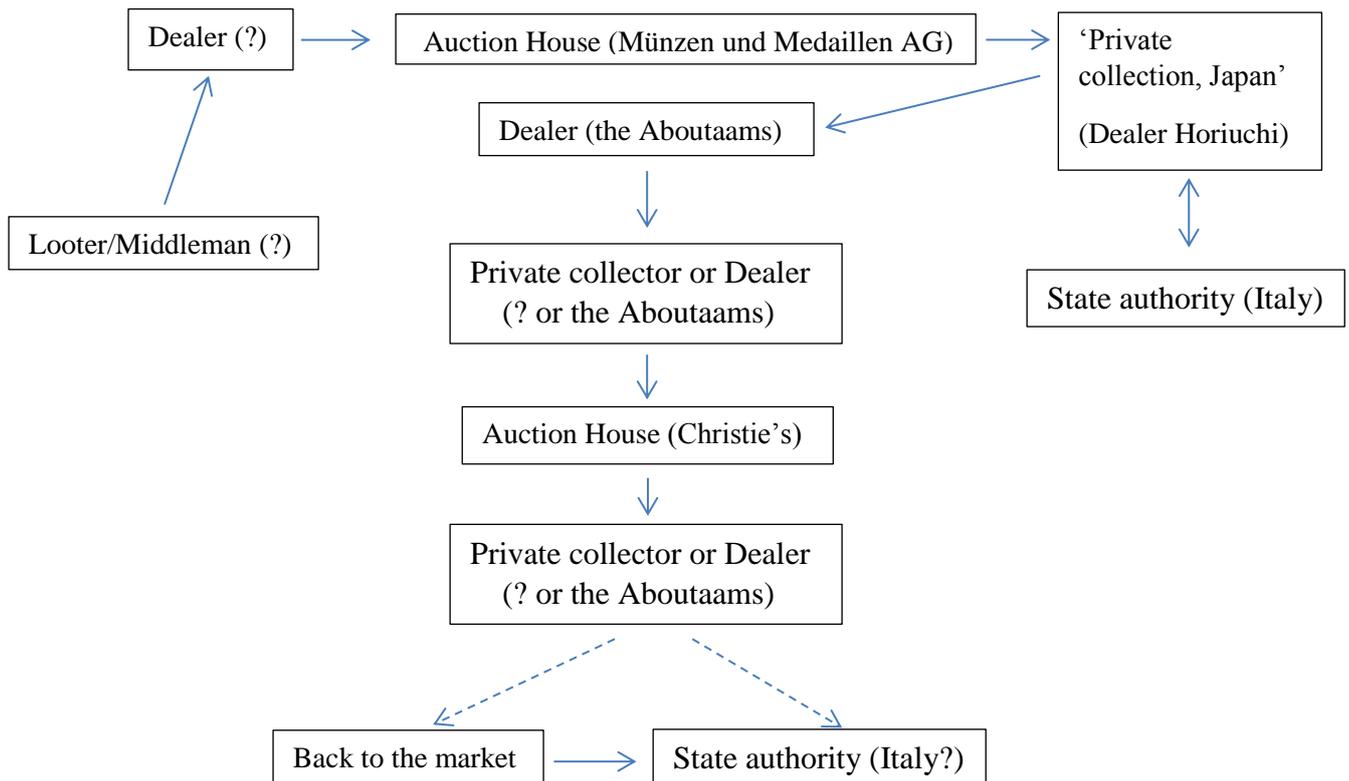
This presentation of a collecting history is confusing in itself, not to mention the most obscure. It takes a moment to work out that 'Formerly' must be in reference to the consigner to this Christie's auction [unlike the Heissmeyer objects, the consigner is not represented in the collecting history], who 'acquired privately' the object from the 'private collection, Japan' in 1997.

There is certainly more information not mentioned in this collecting history. The same lekythos, representing Eos and Kephalos (or Tithonos) was found and confiscated during the raid by the Swiss and Italian authorities on the warehouse of the Japanese dealer Noriyoshi Horiuchi in the Geneva Freeport in 2008 (fig. 4, left). Although there is no image of this lekythos in the Becchina archive, we do know from research in that archive that Becchina did frequently provide Horiuchi with antiquities (Tsirogiannis 2013b), and Becchina, of course, was based in Basel, where the 'anonymous sale' took place in 1986. The Italian authorities finally confiscated from Horiuchi 337 antiquities (Knowles 2010) depicted in the Becchina, Medici and Symes-Michaelides confiscated archives (Tsirogiannis 2013b). However, the authorities could not prove the illicit origin of this lekythos and although Horiuchi did not supply any documentation to prove that its origin was licit, the vase was returned to Horiuchi.

In 2014, I found the same lekythos presented as 'SOLD' on the website of the 'Phoenix Ancient Art' gallery, owned by the Aboutaam brothers. One brother (Ali) was convicted in Egypt *in absentia* for antiquities smuggling and subsequently was arrested in Bulgaria for the same case; the other (Hitcham) pleaded guilty in the US to the falsification of at least one customs document (Watson & Todeschini 2007:244; Amineddoleh 2009: 13-15). In 2009 the Aboutaam brothers returned to the Italian state 251 antiquities worth \$2.7 million (Freeman 2009). The recent appearance and sale of the Nikon lekythos via the Aboutaams' gallery is not stated in the 'provenance' given by Christie's, but my basic internet search (before the Christie's auction) on the key-words 'Nikon Painter lekythos Eos' immediately revealed a cached record of the lekythos in the Aboutaams' gallery as 'SOLD', with the provenance 'Ex-Japanese private collection, acquired in 1997'. Combining this with the provenance given by Christie's would suggest that the consigner(s) of the lekythos to the 2015 Christie's auction had bought it from the Aboutaams. However, intriguingly, the day after Christie's withdrew the object from the auction, the lekythos reappeared as 'SOLD' and with the same provenance on the current website of the 'Phoenix Ancient Art' gallery (and was still present there as of late November 2015).

I note that from all four lots identified, only for this lekythos did Christie's not specify a Beazley Archive record. The reason was that such a record has never existed before the vase appeared in this Christie's auction catalogue, as can be deduced from the electronic proofs that the Beazley Archive provides (the relevant file no. 9034274 was created on September 21, 2015 and was last updated on October 1, 2015). The case proves that the Beazley Archive was not even aware of the existence of this lekythos before the announcement of Christie's auction of October 1, 2015 and also that its staff did not record the temporary confiscation of the vase in the hands of Horiuchi or even the appearance and sale-record of the same lekythos in the Aboutaams' gallery. Judging from the information included in file no. 9034274 of the Beazley Archive regarding Lot 93 in Christie's, it can be observed that, at least in the case of this object, the Archive relies only on the information that Christie's 'Provenance' section supplied for this antiquity in their auction catalogue; they have not factored in the additional information that has since been made publicly available through specialist weblogs ('Looting Matters' and ARCA). The reason is that the Beazley Archive does not record objects included in antiquities sales that do not leave any trace after the sale is concluded, e.g. antiquities sales on eBay (I am grateful to Dr Mannack for this information). However, the lekythos' record as 'SOLD' by 'Phoenix Ancient Art' remains easily traceable and therefore it should have been recorded. When I contacted Dr Mannack suggesting that it would be helpful if the Beazley Archive started to record the appearance of vases and other antiquities on the websites of galleries, he promptly replied that he would investigate the feasibility.

My reconstruction of the Nikon lekythos' collecting history is as follows:

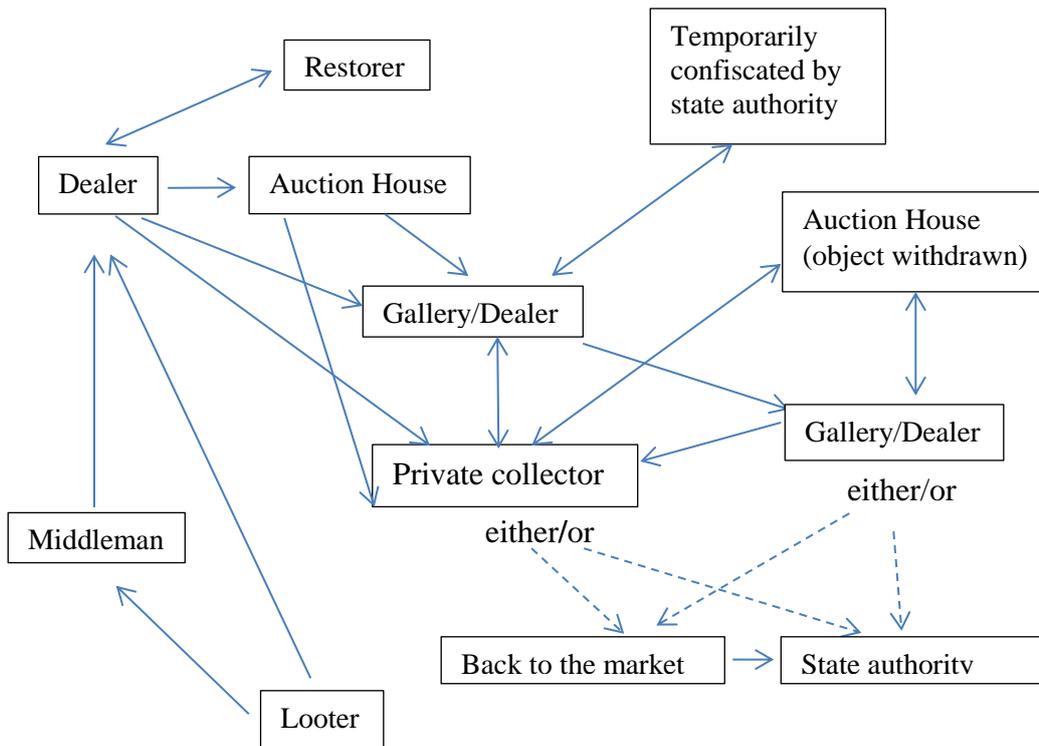


Further remarks

Christie's and the staff at the Beazley Archive could well have found out Becchina's involvement in the cases of the first three vases identified, and Horiuchi's involvement in the fourth case, if only they had first contacted the Italian authorities. As Dr Mannack explained to me, the current practice of the Beazley Archive is to record information from printed sources only, in order to avoid problems related to the authenticity of vases if an internet source disappears following a sale; however, they thereby miss out on potential further information from the Italian authorities. Christie's, at least, should start to cooperate on an equal basis with the Italian and other state authorities, by sharing and not only asking for information; while Christie's are "asking for access and full transparency for us but also for the art market as a whole" regarding the confiscated Becchina, Medici, Symes/Michaelides and other archives (Gerlis 2015), they themselves are not at all transparent when they are contacted and asked to provide access to information they hold for academic research (Tsirogiannis 2013a). During the annual interdisciplinary art crime conference organised by the Association of Research into Crimes against Art in Amelia, Umbria, on June 26-28, 2015, Captain Luigi Spadari, Commander of Carabinieri's Art Database Unit, stated that Carabinieri would cooperate with anyone who is willing to identify him/herself, to justify the reason of his/her enquiry and to state the current location of the objects for which they are making the enquiry. For Captain Spadari, this is basic information that any authority should know before proceeding to cooperate with another party as an equal participant. He noted that since 2012, when he took charge of the Carabinieri's Art Database Unit, there had been only

one enquiry made by a member of the antiquities market, who did not answer those three questions and, therefore, equal cooperation could not take place.

Combining the information of these identifications with that previously known regarding the individuals and companies involved in the trading of these four antiquities, we can expand our knowledge about connections between members of the illicit antiquities network and operation of that network. It can be presented as in the flow chart below:



Conclusions

The reconstruction of more complete collecting histories for these four antiquities appearing for sale in the Christie's October 1, 2015 London auction leads to certain conclusions:

- a) In the three first cases (lots 6, 8 and 16), Christie's 'due diligence' failed to take just one more step backwards and trace the collecting history of the antiquities to Becchina; if they had contacted state authorities to cooperate on an equal basis, they should have found out more. In the fourth case (lot 93), Christie's conveniently record the 1986 and 1997 stages of the lekythos' collecting history, but not its more recent past, involving the authorities' raid on Horiuchi's warehouse in Switzerland and the subsequent ownership of the vase by the convicted Aboutaam brothers; the fact that this vase used to be displayed on the 'Phoenix Ancient Art' gallery website is very easy to trace. Christie's have in the past stated that their "due diligence is incredibly thorough and everything is openly published in the catalogue" (Loader Wilkinson 2011; Tsirogiannis 2013a). Therefore, we must conclude that decision, rather than incompetence, disguises (e.g. illicit antiquities dealer Horiuchi as 'Private collection,

Japan' in lot 93) or excludes (e.g. convicted dealers Ali and Hitcham Aboutaam from lot 93) tainted parts of the collecting history of antiquities on offer.

- b) Examining the final flow chart (above), particularly notable is the key position of the dealer who first receives the looted and smuggled antiquities from the looter and/or middleman, keeping them away from direct contact with the 'reputable' members of the market. It seems that the 'reputable' members of the market need the dealer to receive with the illicit antiquity one dirty hand and to pass it to them with the other, clean one, (the 'Janus' role, as Mackenzie & Davies 2014:723 put it); the rest of the market therefore appears unconnected from the looters and the smugglers. From the viewpoint of the 'reputable' members of the market, the danger of the dealers' archives lies in their exposing the common term 'anonymous' in the auction catalogues as covering direct connections with antiquities traffickers.

Epilogue

Dr Lynda Albertson recently pointed out that "If the art market cannot hold itself to task on objects where there is a known and extensive photographic record of illicit activity, how will the art market perform its due diligence on antiquities coming from conflict countries like Syria, Iraq and Yemen where no confiscated smuggler dossiers exist?" (Albertson 2015a). As long as the antiquities market is not adapting an ethical policy of conducting business, it will continue to supply us with new case studies, the examination of which will eventually lead to the gradual decipherment of its methods and, inevitably, to its exposure and fall.

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