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## 'Alleen voor studiedoeleinden' (For study purposes only): The human remains trade on *Marktplaats.nl*

Damien HUFFER, Jaime SIMONS, Tom BRUGHMANS & Shawn GRAHAM

#### Abstract

This article presents an initial qualitative and quantitative investigation of that portion of the global human remains trade that exists on the Netherlands-based e-commerce platform Marktplaats.nl. We assess prices and associated metadata in a database of 236 examples of complete or partial human skulls, isolated elements, 'ethnographica' incorporating human remains and miscellaneous items collected from August 2017 through April 2021. Evaluated in the context of a discussion of legislation governing the sale, use and transport of human remains in the Netherlands and Belgium, we present data pertaining to total price variation per year and the geographic distribution (by province) of the geolocation tags included with each post evaluated against the category of human remains being offered. Our results indicate a diversity of human remains offered on the platform, including alleged archaeological and ethnographic items, and distinct patterning in their distribution. Given the legislative landscape, the results presented, and that Marktplaats.nl is the oldest and most frequently used secondhand e-commerce platform in the Netherlands (and shows significant use within the Flanders region of Belgium as well), we conclude with policy recommendations that, we feel, would enable the platform to curtail such trafficking if so chosen.

Keywords: Belgium, the Netherlands, e-commerce, human remains, illicit trafficking.

#### Samenvatting

In dit artikel presenteren we een eerste kwalitatieve en kwantitatieve studie van de globale handel in menselijke resten zoals die voorkomt op het in Nederland gebaseerde e-commerce platform Marktplaats.nl. We evalueren de prijzen en de gerelateerde metadata in een databank van 236 voorbeelden van volledige of gedeeltelijke menselijke schedels, afzonderlijke elementen, 'ethnographica' met menselijke resten en diverse voorwerpen verzameld tussen Augustus 2017 en April 2021. We presenteren data met betrekking tot de totale prijsvariaties per jaar en de geografische verspreiding (per provincie) van de geolocatie tags die bij elk bericht zijn opgenomen, en beoordelen deze op basis van de categorie van menselijke resten die worden aangeboden. We contextualiseren deze data in het kader van een debat over de nederlandse en belgische wetgeving met betrekking op de verkoop, het gebruik en de verplaatsing van menselijke resten. Onze resultaten wijzen erop dat een diversiteit aan menselijke resten op het platform werd aangeboden, inclusief vermeende archeologische en etnografische voorwerpen, met duidelijk verschillende patronen in hun verspreiding. Gezien het wetgevingslandschap, de gepresenteerde resultaten en het feit dat Marktplaats.nl het oudste en meest gebruikte tweedehands e-commerce platform in Nederland is (en ook veel gebruikt wordt binnen het Vlaamse Gewest van België), besluiten we met beleidsaanbevelingen die volgens ons het platform in staat stellen om dergelijke mensenhandel in te perken indien gewenst.

Kernwoorden: België, Nederland, e-commerce, menselijke resten, illegale handel.

#### **1. INTRODUCTION**

Despite 'terms of service' allegedly prohibiting the use of most e-commerce and social media platforms for illicit activities, numerous studies (e.g. LI *et al.*, 2019; PAUL *et al.*, 2020; GRUBB, 2020; KENYON, 2021) have revealed active online trafficking of a wide range of prohibited goods. Among these is the trade in human skeletal remains (bones, skulls, teeth) and 'wet' specimens (organs, hair, tissue, whole stillborn fetuses, etc.). The human remains collecting community within any one location or globally is itself contextualized within a larger 'red market', usually considered to include licit and illicit trafficking of all manner of human tissue, organs, eggs and sperm destined for fertility clinics, and even fraud within the global adoption 'industry' (*sensu* CARNEY, 2011). The skeletal human remains trade also overlaps with global collecting communities seeking 'oddities' or 'dark heritage', as well as other categories of trafficking or collecting, such as so-called 'murderabilia' (items allegedly owned, used, or made by convicted serial killers or criminals, alive or dead) and war memorabilia; both often included as part of the 'dark heritage' category mentioned above (e.g. SCHMID, 2004; THOMAS et al., 2016).

The private commercial collection of human remains today is arguably a 'revival' (and modern interpretation of) the officially sanctioned behaviour of colonial-era officials, missionaries and early biological anthropologists of many nations, including the Netherlands and Belgium, two nations that, together, had a widespread colonial presence in the Carribean, South America, Africa, Southeast Asia, and beyond (e.g. VANTHEMSCHE, 2006; OOSTINDIE, 2008). The history of this colonial legacy in both nations, in terms of how, or whether, museums should retain or repatriate human remains taken from former colonies, is an ongoing debate at the highest levels of government (VRAAG EN ANTWOORD SENAAT 6-1015, 2016). Today's digital world affords smugglers new and innovative means to allow human remains (and many other materials) to become 'merchandise' and reach local and international clients, primarily through postal services. The exact routes and mechanisms by which human remains and other trafficked items are shipped from seller to buyer after purchase via e-commerce or social media platforms is, to date, primarily revealed only when shipments are seized in transit, but media coverage of the phenomenon is increasing (ST. FLEUR, 2019; JARUS, 2020; THE ASSOCIATED PRESS, 2021).

The vast majority of trafficking in the 'dehumanized dead' (*i.e.*, the transformation of human remains from something representative of a once-living person to 'things' suitable for sale and purchase) has primarily moved to social media platforms such as Instagram or Facebook, where sub-groups can form or disband, individuals can cross-post, go 'private' or link sellers to off-site payment options such as PayPal after open or private negotiation (KREDER & NINTRUP, 2014; KENYON, 2021). These platforms provide rich opportunities for examination, but also require concerted efforts to verify the authenticity of images or other

information posted online and a sworn objective to not publicize anything that may hamper ongoing law enforcement efforts or put people in danger. What is less understood, however, is how trafficking on smaller, more country- or languagespecific e-commerce platforms overlaps with that occurring on social media. In part, this is because very few such e-commerce platforms (aside from eBay and Etsy, and even those relatively minimally) have been the focus of systematic research into any category of trafficking. The vast majority of online illicit trafficking research has involved drugs, wildlife, Child Sexual Assault Material (CSAM), weapons, etc.; and in the realm of online cultural property trafficking, antiquities, especially 'conflict antiquities', have received the bulk of the attention and media coverage, both in terms of trafficking on the surface web and dark web (VLASIC & TURKU, 2016; PAUL, 2018; HARDY, 2015, 2021).

In terms of the human remains trade as a global digital phenomenon, it is important that research is conducted on the dynamics of this trade on as many platforms as can be known. The majority of our and others' investigation of this trade to date has primarily focused on today's most frequently used social media platforms, such as Facebook and Instagram (e.g. HUXLEY & FINNEGAN, 2004; HUFFER & CHAPPELL, 2014; HUFFER & GRAHAM, 2017, 2018; HUFFER et al., 2019; HUFFER & CHARLTON, 2020; GRAHAM HUFFER, 2020). However, e-commerce & platforms continue to contribute to this trade, despite the most popular platforms such as eBay and Etsy allegedly banning the trade in 2016 and 2012, respectively (KIM, 2012; VERGANO, 2016). As we will demonstrate below, legislation pertaining to human remains and their uses in the Netherlands and Belgium are complex but in general permit the open sale, by bidding or direct negotiation through calling the poster, with payment allowed by card, or via a Netherlandsbased PayPal equivalent called iDEAL (iDEAL, n.d.). As such, human remains trafficking via this platform represents a currently overlooked piece of the total puzzle. We present the data below in order to explore the size and scope of the trade as it exists on this platform (at the time of data collection) and how trafficking via this platform operates within or outside of local and international laws.

As with any e-crime research, the 'end stage' of the market is identifiable as image, text and occasionally price data. Legislation that could apply to some cases of seized human remains, such as laws pertaining to grave desecration, tissue transplant, or the import/export of cultural property all have caveats that leave private commercial collecting of such material almost entirely unlegislated. One of the authors (DH) was first made aware of the existence of Marktplaats.nl in August 2017 by Dutch colleagues at Stockholm University when a postdoctoral fellow there. As we discuss below, smaller platforms benefit from crosslinking and cross-posting into the larger players. This gives them reach beyond the application (or not) of local laws and regulations, both in the real world and in the online-quasilegal world of terms of service statements and community policies (MARKTPLAATS.NL, n.d. a).

*Marktplaats.nl* was originally created by Rene van Mullem in 1999, designed as a platform to post free classified ads. At the end of that year, his business partner Robert Crébas sold the platform to the company Het Goed and Het Goed, based in Emmerloord (Flevoland), in turn, sold rights to the company and domain name to eBay for 225 € million in 2004 (MERGR, n.d.). After 16 years of rapid growth, eBay sold to the Norwaybased company Adventina in July 2020 (DUTCH NEWS, 2020; LUNDEN, 2020) as part of a larger deal to outsource its Classified ads section. The deal gave eBay a 44 % share in Adventina. To date, data from Marktplaats.nl has been used in at least a few studies relevant to questions of e-crime, fraud or trafficking on the platform, including how geographical distances within the Netherlands affect prevalence of completed sales (PALALI et al., 2017), the investigation of risk factors in online fraud victimization (VAN WILSEM, 2011), online job ad scams as a means to launder money (RAZA et al., 2020), and even the prevalence of antiquities trafficking on Dutch e-commerce platforms and business or personal websites (FAT & VAN DER HAAS, 2011). Aside from at least one study investigating the platform as a possible host of human organ sales (in this case, an individual voluntarily offering a kidney; DE HINGH & LODDER, 2019), no previous studies have systematically attempted to initiate

diachronic investigation of the human remains trade writ large specifically on this platform.

In regard to the human remains trade in the Netherlands, most legislation comes from the Wet op de Lijkbezorging/Funeral Services Act. The majority of articles refer to proper procedures for burials, cremations, autopsies, and the running of cemeteries. Articles 67, 71, 80, and 81 are some of the few that deal with the human remains themselves. Article 67 states that corpses may be dissected for science or scientific education purposes, providing that the deceased has consented pre-death (or that relevant others have consented on their behalf) (WET, 1st August 2018). Article 71 forbids the preservation of corpses beyond circumstances discussed in the Wet op de Orgaandonatie/ Organ Donation Act (WET, 1st July 2020). Within Dutch legal context, once a corpse is donated to science, it is considered to have arrived 'at its final destination' and is no longer considered as human remains. There is no legislation regarding post-use disposal, though the remains are generally cremated by the body disposal program to which they were donated (OOSTRA et al., 2020). Articles 80 and 81 outline punishable offenses, including 'the delivery, storage, disposal, transport, destruction, dissection, embalming or preserving treatment of a corpse in violation of law' (WET, 1st August 2018).

The Wetboek van Strafrecht/Criminal Code also provides some legislation surrounding the treatment of human remains. Section 150 of the Criminal Code makes it an offence to unlawfully disinter a body or move or transport a body while Section 151 makes it an offence to conceal the cause of death of a body (1st May 2021). While disturbing a resting place/desecrating a grave is illegal (Section 149 of the Criminal Code), there are no specific corpse desecration or anti-necrophilia laws (NLTIMES, 2021). In Belgium, hiding the body of a murder victim or of someone killed through various injuries is an offense (Art. 340), and so is the breaking of burial laws (Art. 315), but issues concerning burial and cemeteries are up to the various regions (e.g. DECREET, 16th January 2004; DECREET, 14th February 2019). As is often the case around the world (e.g. STROUD, 2018; MARSH, 2015), the assumption underpinning these laws is that they

are meant for the recently dead and would thus apply in those situations most of all.

The Criminal Code, Organ Donation Act, and Funeral Services Act apply to human remains produced within the last fifty years. Pre-1950s/1960s, human remains are considered archaeological. In regard to archaeological legislation, the primary legislation comes from the Erfgoedwet/Heritage Law and the Kwaliteitsnorm Nederlandse Archaeologie (KNA)/ Dutch Archaeology Quality Standard. The Dutch heritage law (WET, 9th December 2015) is more explicit about prohibiting the movement or sale of protected cultural heritage without prior approval (Art. 4.4-9; 5.1). Articles 4.10-16 further specify the procedure to follow for potential buyers of protected cultural heritage. However, the answer to a question asked by Ronald van Raak in 2009 in the Dutch Chamber of Representatives (Vraag en antwoord Tweede Kamer 2009D24805, 2009) revealed that there is no law specifically banning the trade in ancient human remains which might have been obtained a long time ago and potentially from abroad. Within the most recent version of the KNA, there is some guidance on the excavation, cleaning, and storage of remains (WATERS-RIST et al., 2016). There is no further guidance provided, ethical or otherwise. This is likely because most European cultural heritage legislation is derived from the European Convention on the Protection of the Archaeological Heritage/the Valetta convention of 1992, which does not tacitly mention and include human remains of either local or extralocal origin as archaeological heritage, nor does it specifically discuss online trafficking under Article 10 (Prevention of the illicit circulation of elements of the archaeological heritage) WATERS-RIST et al., 2016; COUNCIL OF EUROPE, n.d.).

Similarly, there is no legislation against the use or display of human remains within a Dutch museum or collections context. According to the *Museumvereniging/Museums Associations' Ethische Code voor Musea/Ethics Code for Museums*, museums are allowed to collect human remains (Section 2.5), conduct research on remains (3.7), and exhibit remains (4.3), provided that these actions are done in a culturally- and religiously-respectful manner. Repatriation requests must be treated 'with respect','but there is no mention of prohibiting the collection, research, or exhibition of culturally-sensitive human remains (VOORZITTER MUSEUMVERENIGING, 2006).

Belgium has a federal law concerning the protection of underwater heritage (WET, 6 July 2013) which states human remains should be treated with respect (Art. 2§9) and that works should not unnecessarily disturb human remains (Bijlage I regel 5). A Flemish ministerial decision (MINISTERIEEL BESLUIT, 13 September 2011) concerning the documentation and registration of archaeological research provides practical norms for excavating and recording human remains (e.g. Art. 29.1-2; Art. 39) but does not concern the movement of (or trade in) human remains. Human remains held in the collections of heritage organisations and museums in Flanders are subject to the deontological code by the International Council of Museums (Besluit, 23rd January 2009), which specifies the inability of their employees to support the illicit trade of antiquities (Bijlage 1, Art. 8.5, 8.14, 8.15) and the inability of the institutions to display objects with unknown provenance (Bijlage 1, Art. 4.5). It states explicitly that human remains held by these institutions need to be housed and managed with respect (2.5), and that research into them and their display should take into account the communities where the remains originated from (Art. 3.7, 4.3). The answer to a question asked by Bert Anciaux in 2016 in the Belgian Senate (Vraag en antwoord Senaat 6-1015, 2016) revealed that no centralized list exists of the human remains held in the Flemish institutions, but the answer itself provides a useful summary of these remains in Flanders.

In light of the above summary of relevant legislation, we also consider the results and general platform policy recommendations presented below to be relevant given what *Marktplaats.nl* already states in terms of the buying and selling of cultural heritage or living or dead human beings or parts derived from them. Under 'Rules for the sale of cultural goods' (MARKTPLAATS. NL, n.d. b), great care is made to note that illicit antiquities might be inadvertently offered on the platform and that only 'legally protected art and antiquities' should be traded. The statement also defines what counts as illicit to the platform's administrators, the penalties and risks that can be incurred, law enforcement authorities to contact for more information, and provides links to the International Council of Museums (ICOM) Red Lists and educational material produced by the Dutch government. In addition, this page also commendably provides a strong ethical statement for potential buyers of antiquities to think twice.

Contrast this with the rules provided on a separate page entitled 'Offering people, body parts and substances' (MARKTPLAATS.NL, n.d. c). While 'people, body parts, materials and substances' are allegedly not allowed, exceptions are made for 'locks of hair, skulls and skeletons for educational purposes'. Forensic anthropologists previously questioned eBay's ability to regulate the trafficking of human bones, teeth, and organs on their platform especially when 'for educational purposes' is poorly defined (Huxley & Finnegan, 2004). The results presented below, and general policy recommendations derived from them demonstrate that this issue remains a challenge for possibly many other e-commerce platforms.

#### **3. MATERIALS AND METHODS**

A dataset of 263 example posts with stated prices or evidence of bidding was collected from *Marktplaats.nl,* encompassing a date range of 5th August 2017 to 24th April 2021. Searching for new posts using Dutch keyword searches occurred at least once a week, with only the occasional gap longer than that. Thus, it is assumed that the capture rate of relevant posts was close to 100%. Search terms selected corresponded to common categories of human remains or items containing remains for which known markets exist on other platforms.

As an e-commerce platform, hashtags or handles are not used by either interested buyers, sellers, or browsers. Rather, the platform depends on the use of simple keywords and so we built the dataset using common relevant Dutch search terms such as 'schedel' (skull), 'mens schedel' (human skull), 'Dayak schedel', 'Asmat schedel', 'menslijke bot' (human bone), etc. (see full list, Tab. 1), which was enough to routinely surface numerous posts. We did run searches using English words but found no posts.

Dayak and Asmat were specifically included because Indonesian Kalimantan, Malaysian Sabah, and West Papua, were all at one time Dutch colonies, and that it was assumed an investigation of Dutch language *Marktplaats*. *nl* would primarily capture the frequency and diversity of human remains sold from or within the Netherlands (including modified crania produced by Indigenous people within former Dutch colonies, or allegedly so). Incidentally, some activity in Dutch-speaking Belgium (Flanders) was captured as well.

All posts were screen-captured when discovered and saved with some associated metadata according to stated vendor name or initials, the date posted and the provided geolocation within the Netherlands or Belgium. All items offered for sale or for bidding on *Marktplaats.nl* require the poster to put their location. That can be specific to a city or town, or as general as a country (see below). A very

Search Term	Translation						
Schedel	Skull						
Mens schedel	Human skull						
Menselijke schedel	Human skull						
Dayak schedel	Dayak skull						
Asmat schedel	Asmat skull						
Trofee schedel	Trophy skull						
(het) Menselijk bot	Human bone						
Menselijke botten	Human bones						
Mummie	Mummy						
Egyptische mummie	Egyptian mummy						
As	Ash						
Kangling	Kangling						
Kapala	Kapala						
Langwerpige schedel	Elongated skull						

**Tab. 1** – Dutch hashtags and search terms used in this study with English translations.

few (n = 6) were counted under the relevant province column for both the Netherlands and Belgium when the stated geolocation was a population centre split by the international border and/or several enclaves, such as Baarle-Nassau/Baarle-Hertog.

Any translations of relevant captions or descriptive text associated with each post, e.g. the captions of each figure below, were translated courtesy of Dutch speaking colleagues, or on occasion via Google Translate (the relatively formulaic descriptions in each post are not so complex that they flummox Google's training). In the figures below, example screenshots of human remains for sale have been anonymized to respect seller privacy. Although vendors advertised with the expectation of selling, and thus have no reasonable right to privacy, we nevertheless anonymize these posts following ethical best practices in social-media based research, a method we have followed in other recent research (e.g. HUFFER et al., 2019, 2021; HUFFER & CHARLTON, 2020). Cross-posting between platforms was occasionally recognized via an item first appearing on Marktplaats. nl and later in a monitored Facebook group or a public Instagram profile, sometimes with direct mention by the individual displaying or selling on the latter platforms that the item was first purchased or bid for on Marktplaats.nl. A method to identify such cross-posting is beyond the purview of the current article, but there are natural language Python code (and other languages) libraries that can identify re-used text (such as hashtag stuffing or reposting of entire posts, see HUFFER & GRAHAM, 2017: 3.2.5) or that can identify similar images in different contexts (see for instance Baumann, 2015 on finding near-matches in the Rijksmuseum).

Total annual price data was calculated by totaling every available highest price for all posts from the year in question. This occasionally included posts of the same item that were posted on different dates and sometimes had different asking prices. Where an asking price or starting price for bidding was given, the highest price was used. Where no direct asking price was given but bidding had been occurring, the highest available bid was included as representative of the amount of money that a prospective buyer was willing to part with. All prices were given in euros. Data was tabulated manually using Google Maps and general searching to determine which province of which country the geolocated city or town is in, given that the seller can select to geolocate their post to indicate to prospective buyers the distances involved in shipping within the Netherlands or internationally. Analysis of the data was kept to the level of the province for reasons of legibility. Exemplary figures illustrating specific categories of remains for sale were selected from our stored archive of screen-captured posts.

#### 4. RESULTS

Table 2 presents total prices in euros per year, tabulated as described above, for the years of activity that our current data set spans; January 2017 through April 2021. It can be seen that the height of activity for human remains trafficking occurred in 2018 and 2019, but the standard variation of quoted prices or high bids is also highest for these two years. This suggests that the years with the most frequent posts also exhibited the most variation in prices requested, bid, or realized. Prices throughout the dataset range from as high as  $3,500 \in$  to under  $10 \in$ , with several items offered for over 1,000 € in each year 2017-2019. It is also notable that this category of trafficking on the platform, at least within the first quarter of 2021, appears to have markedly declined. Only a total of 15 individual posts were located between January and April, 2021. Of those, six had no stated monetary value at all, whether a quoted price by the seller or bids from

Year	Total Stated Price	Standard Deviation
2017	€19,067	284.46
2018	€36,566	516.25
2019	€42,897	489.58
2020	€ 8,235	347.81
2021	€912	68.42

Tab. 2 – Total of stated prices by year for observed human remains sold via *Marktplaats.nl*.

potential buyers. We may wonder if there is a relationship between the decline in trafficking and the onset and height of the COVID-19 pandemic but teasing out that relationship is beyond the purview of the current paper. Anecdotally, on other platforms, we see posts citing economic hardships as a result of the COVID-19 pandemic prompting the vendor to *sell* their collection. We see no evidence to suggest a similar motivation in *Marktplaats.nl* posts.

One hundred fifty-one unique sellers from both countries combined were identified within the dataset. Of those, 22 made sales posts geolocated only to towns within Belgium, one with posts from an undisclosed location in Germany, and the remainder with posts geolocated within the Netherlands. Of those individuals who posted more than one distinct post (identified via use of the same handle, same spelling, same geolocation, but different date and/or price and item for sale), eighteen individuals posted two posts. Eleven individuals posted three times, eight posted four times, and nine individuals posted five or more times. The three individuals with the greatest number of posts are all geolocated to the Netherlands; two individuals posted eleven times and one eighteen times. One post (of a Tibetan kangling made from a human femur) was offered for 149 € twice, in January and March. Another item (a complete skull for 210 €) is included despite the poster claiming it is a replica, due to

aspects of the available photographs that seem to indicate taphonomic modifications common to soil-interred human remains. Finally, one additional post from first-quarter 2021 is worth highlighting. It is a Beauchene ('exploded') skull on a stand, but only the stand itself has an associated price (16  $\in$ ); an example of a phenomenon that two of the authors (DH and SG) have observed on other platforms, such as Etsy (where the 'furniture' is listed for sale, but the real purpose of the post is to offer the human remains for sale, tacitly). Even if the use of Marktplaats.nl to sell real human remains has substantially declined in 2021 to date, again perhaps as fall-out from the global Covid-19 crisis, the amount of money cumulatively offered (and likely received) for the wide range of human remains sold from 2017-2019 was substantial.

Tables 3 and 4, and Figures 1-3 demonstrate some of the diversity inherent in the trade on this platform over the last several years. Geographic distribution of every category of trafficked remains appears to be not randomly distributed, regardless of country, as seen in Figure 4. The examples used as figures illustrate that alleged historic/archaeological remains, Indigenous Ancestors (especially from the Netherlands' 'former colonies), and medical specimens are offered as both whole intact skulls, or crania without mandibles, or as fragments, or as disarticulated skeletons.

Category	Groningen	Friesland	Drenthe	Flevoland	Overijssel	Gelderland	Utrecht	N. Holland	S. Holland	Zeeland	N. Brabant	Limburg	Total
Medical Specimen	5	0	1	10	0	5	5	5	6	21	6	0	64
Dayak	0	0	0	0	0	3	5	2	6	0	2	2	20
Asmat	0	0	0	0	1	4	0	0	9	0	7	0	21
Other Indigenous	0	0	0	0	0	0	4	1	3	0	2	0	10
Historic/Archaeological	3	1	3	3	7	6	6	17	7	11	29	7	100
Misc.	2	0	0	0	0	1	0	2	1	0	4	0	10
Total	9	1	4	13	8	19	20	27	32	32	50	9	225

Tab. 3 - Geographic distribution of posts where the sellers indicate their location,selling human remains via Marktplaats by Dutch Province.

Category	W. Flanders	E. Flanders	Antwerp	<i>Flemish Brabant</i>	Brussels	Limburg	Walloon Brabant	Hainaut	Namur	Liége	Luxembourg	Total
Medical Specimen	1	0	3	0	1	6	0	1	0	0	0	12
Dayak	0	0	1	0	0	1	0	0	0	0	0	2
Asmat	1	0	0	0	0	3	0	0	0	0	0	4
Other Indigenous	0	0	1	0	0	0	0	0	0	0	0	1
Historic/Archaeological	1	5	6	2	0	2	0	0	0	0	0	16
Misc.	1	1	1	0	0	0	0	0	0	0	0	3
Total	4	6	12	2	1	7	0	1	0	0	0	33

Tab. 4 - Geographic distribution of posts where the sellers indicate their location, selling human remains viaMarktplaats by Belgian Province.

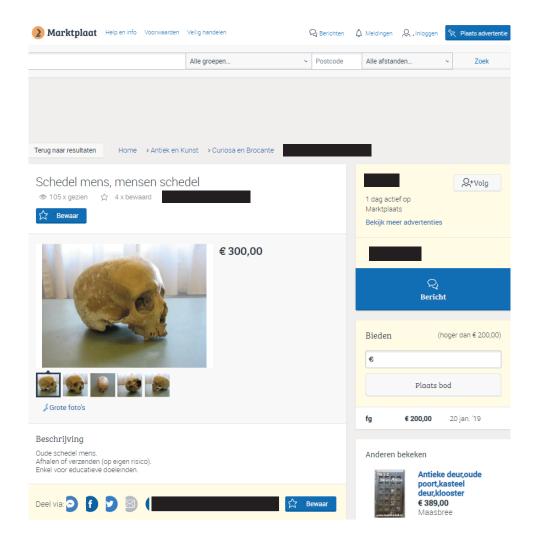


Fig. 1 – A cranium with considerable visible surface bleaching (whitening) and flaking, advertised as open to bidding January 20th, 2019. Post geolocated to Amsterdam, the Netherlands. Text reads:
 'Description: Old human skull. Pick up or shipping (at your own risk). For educational purposes only.'

Figure 2 also provides an example of a sale offered on one platform with the option to finalize it on another (in this case, WhatsApp). Anecdotally, we also know of sales for other classes of items on *Maarktplaats.nl* where the sale is concluded in-person, and that it is common in general for offered bids to be only guidelines for a final negotiated price. Aspects of the mechanics of the online human remains trade such as that seen in figure 2 are areas of research worthy of additional investigation.

#### **5. DISCUSSION AND CONCLUSION**

♡ 6 x bewaard

Terug naar resultaten

66 x gezien

dayak schedel

This section discusses what the tabulated data presented above might indicate about how

Antiek en Kunst > Curiosa en Brocante

and why the online human remains trade over the last several years, at least that proportion of it seen on *Marketplaats.nl*, has operated differently between the Netherlands and Belgium in spite of very similar legislative landscapes. We present our interpretations according to country in accordance with tables 1-4 above, and then conclude this section with a discussion of what additional categories of data we would like to obtain to better understand how the trade as seen on *Marketplaats.nl* intersects with the trade on other platforms, and how collecting communities in the Netherlands and Belgium connect to the global human remains collecting community.

In terms of price variation overall, there is no consistent variation between price requested

8½ jaar actief op Marktplaats

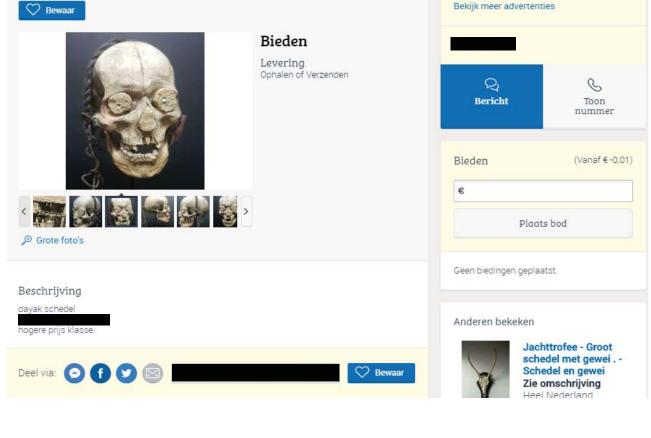


Fig. 2 – Alleged Dayak modified skull offered for sale January 18th, 2020. Post is geolocated to Delft, the Netherlands. Text reads 'Dayak skull', 'higher price range', and a number on WhatsApp is given.

2+

(or highest bid offered) and category of human remains, save for the fact that intact allegedly archaeological, historic or ethnographic items tend to realize the highest prices. In terms of geographic distribution of posts, we first examine the data from the Netherlands. Our first observation is that the highest numbers appear to be from the most densely populated areas of the country. For example, the provinces of North and South Holland that contain the cities of Amsterdam, The Hague, and Rotterdam, as well as the southern province of Noord-Brabant which has the highest score. On the other hand, a high tally of posts is also geolocated within Zeeland. This Dutch province with the lowest population is shaped by the delta of the Scheldt, Rhine and Meuse rivers. Much of it is below sea-level and it suffered much flooding until the construction of the Delta Works in the mid-20th century.

To the best of our knowledge, there are no substantive legal differences regarding human remains legislation between southern and northern Dutch provinces individually or collectively as a geographic region. However, we could speculate that there are possible socio-cultural differences that better account for the differing distribution of sales posts within our current dataset. Northern

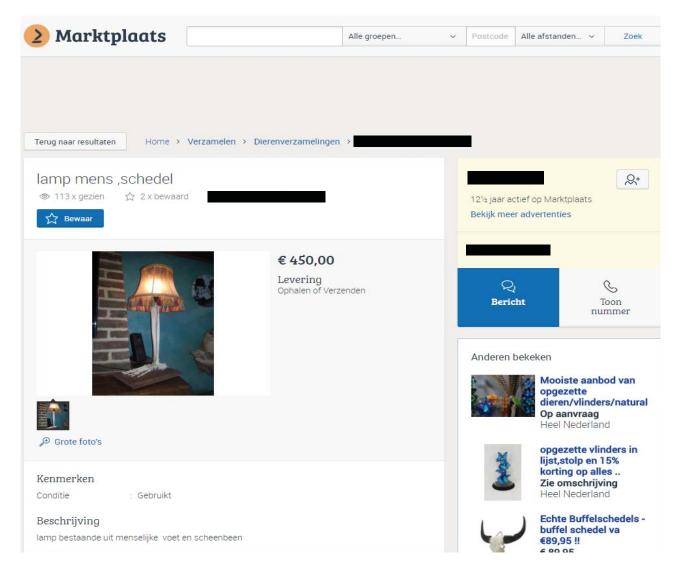


Fig. 3 - A lamp made incorporating a professionally articulated left foot and lower leg (tibia and fibula). Posted for sale December 21st, 2017. Post geolocated to Aalst, Belgium. Text reads: 'Condition: Used. Description: lamp consisting of (a) human foot and shin.' provinces away from the densely urbanized Randstad may include much larger rural areas, which for our purposes could mean that their citizens have less disposable income, less inclination towards or time to indulge in 'hobbies' such as collecting obscure materials, and perhaps less free time to shop online. There is low-income inequality throughout the Netherlands in general, but residents of the southern provinces tend to have the highest incomes and Groningen the lowest. GDP per capita is highest in the Randstad provinces and lowest in Friesland (OECD, 2020). Exploring the potential of such factors for explaining the north-south pattern in our data needs to be addressed in future research.

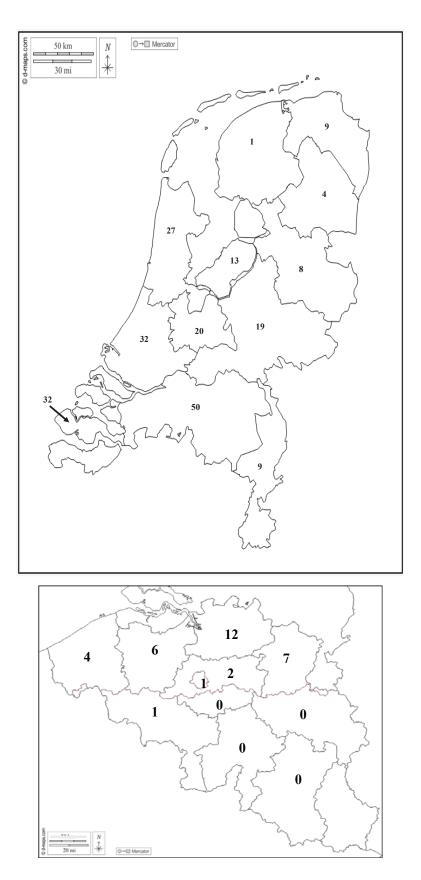
The most interesting aspect of the geographic distribution of Belgian sales data in table 4 is that all of it comes from the Flemish (Dutch-speaking) province. Regarding the Wallonian (French-speaking) province, only one alleged medical specimen was offered for sale from Hainaut. Even densely populated Brussels, which is over 90% French-speaking, saw only one post geolocated to the city in our dataset. From this initial examination of the human remains trade on this platform, it appears that the geopolitics of language could best explain the data's distribution, at least where Belgium is concerned. Given that Marktplaats.nl is a Dutch language website with a Dutch domain name, the platform is not expected to be readily used by French speakers in Wallonia or by German speakers in Belgium's German Community. However, Dutch-speaking residents of Flanders could use it for licit or illicit purposes. This suggests the numbers at hand in our current dataset are not likely to represent the actual prevalence and distribution of human remains collecting in Belgium overall.

The numbers per Flemish province do not seem to correlate with population size, with the exception of the most populous Flemish province Antwerp having the highest score (n = 12), directly neighboring the Dutch province Noord-Brabant which had the highest score in the Netherlands. The geographic distribution of the Belgian portion of our data at hand might also result from differences in the regulatory system governing commerce and e-commerce. Flanders and Wallonia are independently governed, with

their own laws in terms of heritage management, archaeological excavation, trade, and commerce (see for example the decisions concerning cultural heritage by the Flemish Government: BESLUIT, 23rd January 2009; MINISTERIEEL BESLUIT, 13th September 2011). Does the language difference completely explain the absence of sellers from Wallonia or do differences in legislation contribute to their absence? However, we consider this explanation unlikely given the limited detail of the regulation of trade in human remains at the regional level in Belgium, and the existence of federal criminal legislation governing topics such as human organ trafficking in Belgium and several other demand countries (e.g. PUGLIESE, 2007; FRANCIS & FRANCIS, 2010; AMBAGTSHEER, 2021).

Overall, the absolute numbers for Belgium are low compared to the Netherlands, which might in part be explained by the abovementioned lack of data regarding the nature, or even existence, of human remains trafficking in Wallonia as obtainable on a Dutch-language e-commerce platform. It is also possible that a difference in legislation has prevented an equivalent open market for human remains to be accessible on any e-commerce platforms useful to Wallonian collectors. If so, they might rely entirely on global social media instead. Moreover, Marktplaats.nl is not one of the main e-commerce platforms used in Flanders, so our results might need to be understood as revealing Flemish residents engaging with the Dutch market to more successfully traffic in human remains.

An obvious next step would be to locate, data mine and analyze an equivalent Frenchlanguage e-commerce platform that serves Wallonia and/or France, and perhaps Dutchlanguage alternatives to Marktplaats.nl used in Flanders, so as to assess the distribution and level of activity of the human remains collecting community in Belgium more accurately. Related to this, we would also seek to conduct a similar analysis of what proportion of the human remains trade, if any, exists on competitor platforms such at Catawiki.com that operates in English and serves a wider international audience. That particular platform has already been implicated as a reliable hub for antiquities traffickers to reach buyers (e.g. DE BERNARDIN, 2020).



**Fig. 4** – Maps of the Netherlands and Belgium with each Province labelled with a number corresponding to the total column values given in Tables 3 and 4 respectively. Courtesy of d-maps.com. Originals at https://d-maps.om/continent.php?num\_con=5&lang=en.

#### Policy Recommendations

We conclude this initial overview of the size and scope of the human remains trade on *Marktplaats.nl* with some recommendations that platform administrators could implement to prevent this trade occurring on their platform. Regardless of the current permissive legal landscape in the Netherlands and Belgium within which this trade operates, there are numerous ethical, moral, and scientific/archaeological considerations that should influence arguments for greater control of the use of the platform for this activity.

This is especially relevant given the wider global repercussions of today's online trafficking, in which human remains can come from anywhere, go to anywhere, are often not/poorly documented, and often intersect with other categories of illicit trafficking, such as drugs, wildlife, war memorabilia, etc. In addition, we offer these recommendations in the hopes that *Marktplaats.nl* would be eager to address this issue comprehensively and thus separate itself from other e-commerce or social media platforms that, to date, have not taken such action, at least where categories of illicit trafficking such as cultural property, wildlife and drugs are concerned.

In general, we recommend the following suggestions to more effectively curtail that portion of the human remains trade that occasionally appears on the platform:

- a. Employ trained forensic anthropologists or osteologists to manually vet or flag posts containing human remains.
- b. Require all human remains related search terms (including culture-specific terms) to popup a screen with a warning message informing users about issues underpinning the human remains trade, including legal issues that can affect import or export. A similar approach is taken by some tech companies, including Google and Facebook, in regard to CSAM (Child Sexual Assault Material) search terms, but there are questions about the efficacy of this approach to deter CSAM creation, use, or sharing, and the balance between privacy and prevention (e.g. ROBERTSON, 2021).

- c. Employ 'if/then' code to tag or flag suspicious posts that contain common keywords such as the search terms used in this study.
- d. Ensure that posts are archived even before and after sale, or if taken down due to violations of 'terms of service', so that they may serve as time-stamped evidence in future prosecutions if a seller were to have a shipment seized in transit and prosecution wished to establish a potential pattern of activity for the individual on trial.
- e. Expand upon and clarify the 'Rules for cultural goods' and 'Offering people, body parts & substances' statements mentioned above so that private commercial collecting of human remains of at least the categories we were able to locate is more accurately framed in terms of possible violations of national and international legislation.
- f. Related to this, require the seller and buyer to offer independently verifiable proof (such as a copy of one's Royal Dutch Medical Association licensing or university diplomas) before a post can be listed as 'alleen voor studiedoeleinden', whether an alleged medical specimen or not.

The above-mentioned suggestions are just that: suggestions. However, based on the data and examples presented above, we strongly recommend them as positive steps e-commerce platforms could take to make it harder to buy and sell human remains. Given the growth of the human remains trade on social media platforms and the ability of buyers and sellers to exploit loopholes in national and international legislation, inter-platform connectivity and endto-end encryption to market or arrange sales between messaging applications, e-commerce platforms, and social media accounts, it is the authors' informed opinion that every possible host platform that can implement better controls should and has a moral and ethical responsibility to do so. Overall, a poorly controlled and poorly regulated human remains trade allowed room to expand and find new platforms and markets. This poses substantial risk to descendant communities in former colonies or elsewhere, the cultural heritage of the Netherlands and Belgium themselves, public understanding of colonial history, and humanity's collective past.

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