

Police Cooperation in the Area of Art Crime: EU and International Perspectives

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Dr Saskia Hufnagel (s.m.hufnagel@qmul.ac.uk)

Queen Mary University of London

- Background
- Policing of Art Crime
- EU Situation
- International Measures
- Conclusions

Outline

- What is art crime?
 - Art theft: museum, galleries, collections, archives, private homes, etc.;
 - Fraud/forgery:
 - Copying existing work of art;
 - Creating a new work of art in the style of a known artist and claiming authenticity;
 - Creating a new work of art in the style of a known artist and letting experts determine authenticity knowing that it is not from this artist; etc.;
 - Vandalism;
 - Cultural Heritage Offences.

Background

- Fraud/Forgeries:
 - Even when Forgery discovered often not reported (loss of value, shame, etc.); Examples:
 - Beltracchi Case (2010)
 - The 'Flora' (Bode Museum, 1909)
 - 'Hitler Diaries' (1983)
 - Experts can contribute to commit crime; Example:
 - Werner Spies (Beltracchi Case)
 - Police relies on experts to investigate theft/fraud/forgeries; Example:
 - Hong Kong Harbour (2012)
- Financial, not criminal damage:
 - 1735 Hogarth Act (William Hogarth 'A Harlot's Progress' Copper Prints)

Policing of Art Crime

- A closed market:
 - Eric Hebborn 'A Forgers Handbook' 1997
- Scholars or forgers?
 - Francisco di Goya
 - Rembrandt
- Numbers:
 - 'Of the 3000 works Camille Corot created during his lifetime 5000 can be found in the US.'
 - Russian Avant Garde forgeries
- Pasticcios:
 - The 'Flora'
- Cleaning and restorations:
 - Lothar Malskat and the 'turkeys of Schleswig cathedral'
- Casting;
- Prints.

Policing Art Crime

<http://www.spiegel.de/fotostrecke/fotostrecke-68168-3.html>



Horst Haug from the State Office of Criminal Investigation in Baden-Württemberg displays a fake Giacometti sculpture in 2009.

- Beltracchi: 6 Years;
- ‘Count’ of Waldstein (alias Lothar Senke): 9 Years;
- Han van Meegeren (1947): 1 Year;
- Lothar Malskat (1953): 18 Months;
- Shaun Greenhalgh (2007): 4 Years and 8 Months.

Art Fraud in the Justice System





- Art Theft:
 - Art theft mostly only reported for insurance purposes (little trust in police re recovery); Examples:
 - Isabella Stewart Gardner Museum Theft (1990)
 - Frans van Mieris 'A Cavalier' (Art Gallery NSW, 2007)
 - Art world does not cooperate with police, only recently reports of increased cooperation due to successful investigations and established trust in some EU member states.
 - Art Loss Register and since 2014 Art Recovery International 'help' recover works of art, but do not always report their findings to police.
- Art has become a commodity, hence more financial than cultural concern re loss.

Policing Art Crime



Frans van Mieris 'A Cavalier'

- Different levels of importance of art crime: generally high in south and low in north of Europe.
 - Some EU member states have national art crime databases (18).
 - Some have specialised art crime units within the police (16).
 - If unit, they often cooperate with other units and exchange information informally.
 - Italy ‘Leonardo’ database now linked to Interpol through Psyche Project.
- Not one database and not special Europol database – all through Interpol.
- Training Courses and *Europol Cultural Property Crime Handbook* most harmonised EU measures (handbook was never published).

EU Situation

- Since 1963 Interpol Art Crime Unit;
- Interpol Stolen Works of Art Databases;
- Interpol partnerships with UNESCO and International Council of Museums (ICOM);
- PSYCHE Project (EU funded) 2012:
 - Enables direct data insertion by member countries and adds image recognition software to simplify the checking process.
 - Helps and encourage countries to participate in the Interpol system that so far have only supplied small amounts of data (few entries into the system), and that have no national database.
 - Enables easier access and participation in the database through formatted message system for submission of information on stolen works of art directly from a country's National Central Bureau to the General Secretariat.
 - Development of interface between different national databases.

International Measures

- Art Crime difficult to detect as closed market and silent victims;
- Little police expertise and limited forensic capacity;
- If prosecuted, low sentences and most of the police work was in vain;
- In many countries, specialised officers fight a lonely fight against both the criminals and the bureaucracy;
- Experts and police could be the perfect symbiosis, but there are not yet established cooperative structures;
- Most art crime crosses borders, but there is no interconnectivity of databases nor extensive informal police expert cooperation between specialised units.

Conclusion
