



Universiteit
Leiden
The Netherlands

Transnational crime and the interface between legal and illegal actors : the case of the illicit art and antiquities trade

Tijhuis, A.J.G.

Citation

Tijhuis, A. J. G. (2006, September 6). *Transnational crime and the interface between legal and illegal actors : the case of the illicit art and antiquities trade*. Wolf Legal Publishers. Retrieved from <https://hdl.handle.net/1887/4551>

Version: Corrected Publisher's Version

License: [Licence agreement concerning inclusion of doctoral thesis in the Institutional Repository of the University of Leiden](#)

Downloaded from: <https://hdl.handle.net/1887/4551>

Note: To cite this publication please use the final published version (if applicable).

Transnational crime and the interface between legal and illegal actors

The case of the illicit art and antiquities trade

PROEFSCHRIFT

ter verkrijging van
de graad van Doctor aan de Universiteit Leiden,
op gezag van de Rector Magnificus Dr. D.D. Breimer,
hoogleraar in de faculteit der Wiskunde en
Natuurwetenschappen en die der Geneeskunde,
volgens besluit van het College voor Promoties
te verdedigen op woensdag 6 september 2006
klokke 13.45 uur

door

Antonius Johannes Gerhardus Tijhuis

geboren te Borculo
in 1976

Promotiecommissie

Promotores:

Prof. dr. G.J.N. Bruinsma (Universiteit Leiden)
Prof. dr. H. Elffers (Universiteit Antwerpen, België)
Prof. dr. N. Passas (Northeastern University, Boston, VS)

Referent:

Prof. T. Naylor (McGill University, Montreal, Canada)

Overige leden:

Prof. dr. H.G. van de Bunt (Erasmus Universiteit Rotterdam)
Prof. dr. R. Kroes (Universiteit van Amsterdam)
Prof. dr. U. Rosenthal (Universiteit Leiden)
Prof. dr. M.R. Rutgers (Universiteit Leiden)



Dit boek werd vervaardigd door **Wolf Legal Publishers (WLP)**.
Een handelseditie zal bij **Wolf Legal Publishers** verschijnen.
ISBN 10: 90-5850-195-7; ISBN 13: 978-90-5850-195-0

Table of contents

Chapter 1 Introduction

1.1	Research questions	3
1.2	Definitions and data sources	5
1.3	Plan of the book	6
1.4	The rise of (the study of) transnational crime in the 1990s and beyond	7
1.5	General assumptions about transnational crime	9
1.5.1	Transnational crime as a new phenomenon	10
1.5.2	Large (ethnically defined) criminal organizations as typical manifestation of transnational crime	11
1.5.3	Collaboration between transnational criminal organizations as a way to divide the criminal underworld	12
1.5.4	Globalization as the primary cause of transnational crime	12
1.5.5	Transnational crime as cause of criminal infiltration of legitimate businesses and governments	13

Chapter 2 Interfaces between legal and illegal actors – from bricks to the Bahamas

2.1	Introduction	15
2.2	Passas' typology of interfaces	16
2.2.1	A definition of transnational crime	16
2.2.2	Legal and illegal actors	18
2.2.3	Entreprise crime, political crime and hybrid crime	20
2.2.4	Antithetical interfaces	21
	Antagonistic relationships	22
	Parasitical and predatory interfaces	23
	Injurious interface	24
2.2.5	Symbiotic interfaces	25
	Outsourcing	25
	Collaboration	26
	Co-optation	26
	Reciprocity	27
	(Systemic) Synergy	29
	Funding	30
	Legal interactions	31
	Legal actors committing organized crimes	31
2.2.6	Conclusion section 2.2: the interface typology	13
2.3	Three extensions of the interface typology: individuals, organizations and jurisdictions as interface	33
2.3.1	Solo in transnational crime	34
2.3.2	Legitimate organizations as interface	36

TABLE OF CONTENTS

2.3.3	Jurisdictions as interface	37
2.4	Conclusions	39

Chapter 3 Individuals and legitimate organizations as interface

3.1	Individuals as interface	41
3.1.1	Case studies of individuals as interface	44
	Monzer Al Kassar	45
	Victor Bout	48
	Fouad Abbas	52
3.1.2	Common characteristics	53
3.1.3	Brokers in transnational crime	54
3.1.4	Transnational (criminal) dealers	55
3.1.5	Conclusion section 3.1: individuals as interface	56
3.2	Legitimate organizations as interface	56
3.2.1	Case studies of legitimate organizations as interface	57
	International Overseas Services	57
	Banco Ambrosiano	60
	Nugan Hand Bank	62
	Bank of Credit and Commerce International	64
	The Dutch 'Coffee Shop'	66
	Noraid	68
	The CIA and other intelligence agencies	70
3.2.2	Legitimate organizations as interface	73
3.2.3	The coffee shop model	74
3.2.4	The Abrosiano model	75
3.2.5	Conclusion section 3.2: legal organizations as interface	76

Chapter 4 Jurisdictions and other geographically defined entities as interface

4.1	Introduction	79
4.2	Jurisdictions and other geographically defined entities as interface I	79
4.3	Tax havens, bank secrecy jurisdictions and offshore financial centres	81
4.4	Jurisdictions and other geographically defined entities as interface II	84
4.5	<i>De facto</i> interfaces I: the arms trade	86
	4.5.1 Arms supermarkets as <i>de facto</i> interfaces	87
	4.5.2 Dutch arms export policies as <i>de facto</i> interfaces	88
4.6	<i>De facto</i> interfaces II: corrupt networks	90
	4.6.1 Club 45 in Vienna	91
	4.6.2 Propaganda Due (P2) in Italy and South America	95
4.7	Conclusions	96

TABLE OF CONTENTS

Chapter 5 Order in the chaos: the lock model

5.1.	Introduction	99
5.2	The lock model	99
5.3	The lock function of individuals	101
5.4	The lock function of legitimate organizations	103
5.5	The lock function of jurisdictions	105
5.6	Conclusions	108

Chapter 6 The transnational illicit art and antiquities trade: research outline and data sources

6.1	Introduction	111
6.2	Data sources	112
6.2.1	Official sources	112
	The Inspectorate of Cultural Heritage in the Netherlands	113
	The art squad of the national police in France	114
	New Scotland Yard and the Ministry of Culture in the United Kingdom	115
	The art and antiquities unit of the Carabinieri in Italy	115
6.2.2	Interviews with experts	115
	Archaeologists and museum curators	116
	Art dealers	116
	Other persons	117
6.2.3	Media reports, non-academic literature and specialized media	117
	IFAR Journal	117
	Illicit Antiquities Research Centre	118
	Media reports	118
	The Museum Security Network reports	119
	Non-academic literature	119
6.3	Opportunities and limitations of the sources	119
	Studies based on official sources	119
	Studies based on the social environment of criminals	120
	Studies based on media reports and studies by investigative Journalists	121
6.4	Conclusions	122
Annex 1	Defining the illicit art and antiquities trade	123
Annex 2	Specialized police agencies dealing with art crimes	127

Chapter 7 The illicit art and antiquities trade: an introduction

7.1	Introduction	129
7.2	The illicit trade	129

TABLE OF CONTENTS

7.2.1	Art theft	130
7.2.2	Fakes and forgeries	131
7.2.3	Looting and smuggling of antiquities	132
7.2.4	War, civil war and occupation	135
7.3	The extent of the illicit trade	137
7.4	The link between the illicit art and antiquities trade and other illegal markets	139
7.5	Conclusions	142

Chapter 8 Interfaces and the illicit art trade

8.1	Introduction	143
8.2	The interface typology	144
8.2.1	Antithetical interface	144
	Injurious interface	144
	Antagonistic and (systemic-) synergy interface	145
	Predatory interface	149
	Parasitical interface	150
8.2.2	Symbiotic interfaces	152
	Collaboration	152
	Reciprocity	153
	Outsourcing	154
	Co-optation	155
	Funding	156
8.2.3	New and superfluous interface	156
8.3	States conflict and crimes related to art	158
8.4	The lock model and the interface typology: case studies from France, Italy and the Netherlands	161
8.5	Conclusions	166

Chapter 9 Interfaces and the illicit antiquities trade

9.1	Introduction	167
9.2	The interface typology	168
9.2.1	Antithetical interfaces	169
	Injurious interface	169
	Antagonistic and (systemic-) synergy interface	173
	Facilitating interface	177
	Predatory and parasitical interface	178
9.2.2	Symbiotic interfaces	179
	Reciprocity	179
	Outsourcing	181
	Collaboration	181
	Co-optation	182
	Funding	183

TABLE OF CONTENTS

9.3	State conflicts and crimes related to antiquities	183
9.4	The lock model and the interface typology – case studies from Italy and the Netherlands	185
9.5	Conclusions	190

Chapter 10 Conclusions

10.1	Introduction	193
10.2	A typology of interfaces	194
	10.2.1 Antithetical interfaces	194
	10.2.2 Symbiotic interfaces	195
10.3	Individuals, legitimate organizations and jurisdictions as Interface	197
	10.3.1 Individuals as interface	197
	10.3.2 Legitimate organizations as interface	198
	10.3.3 Jurisdictions as interface	198
10.4	The lock model	199
10.5	The illicit art and antiquities trade	199
	10.5.1 The interface typology and the illicit art and antiquities Trade	200
	10.5.2 The lock model and the illicit art and antiquities trade	201
	10.5.3 Other topics related to the art and antiquities trade	204
10.6	Recommendations for future studies on transnational crime and the interfaces between legal and illegal actors	205
	10.6.1 Studies of transnational crime and interfaces	205
	10.6.2 Studies of the illicit art and antiquities trade	207
10.7	Recommendations for public policies	208
	10.7.1 Public policies in general	208
	10.7.2 Public policies with respect to the illicit art and antiquities trade	210

Bibliography 213

Samenvatting (summary in Dutch)	229
Acknowledgements	233
CV	234

