

FAKES

A collection of famous, but faked photographs, a non-existent vendor, a glittering cheat disclaiming any kind of guilt: a Berlin court case gives insights into an art scene becoming increasingly flamboyant. *written by Tobias Timm / DIE ZEIT*

In fall of 2020, entrepreneur Marco S., today 37 years old, was certain to see a 'super' business opportunity right before his eyes. Marco S. is an expert in the field of 'super' business, his Swiss company bears the words 'capital' and 'investment' in its name. In pandemic times, he launched huge mask deals over his company based in the district of Zug. The restless man also takes investments in rockets and satellites. And art.

He doesn't really appear as a day-dreaming academic, but it's obvious that he enjoys the sunny side of life: well-tanned bald head, well-groomed full beard, a golden Rolex wristwatch, leather loafers. Marco S. grew up in Bavaria, used to live in Berlin, now he is located in South Tyrol. At the relevant time in fall 2020, he was convinced to come across a sheer immeasurable treasure. A collection of important photographs by Cindy Sherman, Nan Goldin, Richard Prince, Helmut Newton, and others. Every one of them artists whose works hang in the most important museums of the world, casually generating revenues in the millions on art auctions.

'Super' businesses on the global art market often follow a rule called '3-D': "Death Debt, Divorce". As collectors run into money difficulties, get divorced or simply die, the hoarded art works reappear on the market, are put up for auction, find new buyers. When debts matter, everyone can trade the owners down. This seemed to be the case in fall 2020, as Marco S. thought: a woman in financial distress, owning an art collection, ready to sell it far below value.

Well, not any collector by name. According to his new friend Welk, the talk is about Nila Brenninkmeijer, former member of the well-known family running their C&A warehouses all over Germany. The Eastern European has married into the superrich Dutch family who lead a secluded life. As the story goes, she became unfaithful to her husband, got the art collection as financial compensation, and was then in need of money, urgently but discreetly. Marco S. was glad about this "Opportunität" (a not really existent posh word for 'opportunity') from Welk acting as a broker, and submitted a 1.5 million offer run via his company. His plan was to resell everything. A four million profit seemed to be realistic. It was fall 2020. Today: pictures of no value at all. They turned out to be counterfeits, cheap copies of their originals, manipulated with fake seals and signatures. Now, Marco S. is a witness in a criminal proceeding.

Since mid-June there is a process on the Berlin district court running, dealing with several dozens faked photographs, huge sums of money having been withdrawn in cash, betrayal and the allegation of money laundering. Each day of hearing, every longer examination of a witness is about to trigger an exposure, sometimes also a turning point.

Four men and a woman are on trial, they build an interesting combo, looking like like a Netflix series cast: Between an older resigned lawyer preferring Janker (Bavarian folk jackets) and a car mechanic by education (and bouncer by type), a tax consultant and a young Ukrainian woman operating a beauty studio, the allegedly mastermind of this suspected gang does not stand out so much between his defense lawyers. It's Stephan Welk, 55 year old, dressed up in his preferred light shirt and dark blue jacket, the man with the insider tip.

To describe his biography as of the glittering kind would be understatement: On the platform LinkedIn, Welk is introduced as a professor of international law and diplomacy, he is also said to operate as special consultant for various governments. He supposedly used to work for the island state of São Tomé and Príncipe off the West African coast. According to Wikipedia, he had as well worked for the Gaddafi family and the Iranian government. Welk became famous in 2018 when he helped former tennis champion Boris Becker to receive a diplomatic passport of Central African Republic then being in dire straits. Becker confirmed his friendship with Welk to the German yellow press paper Bild. However, this passport did not help him to get the desired immunity, he had to enter a British jail.

Welk himself knows several prisons form inside, he has a criminal record concerning fraud. The Munich

prosecutor's office has been investigating against him for another fraud case for several years. But: One of his defending lawyers says on the sideline that Welk is innocent, the process against him virtually dead. But on the ZEIT's request, Munich said the process is still running. In 2019, Welk was in custody and bailed himself out with one million Euro deposit.

Otherwise, Welk would have never met Marco S. in Munich. Not just somewhere but in front of a gallery in the Grandhotel Bayerischer Hof - a place pleasing Welk, as it's popular among state visitors. The Bayerische Hof also used to be a central filming location for director Helmut Dietl's legendary German TV series Kir Royal featuring lots of wannabees, nouveau riches and some dictator's friends, figures that seem to have been revitalized in the actual court process. Marco S. was about to buy an Andy Warhol portrait of Beethoven that time, having an argument on the phone with his wife who refused to have the

Stephan Welk as a sales broker was not present himself but his former business partner Arnold V.: the co-defendant having represented Nila Brenninkmeijer and her business partners. Another co-defendant was the car mechanic having brought the collection to the examination. The Swiss expert advised the carriers to unpack the artworks, 33 photos, among them famous motifs like one by Helmut Newton showing naked women. Or several pictures of the famous artist Cindy Sherman, well known for transforming and disguising herself as different characters in her art. The expert recorded the dimensions, documented the object's condition and fed all in the archiving system of his company. A London team of the art consulting company was supposed to estimate the value of the collection.

During research, some irregularities popped up, such as wrong dimensions, other pictures featured strange stories of their provenance. Some of the photographs

photos come to an auction at the same time, it would certainly have led to a dramatic price drop for Prince's art on the global market. Pricing for photo art is unstable anyway - but artificial shortage works a game changer for make them attractive for the art market, as an art form whose nature is being object to endless arbitrary copying. Usually, photo artists reproduce only a small amount of one object, sign and strictly number them.

In the months after the sale, inconsistencies multiplied, as the Swiss expert reported. At one point, they got the impression that Marco S. has been harmed. Finally, the contact has been discontinued. Marco S. left the convolute at the forwarding company, he only took a few of them home, among them some Prince cowboys. The fakes blew up when Stephan Welk tried to sell two other photo convolutes after the deal with Marco S.. As Berlin State Criminal Investigation Office (LKA) employees reported, he finally offered one of these packages to the Cologne-based gallerist Thomas Zander who specialized in photo art. Zander is expert in Classic Photography for Art Basel, the most important art fair in the world. At the visit, Zander instantly exposed the pictures as fakes and informed the police.

Especially the black coloring on the supposed manual prints from the 70's and 80's drew Zander's attention. The used black color shade, as Zander noticed, was way too deep and dark for the disposable technique in these times. It must be the result of today's common digital printing. More than that, the serial numbers were just wrong, Zander even knew where the real pictures were hanging.

Having become famous for the of the talk-of-the-town exposure of art forger Wolfgang Betracchi in the meantime, the LKA art department then started investigations. In summer 2021, they sent undercover agents posed as prospective buyers to Stephan Welk. Finally, the new convolutes from the so-called Nila Brenninkmeijer collection in Frankfurt and Berlin were confiscated, also Marco S.'s stored collection in Cologne, and several apartments and offices were searched. Nila Brenninkmeijer's personal data soon turned out as completely fictitious, the passport was as faked as the reputedly original and personally signed copies of Cindy Sherman and Richard Avedon artworks. Until today, no one knows the identity of the woman who accompanied Welk to his visits to the notaries in November 2020. Welk has been arrested in March 2023 in Berlin, where he is detained in custody in Berlin-Moabit prison and being led to the trial. The only time Marco S. has met Welk again was in Dubai before his arrest, as he says, begging him to "bring my money back". But he never filed a complaint.

The defense lawyers of all accused proclaimed their clients' innocence. The tax consultant says he knew nothing about the faking, he always believed in a serious deal. The defenders with the literal names "Stahl" and "Schrank" (German for "steel" and "strongroom") continue to emerge new details referring to a potential involvement of third parties in the case. In another trial, the prosecutors investigate against several men possibly being the source of the counterfeiting.

Also, Stephan Welk has read out a declaration before court about himself being a victim of betrayal. According to his own statement, during all the selling operations he had stressed not to be an expert in art, that he regarded the photos as real, having demanded their examination by experts. The true betrayer? Welk, a certain Tom Schoeller had provided contacts to photo art and the Nila Brenninkmeijer persona and had received cash for it. But a Schoeller cannot be heard in the process, according to the art investigators a man called Tomas Hensel hides behind this name. Hensel, born in 1975, reportedly deceased just when they launched investigations in summer 2021.

The lawsuit against Stephan Welk and his presumed gang is scheduled into fall 2023. It's not clear if there are more dead people showing up, if someone is found guilty, and, if yes, who. Not to forget who had produced the fake pictures. In any case, Marco S. wants to keep his collection. "Some day, I probably will hang them on my walls as a memorial."



Marilyn Monroe, photographed by Richard Avedon: buyers were lured with such famous photos the buyers were lured

picture hanging at home. After the call, Welk turned to the man audibly determined to acquire, the got into a conversation, had a cup of coffee together, exchanging insider's tips, as they did later on. One of these secret tips: Nila Brenninkmeijer's fabulous photo collection.

Besides the 3-D rule, there are also other important rules in the art market. One says to be on alert level when art is offered under value and under high time pressure at the same time. In court, Marco S. described himself as an art connoisseur, his grandfather was an art collector, he used to run an art gallery for Contemporary Art himself in Munich's fancy Maximilianstrasse. In case of the photo collection, he had grasped the opportunity.

A purchase contract was drafted, and his Swiss company transferred 1.5 million Euro to a notary public account for art that he had not seen at all, on November 13, 2020. At least under the condition that the art is to be checked before any cash flow to the vendor. To secure the deal, Marco S. involved his lawyer and notary of his confidence. He also arranged to have the Swiss art expert of an international art consulting company joining the viewing appointment. The expert, a witness in the hearing and distinguished person who used to work for Christie's auctioneers, chose his words carefully. Everyone who also listened carefully could realize his slight astonishment about the buyer and his entourage driving up together in a Rolls-Royce. This appearance did obviously not match to the Swiss expert's expectations of style.

are originated allegedly from a gallerist having been convicted of indecent assault - the art market's quite normal madness so to say, which is, in friendly words, opaquely organized.

The art expert testified they had lots of questions about the collection. For Marco S., it sounded like talking past each other in review, he understood that everything was all right, and triggered the money transfer from the notary account to the now co-defendant advocate. Stephan Welk had got a certification of authenticity for Nila Brenninkmeijer's Lithuanian passport from a notary before.

Now an amusing money-back-and-forth story unfolded, not only among the five accused. The advocate transferred 1.4 million Euros to a Swiss bank account, a part of it to a Berlin-based tax consultant, a part of it to the former car mechanic's account, from which the young Ukrainian beauty studio proprietress received a six-digit sum - and also Stephan Welk, on his Estonian account. Other six-digit amounts have just been withdrawn in cash, Bitcoins have been purchased in Luxembourg, a Lamborghini paid. One could get dizzy during the investigating prosecutor's reading out the money flow.

Actually, the London-based art consulting company was assigned to help Marco S. with reselling all this significant art. For example, a part of the collection consisted in the well-known cowboy motifs which Richard Prince borrowed from cigarette commercial ads. If it ever had happened that all the cowboy