Stolen Heritage

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Palmyrene Funerary Portraits: A 'Conflict Antiquities' Case

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Abstract This paper delves into the issue of 'conflict antiquities', that is, the phenomenon of profiting from cultural goods looted in archaeological sites affected by wars or civil conflicts. The present research shows the increased number of Palmyrene funerary portraits of dubious provenance circulating on the antiquities market after the beginning of the so-called 'Arab Spring' in 2011. By analysing international war damage reports, the author established a chronology of the key events that have involved the ancient town of Palmyra, likely leading to the flood of portraits recently offered on sale.

Keywords Palmyra. Syria. Looting. Funerary portraits. Conflict antiquities. Art market.

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1 Introduction

Founded in the second millennium BC near an oasis in the heart of the desert, Palmyra-Tadmor was one of the most prosperous and powerful centres of the Roman province of Syria. Wealthy caravans made it a pivotal intersection between the Mesopotamian and the Mediterranean areas and defined its cultural and artistic features, successfully blending Eastern and Western characters.

This research focuses on the phenomenon of looting in Palmyra and the problematic commercialisation of the funerary relief portraits, artefacts highly representative of its ancient civilisation.

After outlining the sequence of events that in the recent conflict impacted most severely on the Palmyrene area, the study addressed the international art market, trying to map down the portraits' sales on both tradition-



al public auctions and e-commerce platforms. The results achieved so far, although not exhaustive, have highlighted significant correlations between the fluctuation in the sales of the portraits and the Syrian conflict, thus raising uncomfortable questions about the dynamics related to archaeological collecting.

The following paragraphs present some preliminary data of the research, still in progress, concerning the period 2011-18. The outcomes are then contrasted with the data of the pre-war years, 2009-10.

2 Palmyra Under Siege: War Damages to the Archaeological Site

March 15th, 2011, marked the beginning of the so-called Syrian 'Arab Spring', which guickly escalated into a civil war and, finally, into a dramatic conflict on several fronts after the massive intervention of the extremist *Daesh*¹ forces. The long years of conflict have scarred the country's cultural heritage on an unprecedented scale: all six sites registered on the World Heritage List² have suffered substantial damage and have been included in the List of World Heritage in Danger³ since 2013. In addition to the direct risks due to military operations, new collateral factors of danger soon emerged: the intentional destruction carried out by Daesh and the rampant looting activities.

Thanks to the news reported by international agencies and collaborative groups advocating for Syrian cultural heritage, it has been possible to draw an accurate chronology of the episodes that threatened the site of Palmyra. The regular reports by the American School of Oriental Research (ASOR) and UNESCO (Project Safeguarding Syrian Cultural Heritage) and the information shared by the Syrian Directorate General of Antiquities and Museums (DGAM) have helped to define the conflict progression. The Association for the Protection of Syrian Archaeology (APSA), founded in 2011, also provided reliable accounts of the damages to the sites and the impact of clandestine excavations. On the other hand, the Facebook page Le Patrimoine Archéologique Syrien en Danger (Patrimoine Syrien) offered a look at local news thanks to the photos published by Syrian citizens and archaeologists living in Belgium and still in contact with relatives and friends at home.

¹ Daesh comes directly from the acronym of the Arabic name used by ISIS to define itself, and it is currently the term favoured by the media to refer to the well-known terrorist group.

² Damascus, Aleppo, Palmyra, Bosra, Crac des Chevaliers, the Saladin Castle, and the complex of eight Byzantine villages in Northern Syria.

³ https://whc.unesco.org/en/news/1038.

At the beginning of July 2011, the DGAM formally invited the heads of the cultural heritage sector to strengthen the security protocols protecting sites and museums in the face of the potential criminal infiltration of groups interested in systematic looting and organized theft. In February 2012, the Syrian Army took direct control of the archaeological area of Palmira,5 considered a high-risk target; nevertheless, at the end of the month, evidence of looting began to circulate. The first official report on damages that occurred throughout the country between 2011 and 2012 confirmed the worsening of archaeological thefts, which at the time had already affected the museums of Homs, Hama, Aleppo and Ragga. Worrying news began to filter out about the existence of clandestine activities organized by the Free Syrian Army (FSA) as a form of self-financing for the purchase of weapons in exchange for stolen antiquities. Amman, Jordan, was likely one of the main markets for this smuggling activity.8 Between February and September 2013, the permanence of the FSA in Palmyra led to the first serious consequences for the archaeological area, heavily looted in the Valley of the Tombs.9

As well known, the situation precipitated in May 2015 with the violent occupation of *Daesh* that aggressively set for the destruction of monuments and artefacts, as well as the systematic clandestine excavation of the necropolises. Despite initial reassurances by the DGAM, cultural losses have been of broad proportions. Even the expulsion of the extremist group in March 2016, after the intervention of a military coalition, has exposed the site to heavy repercus-

- 4 Cunliffe 2012, 11.
- 5 Cunliffe 2012, 38 fn. 205.
- 6 Patrimoine Syrien, in Cunliffe 2012, 14 fn. 85. The Facebook group Looted Heritage, in Cunliffe 2012, 14 fn. 74, suspects the Syrian troops of tacit complicity in the looting activities, contra Cunliffe.
- 7 Cunliffe 2012.
- 8 See interviews with smugglers and members of FSA (Baker, Anjar 2012; Luck 2013).
- 9 See Syrie: les tombes de Palmyre, victimes des pilleurs, in Culturebox France TV (16 March 2014). https://culturebox.francetvinfo.fr/patrimoine/syrie-les-tombes-de-palmyre-victimes-des-pilleurs-151391; Exclusive News, in Directorate General of Antiquities and Museum (old site version). http://www.dgam.gov.sy/index.php?d=314&id=2547.
- Danti et al. 2015, 19. The photos reporting the conditions of the Museum were made public starting from 28 March 2016: one can see fallen and broken statues and scarred reliefs. The DGAM claims to have transferred 400 statues to a safe place, as well as several objects from the museum collection. Only the heavier artworks and the portraits fixed to the walls would remain in place; however, the damage visible in the photos seems more substantial (DGAM old site version; Assessing the Damage 2016; Danti et al. 2016a, 91-105; Report of the UNESCO 2016; Robinson, McLelland 2016; Wintour 2016).
- 11 Danti et al. 2016a, 29-74 (details of the damages provided). See also Cuneo et al. 2016; Report of the UNESCO 2016.

sions, as the installation of a Russian army base not far from some known tombs in the Northern necropolis. Re-occupied by *Daesh* in December 2016, Palmyra was finally back under the Syrian government's control in March 2017, thanks to the massive support of the Russian army. The military presence continued, pervasive and disrupting, for several months after that.

3 The Palmyrene Funerary Portraits and the Market

The funerary relief portraits, in local limestone, are a characteristic product of Palmyrene art between the first and fourth centuries AD. There are essentially two types of artefacts: the busts carved in high relief on the slabs sealing the niches of individual burials, and the relief figures with bust (or head) carved in the round and standing out on the lid of the monumental sarcophagi. 14

These artworks, known since the first explorations of the archaeological site in the eighteenth and nineteenth century, are scattered today in hundreds of collections, both public and private. Among the richest and oldest collections are those of the Ny Carlsberg Glyptotek in Copenhagen, the Archaeological Museum in Istanbul, the Louvre in Paris and the Penn Museum of the University of Pennsylvania in Philadelphia.

Launched in 2012, the *Palmyra Portrait Project* (PPP) of Aarhus University has set as a goal to document all the Palmyrene funerary portraits of which there is notice, developing a database that already reaches the total figure of over 3000 sculptures. Besides museum collections, the PPP has also considered auction houses and Internet websites to try and reach the fullest account possible of the portraits in circulation. Therefore, the data so far published by the PPP constitute a first snapshot of the market's trends connected to these artworks. Further data related to the commercialisation of Palmyrene portraits are provided by the *MANTIS* Project of the Oriental Institute of the University of Chicago, which identified somewhat more than 36 portraits auctioned between 2000 and 2015. 16

This study here presented was conducted on a total of 28 European and American auction houses and ancient art galleries. The Palmyrene portraits offered on sale from 2009 to 2018 (both on tra-

¹² Danti et al. 2016b, 30-48; Danti et al. 2016c, 21-6; Danti et al. 2016d, 20-4.

¹³ Danti et al. 2017.

¹⁴ Bounni, Sadurska 1994.

¹⁵ Kropp, Raja 2016; Raja 2016, 2017; Johnson et al. 2018. For the project, see https://projects.au.dk/palmyraportrait/.

¹⁶ Palmyra Reliefs 2016; Rose-Greenland et al. 2016, 121 (28 reliefs between 2003 and 2016).

ditional and online auctions) were analysed. Additionally, between November 2017 and December 2018, the author conducted occasional checks of the eBay commercial site.

From a methodological point of view, alongside the aforementioned projects, the guidelines developed by Neil Brodie for similar market surveys concerning Mesopotamian antiquities from Iraq, especially the cylinder seals, ¹⁷ were followed.

The preliminary data of the current research, as summarised in Figure 1, expand the results notified by both the PPP and the MAN-TIS Project. While the PPP counts 23 portraits put up for auction between 2011 and 2015, for the same period, the current survey reports 42.¹⁸ A further account by the PPP, on the other hand, identified 33 items on sale in the broader timespan 2010-16, against the 50 here recorded [fig. 1]. Overall, this research identified 51 Palmyrene funerary portraits that have entered the antiquities market since the Syrian conflict started. However, we must also notice that some pieces have been put up for sale several times: the total number of relevant auctions is then 68. When we see these figures against those released by the MANTIS Project, which provides a glimpse of the Palmyrene portraits' presence on the market before the turmoil, and the direct analysis of the auctions in the years 2009-10 [fig. 1], we must highlight an increase in the sales, starting from 2011.

That is also confirmed after cross-checking the website of Drouot²⁰ that records the sales managed by this famous auction house and its partner galleries in Paris. For the years 2000-10, we count only 4 portraits put on the market, in 7 auctions; the website reports, instead, 12 auctions carried out between 2011 and 2018, for a total of 9 portraits.

Since the outbreak of the Syrian conflict, the market's offer of this kind of items has undoubtedly increased. The military and civil unrest, echoing broadly through the media, has probably worked as a booster of interest in Palmyrene art. Nevertheless, it seems likely that we are not merely facing the auctioning of objects pertaining to old collections, which have now become particularly prestigious and high priced, but the coming to the market of portraits just looted and stolen from Palmyra.

¹⁷ Brodie 2015a, 2015b; Brodie, Manivet 2017. See also Elia 2001; Brusasco 2013, 142-51.

¹⁸ To this figure, we should add 6 other portraits that the author was unable to detect among those already identified by the PPP. They are the following, distributed by auction-house/gallery: no. 1 DGA (2011); no. 1 RAG (2011); no. 2 Cahn (2012); no. 1 ACT (2013); no. 1 GaCh (2013). See Raja 2016, 36-9 fn. 15.

¹⁹ Raja 2017.

²⁰ https://www.drouotonline.com.

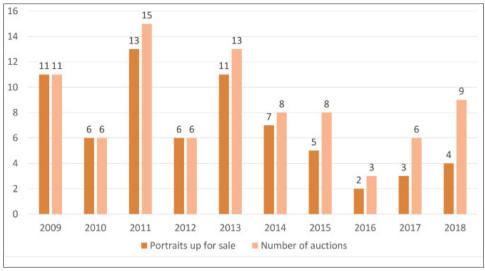


Figure 1 Palmyrene portraits for sale in connection to the auctions carried out between 2009 and 2018 (elaboration by the Author)

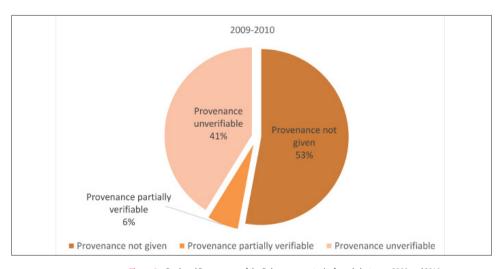


Figure 2 Declared Provenance of the Palmyrene portraits for sale between 2009 and 2010 (elaboration by the Author)

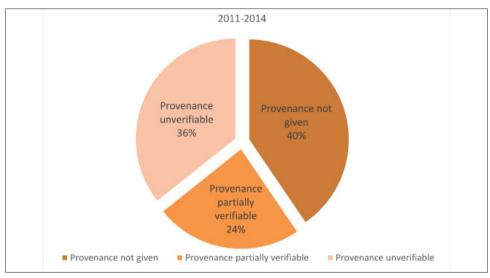


Figure 3 Declared Provenance of the Palmyrene portraits for sale between 2011 and 2014 (elaboration by the Author)

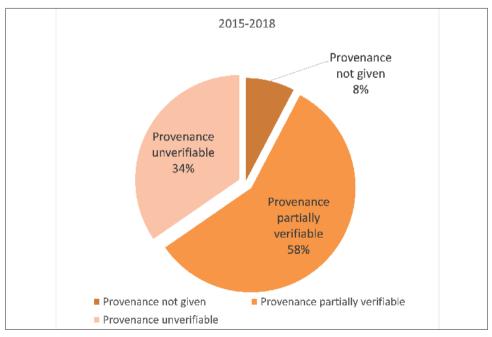


Figure 4 Declared Provenance of the Palmyrene portraits for sale between 2015 and 2018 (elaboration by the Author)

As a matter of fact, the high concentration of sculptures proposed on sale already in the second half and, above all, at the end of 2011 suggests that the market was successfully supplied with new specimens, not available until then.

Alongside the overall number of sales, the most alarming aspect is the thorny question of the portraits' 'provenance' as declared on the catalogues and auctions websites [figs. 2-4]. For the historical collections, the problem of legitimate ownership is almost always overcome because their acquisition is prior to specific regulations on cultural heritage. The situation is quite different for more recent ones, both private and public.

The UNESCO Convention for the Protection of Cultural Property in the Event of Armed Conflict, adopted in 1954 in The Hague and ratified by Syria in 1958, is the first international legislative instrument to protect Syrian archaeological assets in case of armed conflicts. The Syrian Antiquities Law dates back to 1963²¹ and sanctions the state ownership of Syrian antiquities, both movable and immovable. Article 6^{22} establishes the possibility of issuing an export license for antiquities in case of exchange with foreign museums or delivery of archaeological material to foreign institutions already provided with a regular excavation license. In 1975, the ratification of the UNESCO Convention on Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property marked another crucial step in safeguarding Syrian cultural heritage worldwide. In June 2018, Syria also ratified the UNIDROIT Convention for the Restitution of Stolen or Illegally Exported Cultural Objects (1995), a tool to implement the 1970 UNESCO Convention favouring, through reliable legal criteria, the process of restitution of goods illicitly brought out of a signatory country. In the meanwhile, in 2015, a pivotal countermeasure against the trafficking of artefacts from Syria - and Iraq - had been added: the UN Security Council Resolution 2199, which explicitly bans the trade in antiquities illegally removed from Syrian territory after the start of the conflict. With the 2016 Emergency Import Restrictions on Cultural Property, the United States too finally imposed further restrictive measures on importing this class of materials.

In examining the auctions' catalogues and the online documentation accompanying the Palmyrene funerary portraits identified for the years 2011-18, one cannot help but notice a general lack of attention to the said regulations. In 19 out of 68 sale proposals (28%), the antiquities lack any indication of origin that would help determine their legitimate presence on the market. In the remaining 49 cases, par-

²¹ Decree 222/1963 with further amendments.

²² Latest amend.: law 1/1999.

tial 'provenance' is displayed: 25 sale descriptions show at least one verifiable (or disputable)²³ circulation date, the other 24 provide completely unverifiable information. However, the quality of 'provenance' shows some improvement starting from 2015, probably due to Resolution 2199 (2015).

The pie charts illustrate this trend well. For the two years 2009-10 [fig. 2], we find a clear 53% of occurrences in which no 'provenance' is reported. With the first four years of conflict, 2011-14 [fig. 3], in addition to the overall increase in Palmyrene portraits offered for sale, we mark a mild interest in recording the ownership's changes. Finally, in the four years 2015-18 [fig. 4], the trend is reversed compared to the pre-conflict situation and, only on two occasions, any attestation of origin is missing. In most cases, however, the 'provenance' indicated remains of a dubious nature or poorly reliable in certifying the lawful property of the objects.

Another parameter to consider is the chronological reference assigned to the declared 'provenance', a detail that helps establish the greater or lesser degree of legitimacy of the sale. From an ideal perspective, we would like to rely on documented 'provenance' before the ratification of the UNESCO Convention of 1954 or the Antiquities Law of 1963. The funerary reliefs for which such details are provided are very few; on the contrary, 'provenance' declarations prevail that place the artworks' appearance on the market after the ratification of the UNESCO Convention of 1970. Nonetheless, these very portraits lack the necessary import/export licenses. An even higher percentage, equal to 49% of 2011-18 sales, concerns cases that are difficult to check, without any hint to the ownership's chronology.

Of the 51 portraits considered since the outbreak of the conflict, only one appears to be completely legitimate, most likely being on the market even before the issue of the Syrian decree on Antiquities. No information is provided about the other artworks that would positively establish their legitimate exportation before the beginning of the turmoil: they potentially result from recent looting. Some cases are further suspicious because of their association with false or contradictory certificates.

Overall, the market operations relating to this type of material display the following issues:

²³ Cf. Albertson 2016a.

²⁴ Cf. also Brodie 2017.

²⁵ That is lot no. 188 auctioned by *Christie's* on 20 December 2011: it comes from a well-known Parisian collection, the 'Vérité collection', established by Pierre Vérité starting from the '20s. The collector opened his own art gallery in 1934, the Galerie Carrefour, which was taken over by his son Claude in 1965 and remained in business until 1996. In 2006, Claude Vérité started to sell out his entire collection at Drouot, concluding 21 November 2017 with a large auction at *Christie's* (Dagen 2017; De Rochebouet 2017).

- the 'provenance' documentation is absent;
- the 'provenance' documentation is partial, unverifiable or contradictory:
- the 'provenance' documentation is forged;²⁶
- · the very artworks may be fake.

4 **Between Looting and Recovery**

The analysis conducted so far has attested the inflow into the international market of several unpublished Palmyrene sculptures since the beginning of the civil war. The phenomenon seems to have been curbed in 2015, perhaps thanks to the public awareness campaign promoted by UNSC Resolution 2199. Unfortunately, although between 2015 and 2017 the number of funerary portraits on sale decreased, 2018 was characterised by a resumption of activities [fig. 1], especially on online platforms associated with small galleries or private sellers - a trend which is keeps progressing.

Contrasting the sales' chart [fig. 1] with the chronology of looting activities and damages suffered by the site, as briefly described above (§ 2) - but thoroughly investigated by the author, the overall picture raises an even greater alarm. The number of objects that have appeared on the market so far, although increased compared to the past, to which we can add the pieces already recovered [fig. 5], 27 is, by all means, scanty against the devastation carried out in the archaeological site. Suffice it to say that a single tomb, like that of Artaban in the South-Eastern necropolis, may have provided a booty of dozens of funerary reliefs. The actual extent of local markets, directly managed by criminals with or without explicit affiliation to *Daesh*, 28 is another unknown variable in the global accounting of the Palmyrene artworks on the market.

The reports on material damage to the structures of the ancient town are certainly insufficient to establish how much it was stolen and from where. As a consequence, only those portraits grabbed

²⁶ Cf. Albertson 2016a.

²⁷ That is 140 portraits total, recovered between 2011 and 2017 principally by the Syrian DGAM, in addition to those traced by foreign authorities. Since 2018, no official news regarding new recoveries has been released.

Ouirico 2016 and Brodie. Sabrine 2018. Several sources reported the existence of an internal market managed by Daesh, especially during the occupation of Raqqa. Here, the funerary reliefs would have been auctioned starting at the incredible figure of 150,000 dollars, against the approximate average price of 15,000 euros attested so far in Western sales (Palmyra Reliefs 2016; Hardy 2016; Rose-Greenland et al. 2016, 121; Faucon et al. 2017). If the declared figure were sound, the inflated price could be the effect of the Al-Khums Tax (1/5 = 20%) imposed by *Daesh* on all earnings, including those resulting from the sales of archaeological goods illicitly excavated (cf. Felch 2014; Faucon et al. 2017).

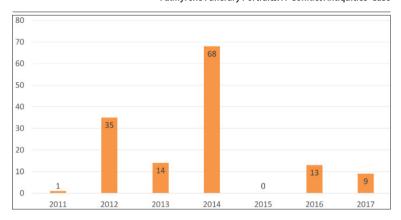


Figure 5 Palmyrene portraits recovered by Syrian DGAM between 2011 and 2017 (elaboration by the author)

from the Palmyra Museum²⁹ or well-known burial complexes can be identified and repatriated safely in the future. However, since bringing such objects to a public auction would be very risky, we could suppose that published and easily recognizable sculptures are likely lost.³⁰ A suspicion arises that commissioned loots, aimed at trusty buyers, have been carried out.

On the contrary, the artworks stolen from yet unexplored tombs cannot be linked to their original context, and will most probably end up resurfacing on the antiquities market with a new documentary 'pedigree'. In 2016, some Palmyrene reliefs were detected and seized by the authorities at the Free Port of Geneve: they were in storage since 2009/2010.31 That confirms the traffickers' habit of 'freezing' the pieces of dubious origin until the time comes, and they identify the most appropriate ways to sell without raising suspicions.

The auctions' chronology and that of looting activities in connection to the conflict's unfolding converge in attributing the responsibility for this archaeological dispersion to the very Syrians, at first. On the one hand, the 'rebels' of the FSA saw cultural heritage as an economic resource and were pushed to exploit it as a real bargain-

²⁹ The securing of the Museum's artworks was, apparently, much more approximate than what repeatedly declared by the DGAM (cf. Report of the UNESCO 2016). The photos published in the reports show extensive damage to a large number of portraits still in the Museum (see Robinson, McLelland 2016).

³⁰ The finds may also have been offered to buyers directly, through contacts on the dark web or the social networks like Facebook and WhatsApp. Of these transactions, obviously, no trace remains and, unless the pieces are then re-sold in official auctions, it is very difficult for the authorities to identify them. Cf. Cunliffe 2012.

Albertson 2016b; Communiqué 2016.

ing chip to obtain weapons and finance themselves. On the other, to a lesser extent, the exhausted civilian population stole and sold artefacts to procure necessities, or used them as a pass in the attempt to leave the country.³² As a matter of fact, in 2014, the regained control over the Palmyrene area led the DGAM to recover several funerary portraits, often found hidden in the houses of modern Tadmor [fig. 5].

As seen above, with *Daesh* occupation in 2015, occasional looting activities turned into systematic plundering of the Palmyra Museum and the ancient tombs. Much likely, the massive fruit of these clandestine operations, often followed by the intentional destruction of the whole archaeological context, has not yet emerged in the global market, despite possibly having provided some economic advantage to the Islamic State in the core years of the conflict.³³

However, even the presence of the Russian military forces after the repeated liberations of Palmyra proved to be rather risky for the site. In the necropolises area, disturbance and levelling activities for the building of a military base have been documented, and it is not implausible that groups or single soldiers took advantage of the situation to conduct illegal excavations.³⁴ Finally, there are elements to suspect that the Syrian Army itself was complicit in targeted pillaging and thefts of what it was sent to protect.35

The immission of Palmyrene portraits into the international market has followed two main routes so far, via Turkey or Lebanon. 36 We must also add Jordan, in transit through Israel, and, more recently, Bulgaria.³⁷ From these countries, through multiple criminal channels, the portraits reached auction houses and antiquities galleries in Europe and the United States to be publicly offered to 'inexperienced' buvers.38

³² Luck 2013. On November 24th, 2015, a group of objects stolen from the Palmyra Museum was intercepted and seized in Eastern Turkey: the traffickers admitted to having received the artefacts from Syrian refugees (Artifacts stolen 2015). The impact of this looting dynamic aimed at survival ('coping economy') was brilliantly exposed by Neil Brodie and Isper Sabrine in a recent article that denounces the risk of a continuous haemorrhage of archaeological assets from Syrian sites (Brodie, Sabrine 2018).

Felch 2014; Amineddoleh 2015; Omar et al. 2016; Nacarino 2016; Faucon et al. 2017. The Daesh seems to have acted, in all respects, according to the principle "Loot what can be sold, and destroy what cannot" (Amineddoleh 2015, 40).

Lamb 2016; Syrian Troops Looting 2016.

Hardy 2015a; Muhammed 2016; Syrian Troops Looting 2016. The UNITAR-UNOSAT report (Satellite-based Damage Assessment 2016, 114-23) also attests to possible looting activities and the use of earth-moving heavy machinery during the period of Government control of the Palmyrene area.

Baker, Anjar 2012; Artifacts stolen 2015; Hardy 2015b; Huby et al. 2015.

Luck 2013; Mladenov 2016.

Cf. Gill 2015; Shabi 2015.

Since 2000, in an attempt to counter the scourge of clandestine excavation, ICOM has been committed to drawing up specific posters featuring the classes of archaeological goods most subject to looting. In 2013, they published the *Syrian Heritage Red List*, ³⁹ a helpful guide in identifying the kinds of objects most at risk. At the same time, INTERPOL and the Carabinieri Command for the Protection of Cultural Heritage have also included in their respective databases some Palmyrene portraits, of which the DGAM had reported the theft.⁴⁰

Despite the new regulations enforced by UNSC Resolution 2199, the above-said lists of sensitive objects, and several awareness-raising initiatives promoted by UNESCO, 41 we cannot yet appreciate a decisive improvement in the 'provenance' information provided by auctions' catalogues or websites. On the contrary, very often, galleries and auction houses merely declare to have consulted the *Art Loss Register*. 42 That, however, can only result in a sort of 'false negative' when checking the legitimacy of objects from contexts not yet investigated nor published.

Clearly, in our global 'grey-market' economy, the enforced legislation is trivially circumvented by playing on the vagueness of the data provided and on the fact that the buyers are mostly satisfied with few guarantees, not being interested in ascertaining the licit origin of the desired objects. 43

³⁹ ICOM *Red List*: https://icom.museum/en/ressource/emergency-red-list-of-syrian-cultural-objects-at-risk/.

^{40 22} busts stolen from the tomb of Artaban (INTERPOL Database, ref. no. 2017/917) were included in a special INTERPOL poster while 3 other fragmentary funerary reliefs were added to the *Database of Stolen Works of Art* (Ref. no. 2013/63961). Cf. also the TPC *Database* and *Protecting Cultural Heritage* 2016.

⁴¹ End Trafficking, Save Culture: video published by UNESCO on 17 May 2017, to raise awareness against illicit trade in Antiquities (https://www.youtube.com/watch?v=J-WDjZvvyD4).

⁴² http://www.artloss.com/.

⁴³ Cf. also Tsirogiannis 2015.

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