

## **Ubina Hoard Case (Estonia vs. Germany)**

Viking-age silver hoard was looted from a site in northern Estonia, and had been discovered in a German auction house in Germany.

On 26 April 2005, University of Tallinn archaeologists were informed by the Estonian National Heritage Board that an amateur archaeologist had made a discovery of several artefacts in a recently-ploughed field in Salu village, Ubina, Harjumaa county, northern Estonia. Among the objects found were potsherds, half a broken silver bar, and pieces of sheet silver.

After initial investigation, it was decided to carry out a rescue excavation at the site, involving archaeologists and numismatists from the National Heritage Board and the University of Tallinn. The two-week excavation uncovered evidence of structures, as well as material culture including pottery fragments, penannular brooches and other jewellery, and silver coins—the Silver Hoard of Ubina. Some material, such as sections of a possible earring, appear typical of Byzantine culture and likely to have traded to northern Europe during the Viking age, while coins were discovered from mints in Germany, England, Arabia and Denmark, with at least five imitation Anglo-Saxon coins originating from Sweden, as well as one Hungarian and one Byzantine coin. The latest dates of the coins recovered from the site led the archaeologists to surmise that the hoard was deposited around the start of the 12<sup>th</sup> century AD.

After only the first day of the rescue excavation, ‘illegal archaeologists robbed the site, digging deep holes in the marked excavation plot as well as in the cultural layer beyond’, using a metal detector to assist them. Nobody was caught in the act of looting, but footprints were found across the site. During the excavation period, a car was seen circling the site, which disappeared quickly when it was spotted by archaeologists. They were, however, able to note the car’s registration number.

The hoard itself, as recorded by the archaeologists, consisted of 283 coins, four fragments of silver jewellery, and six sheet silver fragments. In addition to this, over 100 coins were believed to have been robbed from the site. Some 108 coins were discovered later that year for sale in an auction house in the German city of Dortmund. With assistance from the German police, 42 of the coins were confiscated and returned to Estonia. Investigation of the discovery of the coins led to the identification of Walter Augsburg, a German coin dealer, as the vendor. Augsburg later informed German police that he was selling the coins on behalf of Mairo Kättmann, an Estonian from Pärnu, in south western Estonia.

Following the return of the coins from the German coin auction, and in light of police investigations, Kättmann was brought to court for metal detecting on the Ubina site and removing the 108 silver coins, and some pieces of jewellery. He was in the Circuit Court in 2008, and again in 2009 to appeal his guilty conviction (an appeal which failed). In the Supreme Court in Spring 2010, he was sentenced to three years’ imprisonment. According to Ulst, the Court found the accused person guilty of destroying a cultural monument in a manner which causes significant damage (Art 204 (1) of the Penal Code) and embezzlement by a group or a criminal organization (Art 201 (2) p 4 of the Penal Code)’. Estonian archaeologists praised the prompt collaboration of police in Germany and Estonia in enabling the return of many of the coins.

The coins, jewellery fragments and other artefacts retrieved from the rescue excavations and from the police intervention in Dortmund, are stored at the Institute of History in Tallinn.

#### Black archaeology:

In Estonia generally, it has been acknowledged that certain archaeological sites are vulnerable to illegal metal detecting (known in the region as ‘black archaeology’ and by extension that there is an illicit trade in metal-detected objects. Similar to its neighbour Latvia, Estonia is considered to have a problem with people searching for material from the Second World War, including the looting of war graves to obtain name labels. In addition to this, there have in recent years been many cases of looting of older archaeological artefacts, including three cases that have gone to court: Lauritsamäe, Keila, and Ubina. Of these, Ubina is the only case at the time of writing in which criminal proceedings have been successfully brought.

In 2011, new provisions were brought into force in Estonia for the regulation of metal detecting on unprotected archaeological sites, including the introduction of a compulsory license for metal-detector users.