

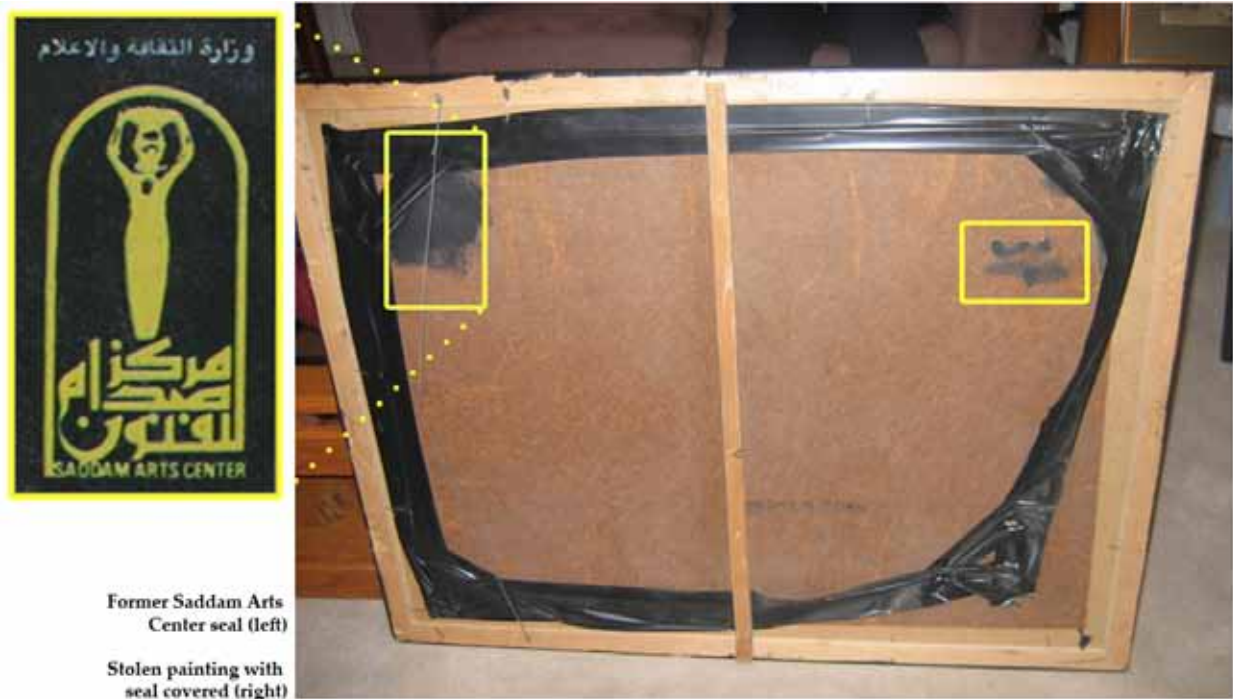
Art of the Middle East. Issues.

By Charles Pocock

The issue of looted art and forgeries regularly makes an appearance in the region's art scene. Rarely does a week go by when I am not told about something happening that could be the cause for concern or a specific work that is questionable. I wrote a number of years ago that after guns and illegal drugs, art crime is ranked third by value on the Interpol list above human trafficking. The figure for 2009-2010 was in the billions, with art fraud not even factored into these figures. How does this relate to the region and specifically contemporary and Middle Eastern art? With the rise in the value of work by specific Middle Eastern artists over recent years, an opportunity has arisen for individuals to take advantage of an emerging art market with limited published references and their intention is to make incredible profits at the expense of the clients who buy the works and in turn the market as a whole. On the one hand you have work that is looted and on the other work that is a forgery. Both areas will be addressed by investigating specific case studies and I will discuss potential solutions to stem this. The issue of looting and stolen work is not new. Nebuchadnezzar II from Babylon ransacked Jerusalem in 587 BC, as well as King Shishak from Egypt in 924 BC; the Romans even celebrated the plundering of Jerusalem in a sculptural relief on the Arch of Titus in Rome, and the tombs of the Pharaohs had been looted before Alexander the Great got there in 332 BC. This is compounded with repeated looting by governments in Europe filling up their museums with artefacts from the region, through to the ransacking in 2003 of the antiquity collections in Iraq with 13,000 artefacts stolen, the continuous archeological rape of Iraq, Egypt and Afghanistan and back to the contemporary and modern Middle East with the looting of the Modern Art Museum in Baghdad in 2003. The organised plundering of the Modern Art Museum in Baghdad is central to what is happening today in the market as numerous stolen works regularly appear on the market in public art sales and in commercial galleries throughout the region.

In 2003, 8,500 works of art were stolen from the Museum of Modern Art in Baghdad, very few of which have been returned. Mohammed Ghani Hikmat (who passed away last year) headed up the committee for recovering Iraq's stolen art with the participation of a number of Iraqi artists. Dr Nada Shabout and the Modern Art Iraq Archive highlight some of the looted works and past catalogues that contain images of works that have been looted (<http://artiraq.org/maia/>). Interpol has a site that is devoted to stolen art with leading pieces listed by country and medium (<http://www.interpol.int/Crime-areas/Works-of-art/Works-of-art/>). The director of the Museum in Baghdad, Salam Ata Sabri, along with the US Embassy in Baghdad produced and printed 'The Red List' which lists only 100 out of the 8,500 works stolen from the Museum; this has been posted by Shabout on the Iraqi Archive site (<http://artiraq.org/maia/items/browse?collection=156>). The issue is not just the theft, the fact that a lot of the inventories were destroyed by the looters makes the issue of identification hard but not impossible, as the Museum of Modern Art, Baghdad collection was documented in numerous publications. By pooling these sources together, one can gain an understanding and knowledge of the key works in the collection that are stolen. Another indicator that a work was included in this collection is that each piece was stamped with the logo of the Saddam Arts Centre (the previous name for the museum) and the initials M and S, for Markaz Saddam, these are now often blacked out, covered with paper or scratched off. (image 1)

After the looting of the museum some works were found in the local market and returned to the collection. Many others were not and continue to surface in the region and internationally through private and public sales. Some Iraqis wonder what difference it makes as there are no museums left in Iraq and the same stolen work has been resold many times, from Baghdad to Jordan then to the GCC or via Damascus and Beirut to the



Former Saddam Arts Center seal (left)
Stolen painting with seal covered (right)

Image 1

GCC or to London, Paris and New York. The same was said in Germany at the end of the Second World War. Looking at Germany as a case study, it is evident that its culture was essential to the rebuilding of the nation, the same should be with Iraq. However the dynamic in Iraq is different from what happened in Germany. Yes both countries were nearly destroyed and ransacked of its treasures but in Germany there was very little looting by the nationals of the country. In the case of Iraq, the theft was by the Iraqi people, with Germany it was the Soviets on a national scale with complete collections removed and sent to Moscow, such as 'Priam's Treasure' which was stolen from Berlin and housed at the Pushkin Museum. The real issue here in the region is when a work is on offer, few people actually bother to check it against what is listed publicly as stolen by Interpol, and when it comes to modern Iraqi art to The Red List. Two works by Shaker Hassan were listed on Interpol as stolen from the museum in Baghdad, they were offered for sale at auctions in Dubai by two separate institutions, one was sold, the other could not find a buyer. These works



Shaker Hassan Al-Said (Iraq, 1925-2004) Cockerel, oil on canvas on board, signed in Arabic lower left, 46.5 x 33.3cm
are still listed on Interpol as stolen.
Country of event: Iraq
Place of event: BAGHDAD
Date of event: March 2003
IPSG reference: 2004/56300-1.35
NCB reference: Theft Saddam Art Centre



Shaker Hassan Al-Said (Iraq, 1925-2004), *The Farmer*, oil on canvas, signed in Arabic lower left, 100 x 48.5cm

Type of event: Theft
 Country of event: Iraq
 Place of event: BAGHDAD
 Date of event: March 2003
 IPSG reference: 2004/56300-1.34
 NCB reference: Theft Saddam Art Centre
 Type of event: Theft

An individual case that caused the most concern, but ended in the best possible result, was a work by Dia Azzawi that was offered to a museum in the GCC in May 2011. The work was titled *The Lost City* (1970, oil on canvas, 160 x 160 cm). It was a central work in the collection of the museum in Baghdad and looted in 2003. It had been highlighted to Interpol and published in *The Red List* in 2010 as one of the top 100 pieces in the collection that was missing. In June 2010 I were informed that a former employee of a commercial art institution based in the GCC was offering the stolen work to the GCC Museum for sale for \$50,000, the seller said that the work belonged to a government minister who wanted to sell it but did not want the work to go through the auctions (this was also a total fabrication as the actual owner was an Iraqi resident in the GCC and not a government minister). The painting had already been run past an auction house in London but rejected as stolen, the seller still continued to try and sell the work. The information was then passed over to us by an adviser to the GCC Museum. We notified the seller's agent, whom we knew and advised that the work was stolen, and was listed on the internet and published in *The Red List* the year previously as stolen. My exact communication with the seller's agent on 14 June 2011 was: "As discussed the work by Dia Azzawi you have offered for sale was looted from the Saddam Arts Centre in 2003, the work belonging to the Saddam Arts Centre. I have enclosed all the relative documentation within this email to highlight the work. The image of the work has been supplied by the museum photographer from their archives.

In relation to our discussion today, you highlighted that your client bought the work from XXXX Gallery in Dubai and they in turn bought the work from an art dealer in Baghdad, this we are aware of, though why it was mentioned by you in your original email when offering the work for sale that the work was a gift from the museum in Baghdad to a government minister and in turn the minister wants to sell the work and sell the work privately and avoid auctions (making the transaction suspicious), this original report has now been proven to be false, the work was directly looted from the Museum in Baghdad in 2003."



Dia Al Azzawi (Iraq, 1939)

The Lost City, oil on canvas, signed on the reverse, 160 x 160 cm.

Repatriated on 21 June, 2011 to the Iraqi National Museum of Modern Art (the former Saddam Centre for the Arts). Included in Salam Atta Sabri and Mehmed Ali, "Iraqi Artwork Red List: A Partial List of the Artworks Missing from the National Museum of Modern Art, Baghdad-Iraq," 2010.

<http://artiraq.org/maia/items/show/759>

Working with the US Embassy in Baghdad; whom in turn liaised with Interpol and the FBI and communicating with Salam Ata Sabri of the Museum in Baghdad, I made it clear to the seller that the painting could never be sold publicly and the only option was to return it. The work was shipped from Dubai by the seller back to Baghdad and given back to the Museum on 21 June 2011. During this process written threats were sent to me by agents of the seller who wrote: "you will solely be liable for all unpleasant consequences". A side issue to this, that raises further concerns, is that

the London auction house who notified the seller's agent that the work was stolen, made no effort to contact the Museum in Baghdad or Interpol, which it has a legal and moral responsibility to do so.

I spoke with Interpol and they had received no recent intelligence about an agent selling the work, meaning they had not been informed of this. When we approached the said institution, which the selling agent had originally worked for and had liaised with, they said they refused to share information with us or take disciplinary action.

This act underscores another issue that needs to be raised: legal responsibility. We have a legal responsibility to notify the police of a crime if we are witness to an illegal act, not to do so would make us complicit. What we are seeing in the region when it comes to looted art is that most people keep their mouths shut, they do not contact the relevant authorities. This means the work and the people selling the work can continue their trade unhindered. What needs to be produced is a registry of works that is formed by key and trusted people, so that they can access and share intelligence. It should be independent with a committee (comprised of museum staffers, artists and trusted people in the trade similar to what they have in Europe with the Art Loss Register) in place to ensure that the data cannot be manipulated. It would include two sections, fake and looted work, devoted to modern and contemporary work by Middle Eastern artists, organised nationally. The registry would be open to the registered people approved by the committee, funded by all parties, museums and trade partners. Each party appoints a senior officer to the committee, whom can access the registry. All access to the registry is also monitored and an independent person, agreed upon by all people involved, adds works to this database. The registry would thus be funded by the parties involved.

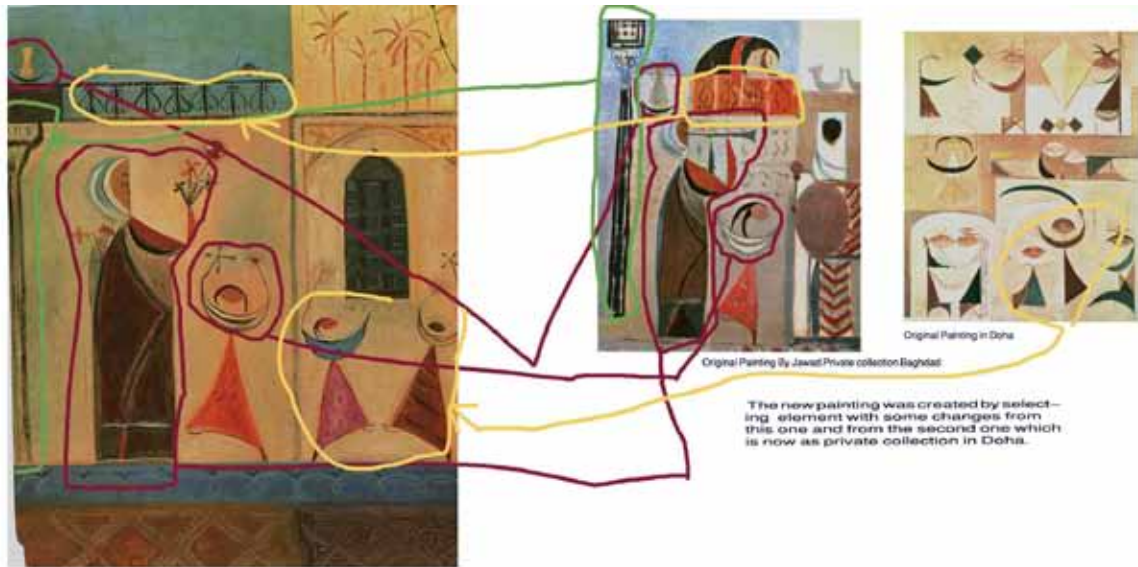
I suggested this last year and the idea was met with approval from museums, however, while the auction houses expressed interest, I never heard back from them on the matter. I put it to the trade, now in this article: what reason do you have for not supporting the formation of a registry of works in the region? What reason could you possibly give for not supporting the creation of a database that in turn protects yourself, your clients and above all the market for the long term? You have agreed that this is an interesting idea, but do nothing to implement it. We need to do this together. Another situation that arose and was highlighted in the international media by The Financial Times was in relation to a collection of modern Iranian Art. As the case is still in process and we are involved we cannot discuss the matter publicly, however I have enclosed the direct link to the article which highlights the matter in detail (the article was written by Georgina Adam and published on 14 October 2010. <http://www.ft.com/intl/cms/s/2/e22a6270-d19f-11df-b3e1-00144feabdc0.html#axzz1n0h3oYy3>). The case relates to the work of the artists Parviz Tanavoli, Massoud Arabshahi, Charles Hossein Zenderoudi, Faramarz Pilaram, Nasser Ovissi, Sadegh Tabrizi and Sohrab Sepehri of the Saqqakhaneh movement and recognised as the pioneers of modern Art in Iran.



Sohrab Sepehri, (Iranian, 1928–1980)
The Glade, oil on canvas, signed in Farsi lower right, 69 x 100cm.

At least with looted work, there is invariably a record somewhere relating to the work this article has so far demonstrated. Another well known case was the Mahmoud Said work that appeared in October 2007 at auction in the GCC. This piece had been stolen from the Egyptian Embassy in Washington, DC, then turned up at a regional auction house in Italy, picked up for very little, followed by the consignor putting it through

the sale in Dubai, without having any knowledge that it had been stolen. This work was identified from the catalogue and then reclaimed by Interpol in the GCC and still remains in police custody there. In the same sale there were two works by Jewad Selim that were so obviously fake it is amazing that they were ever published. This brings me to the most problematic issue in the region, that of forgeries.



The new painting was created by selecting element with some changes from this one and from the second one which is now as private collection in Doha.



Original sketch by Jawad was used as a base with some changes for the new one

With limited availability of catalogue raisonnées, experts (aka ‘specialists’) and zero public dialogue on the subject of fake work, especially in the media, the region is a forgers dream. The artists whose works are forged the most are the ones that achieve the highest prices. Works that are frequently forged in the region are primarily of the modernists: Jewad Selim, Sohrab Sepehri, Charles Hossein Zenderoudi, Shaker Hassan Al Said, Ismail Fattah, Hafidh Droubi, Dia Azzawi, Fayek Hassan, Fateh Moudarres, Louai Kayyali, Paul Guiragossian, Hussein Madi, Chafiq Abboud, AbdelHadi Al Gazzar, Tahia Halim, Mahmoud Mokhtar, Adam Henein, Saif Wanly, Hamed Nada, Ahmed Cherkaoui, Mohammed Kacimi, Jilali Gharbaoui. You now also have the added ingredient of people being afraid to give their opinion in case they are sued. This is the reason the Warhol Foundation has closed down and the Pollock-Krasner Foundation closed its doors in the mid-1990s. They were sued by collectors because they refused to authenticate work they believed to be fake and the collectors refused to accept their findings. It seems as if everyone has the threat of being sued if an unprofitable opinion is given, so much so that people are now afraid to assert themselves when it comes to the issue of a work’s authenticity. When we are asked for an opinion, we will provide the evidence and then leave it to the agents of the buyer or seller to decide. This was the case with an Ismail Fattah sculpture that came up recently. As we had the actual original edition in house we could compare the suspected work against the original. The auction house in question withdrew the piece based on the evidence we had provided. In this instance the artist was no longer living so having strong provenance and information at hand allowed justice to prevail. In relation to a work by Jewad Selim presented at auction in October 2007, evidence relating to the way the forger had taken aspects from other works by Jewad to construct the piece was highlighted in order for the auction house to come to a decision. This is common with the work of Abdelhadi Al Gazzar with one Cairo collector purchasing two identical works by the artist without realising. Other instances have been when living artists have produced evidence that original works are with clients and what is being offered publicly is incorrect and are imitations, such as with Hussein Madi in 2008. We have discovered

fake work by Azzawi being sold on ebay of all places, and Dia Azzawi was once asked to review a work for an auction that was attributed to him. The artist said it was a fake and the ‘specialist’ then asked him how he would know if his own work was fake. The ‘specialist’ was then, understandably, shown the door.

At art fairs in the region, the work of Adam Henein has been copied and forgeries sold, with the artist himself catching one gallery out in March 2010. The gallery owner admitted to us that they had an artisan in Paris signing works ‘A. Henein’ on the artist’s behalf. This was, however, done without the artist’s permission, and once informed the gallerist told me that they were not aware that this was classified as forgery. I discussed this at greater length in my 2010 column in Gulf Business and mentioned how the artist’s manager in Cairo informed me that all the work by Adam Henein this gallery sells “is all fake.” Not my words, the words of the artist’s manager. Another major issue is what is being sold privately. I can’t tell exactly how many works we have been offered that have proven to be wrongly attributed to an artist. With recent publications looking at private collections in the region such as Art & Patronage, loans from private collections to public exhibitions and collectors putting images of their collection online, there is more exposure and with that the identity of a lot of forged work is coming out, specifically relating to the artists listed above. This creates more embarrassment to collectors in the region and in turn they lose confidence in the market. I will be no doubt be accused of rumour mongering and trying to cause trouble by writing this article, but what I really aim to underscore in this discussion is that the need to offer protection through intelligence. I was once told by the director of a leading commercial international art institution that the advice I was giving to clients was dangerous to the market, but I believe that giving clients more confidence to buy better works through the sharing of knowledge can only strengthen the market long term. My view may be dangerous to their profits but my role is to advise my clients and add to not weaken the market.

The question you might now be asking is why are we involved in these matters and what experience do I have that enables me to voice these opinions. Here I am not just voicing personal concerns or opinions but am

relaying facts based on verified evidence. In the specific cases listed we are the agents of both Dia Azzawi and Parviz Tanavoli and have a legal responsibility to the artists we represent. Indeed, the situation is not specific to Iraq or Iran but throughout the Middle East, as it is globally. With the media in the GCC these matters are rarely discussed. Why? Mainly because many of the journalists have a limited knowledge of art and the market, and editors feel that no one is interested in the subject and that tackling such issues might affect advertising revenue—so much for serving one's readership and editorial responsibility. There are no restrictions from the government on such articles; I have discussed this with ministers of state. The problem is with the media as such stories are classified as news and the cultural publications in the region mainly focus on lifestyle. I have been asked by some individuals not to discuss the matter of looted art, issues regarding ownership, and forged work as it rocks the boat. I have been threatened in writing and to top it off in July 2011 someone attempted to set me up by sending me a parcel from London, stuffed with illegal drugs. The parcel was sent to Dubai in my name to a PO Box that had been cancelled 4 years previously. The drugs were attached to a book with a limited print run of 500 that we had produced in 2003 on a very well respected modern Arab artist. Additionally, the UK sender's address was listed as our old UK office address that we had sold 2 years previously, all confirming that the sender had direct access to us and to me, with the book it narrowed it down to less than a handful of people. What they did not expect is that when they posted the parcel the CCTV in the post office picked up their image and to add insult to injury in relation to their intelligence, the drugs were attached to the page relating to a painting that had been purchased by the head of state of a GCC country through an auction house, adding further issues for the CID. The persons involved were immediately recognisable to both CID in Dubai and Scotland Yard in London. In their quest to punish me for standing up against injustice and protecting the market, they punished themselves. What these people do not realise is that my interest in promoting transparency in the market is not a personal attack but is in line with our policy to fully represent our artists and present evidence

and concerns to the relevant authorities, which is our legal and moral duty. They are the one's whom are now deeply concerned. They know who they are, Interpol and the relevant justice agencies also know who they are. At this point, you might be wondering what the solutions to the issues raised are. The most important would be the formation of the registry, followed by a more determined and critical press who are willing to discuss these issues in print as previously discussed. Tougher stances by the Justice agencies in the region and recognising art crime as a valid crime are also imperative. It was through Baghdad that Interpol became aware of what was going on with the US Embassy in Baghdad pushing the matter forward. It is the role of the museum bodies in the region to police the market, working with the police. Art crime should be taken seriously. The sale of looted art from Afghanistan has been proven to have financially supported the attacks of 9/11 in the US. Much of the sale of looted art and the forgeries are being carried out by organised crime and professional criminals operating within the region. There are limited archives in the region and limited specialists, most are self appointed, like many of the curators. Archives and databases need to be built and this matter must be taken more seriously; professionals need to come on board and handle this matter properly. With the amount of money involved and the cultural plans for the region by governments the issues raised here cannot be ignored anymore. Solutions, as said, include more dialogue, transparency, and tougher action taken by the police. This will happen in the region, it will take time for the market to mature and the relevant agencies to mature with the market. Until that happens many will still suffer at the hands of a few. Vast profits will be made by criminals from works that are worthless or people will purchase works that one day will have to be returned. We do what we can, how we can. I wish we could do more. As always, 'Caveat Emptor.'

About the writer

Charles Pocock is a Fellow of the Royal Asiatic Society and Managing Partner of Meem Gallery. He is also the Modern Middle Eastern and Islamic Art Adviser to the Abu Dhabi Music and Arts Foundation and Founder of NIMEA (Noor Institute of Middle Eastern Art), which hold the largest library on modern and contemporary Middle Eastern art in the region.