

POLICIA **NACIONAL**

HISTORICAL HERITAGE BRIGADE



The financing of terrorism through cultural property

**International Conference on the Nicosia Convention:
a criminal justice response to offences relating to cultural property
15 - 16 June 2023**



General
Commissariat of
Judicial Police

Central Unit for
Specialised and
Violent Crime

Specialised
Crime Unit



Centro Policial Canillas. Madrid

Organization of the BPH

Head of Unit

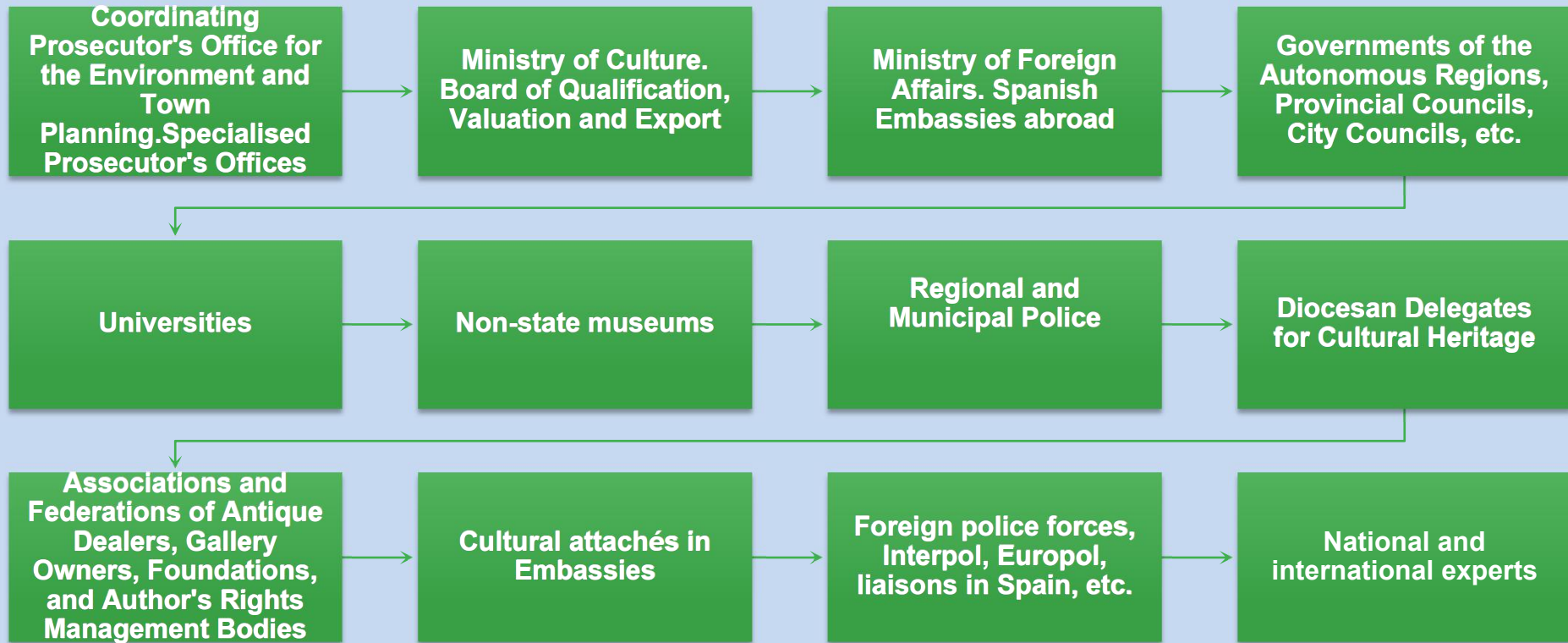
Operative Group 1

Operative Group 2

Operative Group 3

57 delegates

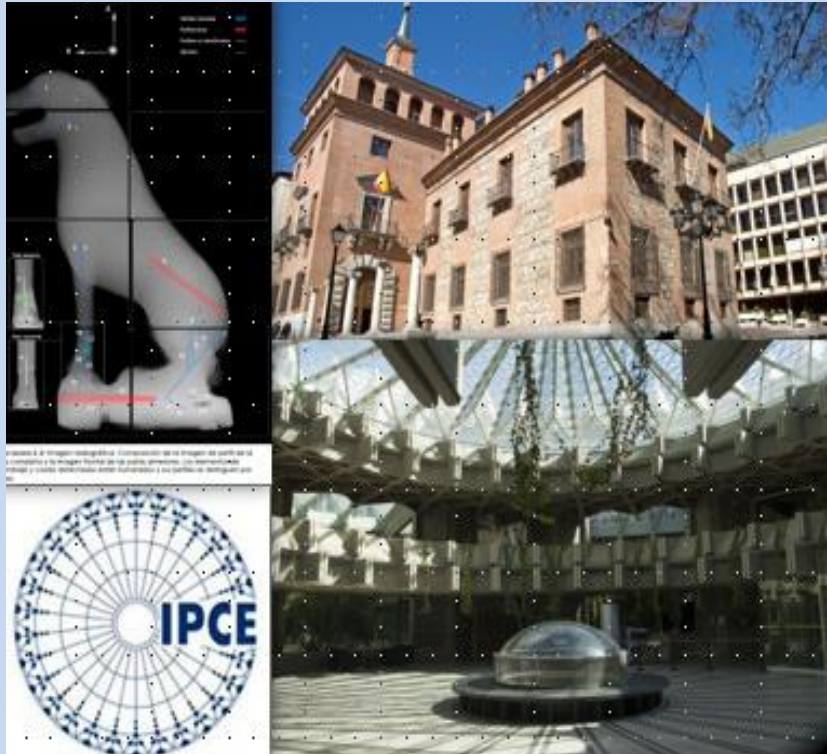
Collaboration with other Police Units: GOA, UDEF, Robberies, GOIT, Special Systems, CGI, CGPC, etc.





Collaboration with the Ministry of Culture

- ▶ Export permits
- ▶ Inventories
- ▶ Expertise and assessment
- ▶ Appointment of experts
- ▶ Storerooms and depots for seized works of art
- ▶ What comes up on a day to day basis



CASE: Harmakhis Operation



In autumn 2016, the Historical Heritage Brigade of the National Police opened an investigation into a **Spanish antiques dealer who had been involved in the purchase and subsequent smuggling into Belgium of an Egyptian sarcophagus.**

During the investigations, the officials reviewed the **records of the Ministry of Culture archives** (import and export permits)



Several of the files belonged to sculptures that, due to their characteristics, could have originated in the Libyan region of **Cyrenaica**.

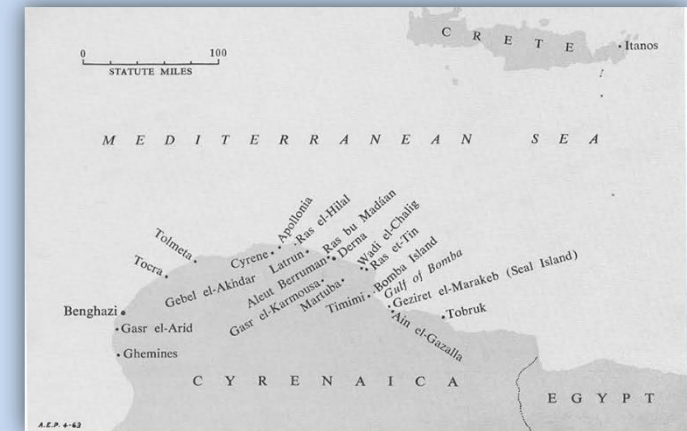
An important part of these pieces would have arrived in Spain from two points: **Dubai (United Arab Emirates) and Bangkok (Thailand)**.

The provenance of the objects was **vague and imprecise, if not false or non-existent**.

Purchase invoices were issued by a **limited number of companies** based in Dubai (USA) and Bangkok (Thailand).

On occasions, although the materials had been purchased from these companies in Dubai and Bangkok, they **entered Spain from other parts of Europe** (Germany, Belgium, France, etc.)

Several of the people linked to these companies were known **traffickers of cultural property**.

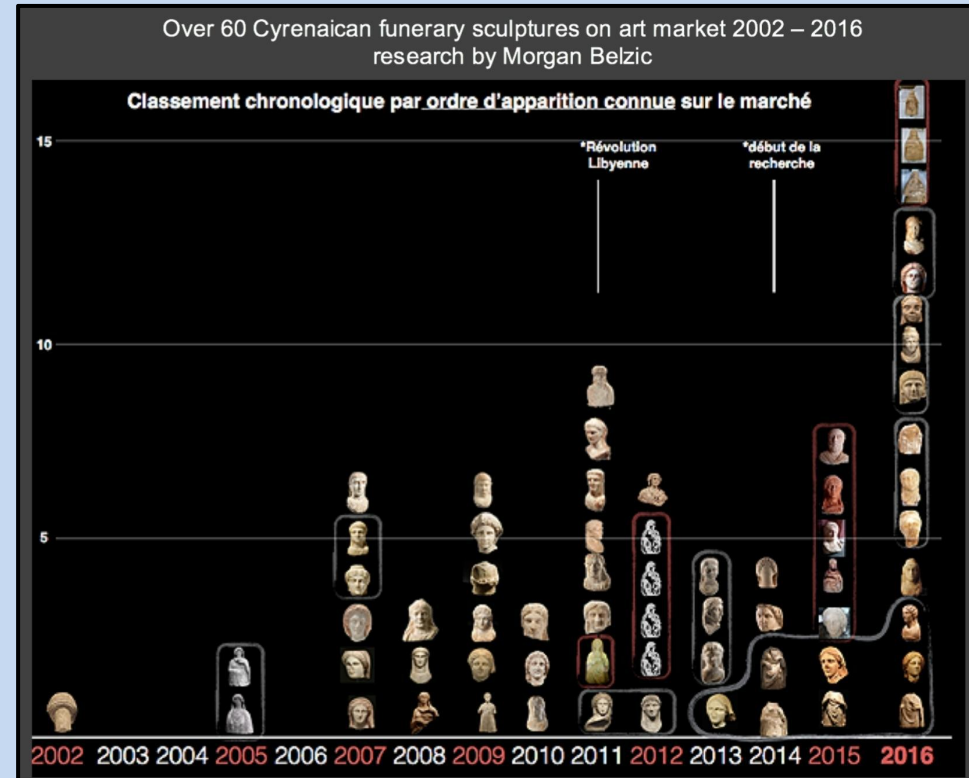


At the same time as the investigation began, the BPH became aware of the work of a **specialist in Libyan Greco-Roman funerary sculpture** who was studying:

- a) **illicit trafficking networks**
- b) **the presence in the market** of sculptures from Cyrenaica.

In his articles he pointed out that until 2007 the presence of Libyan funerary sculpture in the market was anecdotal.

However, since 2007 and especially **since 2011, its trade has skyrocketed.**



M. Belzic, 2016

Regarding the Spanish antiquarian, he says the following:

a) *"The X gallery is one of the most important sellers of funerary sculptures in Cyrenaica. Its activity places X among the main markets (for this type of piece) when its place (that of this city) in the world art trade It has no relevance."*

b) *It is mathematically improbable, if not impossible, that such a number of sculptures like these, which are rare, arrive by chance at the same gallery".*

Thanks to the evidence collected, it was possible to reconstruct all the stages of the process of negotiation, acquisition, **smuggling and subsequent laundering of the six investigated pieces.**

In this presentation I will limit myself to explaining how the washing of two pieces was carried out, specifically, of two veiled heads.

Both are paradigmatic examples that help to understand the *modus operandi* of Spanish antique dealers and their collaborators.



Who is the seller of the heads?

The seller of both pieces is a well-known dealer who owns an online numismatics and antiquities business based in the **United Arab Emirates**.

Its main source of business is artifacts of Egyptian origin. Which makes you familiar with **North African trafficking routes**.

It also sells archaeological objects from other origins, Libya among them. According to research, at least four Cyrenaic **heads pass through his hands**.

At the time, 2014-2016, it was one of the main suppliers of the Spanish gallery owner.



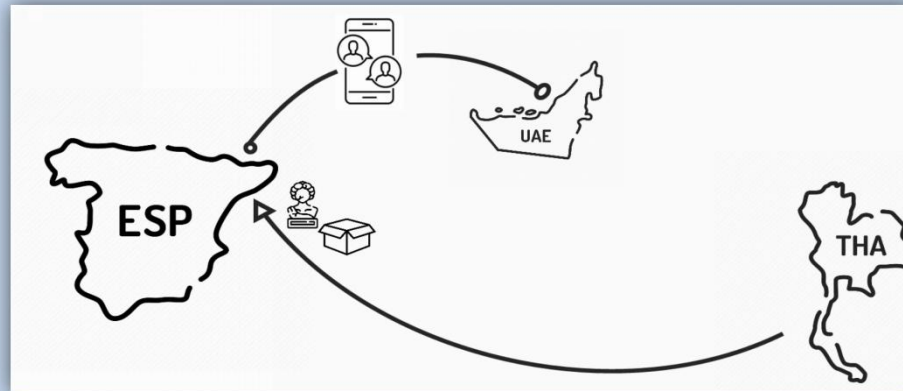
Purchase and entry into Spain of the first head

For two months in 2014, the Spanish antique dealer negotiated the purchase with its **supplier in the UAE**.

However, the sculpture was in Thailand, in the possession of a **third subject**.

In the final price, shipping **from the Asian country was negotiated**, preferably through another European country. This passage through Europe facilitates the laundering of assets.

Once the purchase has been decided, they prefer to send it directly by parcel from Thailand in the name of a trusted person from the antique dealer.



The invoice is made at the request of the buyer, who gives **instructions** that the invoice state that the head has been collected in a European country. The invoice and the AWB are sent by email.

The package with the head is sent with a low value and the declared content is "**decorative object**".

Laundering and market entry

With the head in his possession, the antiquarian declares its import before the Ministry of Culture of Spain. For this you need:

a) **Purchase invoice** that justifies your ownership of the sculpture.
Sent by your provider with their guidelines.

b) A **transport document** justifying the entry of the head into Spain. This will be **created by the transport company** with which the antique dealer usually collaborates. Also by express request.



Declaring the import of a good entails important benefits when exporting it. A special regime is derived from this for a period of 10 years (extended for another 10 years if requested by the interested party). The benefits of the special regime are:

- **Cannot be denied**

- **You will not pay fees**

- **It will not be subject to any of the preferential acquisition rights that the Administration** has (irrevocable offer of sale, rights of first refusal and retraction) since these assets are not part of the Spanish Cultural Heritage.

- Goods imported and declared **may not be declared Assets of Cultural Interest**, except at the request of the owner.

- As a result, in addition to the above, the gallery owner obtains an official export permit issued by the Ministry of Culture of Spain, something that works almost like a safe-conduct in the market.

Both the purchase invoice and the transport document used to declare the importation of the head reflected that it **had been picked up in Munich (Germany) by the antiques dealer**.

From this moment on, *a private German collection from a collection from before 1980*, will be the provenance, obviously fictitious, that accompanied the head until its sale on the European market in 2015.



48- HEAD OF A GODDESS WITH A VEIL

Culture: Greek

Period: 4th Century B.C.

Material: White marble

Dimensions: Height 26cm.

Ref: 20141422

Provenance: From a private German collection. It was acquired in 1980.

Condition: In a good state of conservation with some restoration on the nose.



Purchase and entry into Spain of the second head

The purchase of the second head was negotiated between the same actors for several months between the end of 2014 and the beginning of 2015..

During the negotiation, the supplier expresses his interest in **traveling to North Africa and Jordan**, imported places within the illicit trafficking routes. Precisely, Egypt stands out for being one of the key points in the smuggling routes, not only of goods from its territory, but also of goods from Libya (Damietta, 2015).

Fuente imágenes: Belzic, 2017



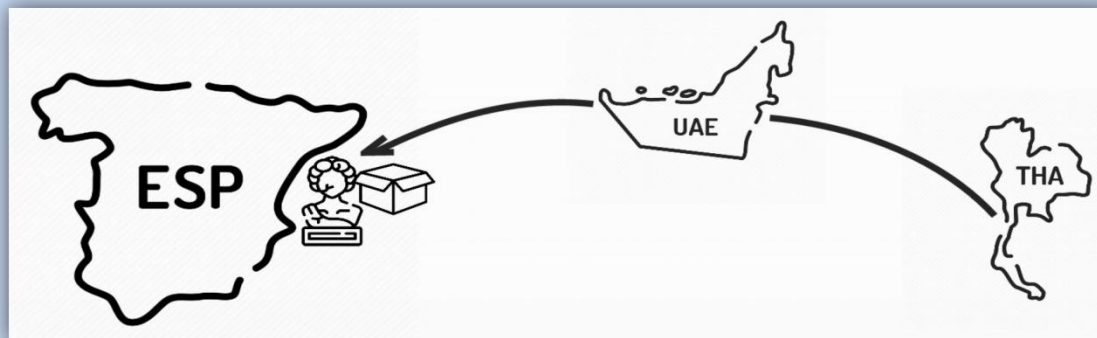
Source: Les sculptures funéraires de Cyrénaïque sur le marché de l'art. Morgan Belzic, 2017

After months of waiting, the supplier announces that he has received the head. He describes it and **attaches several photographs** of the sculpture in which **marks from a recent looting can be seen**.

Recent fractures resulting from irregular removal and negligent dragging during transport.

A transfer of spots is observed on the left side, specifically on the forehead, cheek and neck.

These photographs prior to the cleaning and restoration of the head are proof that the provenance that was later given to it as belonging to a **private collection from the 1980s** is false.



Entry of the piece in Spain

In the following communications, the supplier announces the sending of "the head by mail" and sends the invoice attached. He describes the sculpture as "Ancient Greek marble head, 5th century BC," with a price tag of \$40,000. Two days later, he sends her the AWB.

However, the antique dealer asks him to redo the invoice and, to "facilitate customs clearance", add: "Transport conditions: **DAP Barcelona**. Origin: **Private collection prior to 1970**".




Just a few days later, the head arrived by **air in Spain**. The description of the contents of the package only states: "***Used personal effects. 40x33x33/1***".

Laundering and market entry

As with the first head, the antique dealer declares the import at the Ministry of Culture. The import form is dated just 10 days after receiving the photos by email.

If, as we know, **the head arrived in Spain a week after landing at UAE**, taking into account the date the import form was completed, **we know that the cleaning and restoration of the head took place in just 2 days**. Sample of the level of professionalism of the trafficking and laundering network created by the Spanish antique dealer.



	
CABEZA DE DIOSA VELADA	
CULTURA	Griega
ÉPOCA	Siglo IV a.C.
MATERIAL	Mármol
DIMENSIONES	36,7 cm de altura
REF	
PRECIO	Consultar
PROCEDENCIA	Colección particular F. J. Europa. Adquirido en los años 1980.
CONSERVACIÓN	Buen estado de conservación, tiene una raspadura en la nariz.
<input checked="" type="checkbox"/> CONSULTAR	
<p>Imponente cabeza de diosa de la Grecia clásica esculpida delicadamente en mármol. Con un rostro ovalado, frente lisa y el cabello ondulado hacia los lados con una línea central. Mirada frontal, su expresión es melancólica de rasgos delicados. Tiene las cejas suavemente arqueadas formando un plan ... [leer más]</p>	
	

Who is the seller of the heads?

- Some Spanish antique dealers (and not only Spanish ones) use the export permits issued by the Ministry of Culture to launder illicit cultural goods.
- The Spanish antiquarian devised a **very functional network** that covered all aspects of traffic: suppliers, transport, restoration, document falsification, etc.
- At the time of the investigation (2014-2016), **the main suppliers were located in Bangkok (Thailand) and the UAE.**
- The materials supplied by this network were illicit cultural property from Egypt, Libya and other conflicting sources.
- As for the 6 sculptures investigated in the Harmakhis case, at least 5 were clearly connected to a known international trafficker. So was another Libyan robe seized during the searches.

A conflict is a favorable situation for illicit trafficking for many reasons:

States tend to lose effective control of the territory.

Organized crime and terrorist groups take advantage of the situation to smuggle all kinds of goods: a) Fuels, b) Weapons, c) People, d) **Cultural goods**, etc. -> source of funding

When a conflict breaks out in archaeologically rich countries, cultural goods from these countries immediately appear on the market.

Increased demand encourages the looting of historic buildings and monuments.

The illegal art market is mostly composed of looted archaeological objects, which were unknown before being plundered. This makes them the perfect target to be laundered.

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