

Terminvorschau

**London: Institute of Art and Law,
23rd November 2007:**

Fakes and Forgeries: international efforts to maintain the integrity of art and antiquities Seminar in association with Devonshires

Solicitors on 23rd November in central London. Subjects to be examined include the liability of auction houses in the sale of fake or forged artworks, the criminal investigation and prosecution of those responsible for fakes and forged works, liability in English civil law for fakes and forgeries, the continued expansion of the criminal market for fakes and forgeries with emphasis on Russian and Aboriginal cases, liability in French law for fakes and forgeries.

A select committee of experts comprising lawyers, public officials, academics and art trade specialists will exchange views and information on legal and other concerns relating to issues of authenticity of antiquities and works of art. Subjects to be addressed include:

- English civil law and civil actions in respect of fakes and nonauthentic works
- The criminal investigation and prosecution of those responsible for fakes and forged works
- The liability of auction houses in the sale of fake or forged artworks (England and France) with detailed consideration of the case of Thomson v. Christie, Manson & Woods
- The continued expansion of the criminal market for fakes and forgeries; Russian and Aboriginal cases, and examination of the causes and cures
- What law applies in cases of an international nature?
- Conditional Fee Arrangements and ATE Insurance in 'fake' claims

The proceedings will be chaired by Philip Barden (Devonshires) and speakers will include Professor Norman Palmer (Barrister), Professor Brian Harvey, Rebecca Hossack (Rebecca Hossack Gallery), Tamara Oppenheimer (Barrister), Nicholas Queree, Sgt Vernon Rapley (Scotland Yard), Ian Snaith (University of Leicester), Dr Sophie Vigneron (University of Kent), Olga Yudina Mazure (formerly Hermitage Museum). To reserve a place at this seminar, please use the form overleaf or visit our website: www.ial.uk.com.

**London: Institute of Art and Law,
30th November 2007:**

The Role of Lex Situs in Modern Claims for the Return of Cultural Objects

The world of art and antiquities continues to give rise to seminal legal decisions based on the private law of title. Despite the entry by many countries into international instruments governing claims for the return of cultural objects, claims continue to be brought and determined according to normal principles of private law applicable to commercial and cultural commodities alike. Such claims conform to a long tradition running in recent years from the Winkworth case in 1980 to two decisions involving the Islamic Republic of Iran earlier this year. The aim of this conference is to examine the workings of the ordinary law of title in a cross-border setting and to ask whether private title claims are more effective than claims based on international treaties or other legal devices. Among the questions to be considered are the scope of the lex situs rule, its operation in twoparty and three-party cases, its relation to national ownership and confiscatory laws, the justiciability of such laws in common law courts, and the case for distinct common law rules governing cultural property independently from ordinary articles of commerce. The lex situs rule will be examined in detail, both as it applies in the United Kingdom and other jurisdictions. The interrelation between the lex situs rule and international conventions (UNESCO 1970, Unidroit and the European Directive and Regulation) will also be explored. The recurrent focus will be on tangible cultural objects and the special nature of such material in modern law and policy. The conference will end with an instructive case study based on modern authority and practice. Speakers at this seminar include Professor Norman Palmer, (Barrister), Jeremy Scott (Withers), Dr Janeen Carruthers (University of Glasgow), Professor Johan A. Erauw (University of Ghent), Judge Shoshana Berman (Israel), Derek Fincham (University of Aberdeen) and Kevin Chamberlain (Barrister). To reserve a place please return the form overleaf, or visit our web site at www.ial.uk.com.

**London: Institute of Art and Law,
5th December 2007:**

Anti-Seizure Consultation Forum

Anti-seizure has become a central factor in the legal security of art loans and the cross-border mobility of art. The grant of immunity from legal action for travelling art raises fundamental questions about the efficient conduct of international exhibitions, the fair treatment of claimants, the reassurance available to lenders and the maintenance of ethical standards.

Parliament has now enacted sections 134 to 137 of the Tribunals Courts and Enforcement Act 2007 with the aim of conferring such immunity, and the Department of Culture Media and Sport has published its consultation paper (http://www.culture.gov.uk/NR/rdonlyres/40CF359B-B464-49B1-BAE6-7E15156FE5E7/0/draftregulations_immunityfromseizure.pdf) on Regulations to be published under the Act. These are matters of crucial importance to all museums in the United Kingdom, to their overseas lenders, to potential claimants and to their advisers and insurers.

The closing date for responses to the DCMS consultation paper is 21st December 2007; see generally:

http://www.culture.gov.uk/Reference_library/Consultations/2007_current_consultations/draftregs_immunityfromseizure.htm.

The aim of this meeting is to explore and develop attitudes to the proposals and to encourage the exchange of ideas. A group of specialist speakers will outline and comment on the proposals, follow-

ing which the subject will be open for general debate. The Forum, organised by the Institute of Art and Law in association with the Foundation for International Cultural Diplomacy, will enable those who seek advice about the current position to clarify their views, crystallise their response to the DCMS paper and prepare themselves for the challenges and opportunities that lie ahead.

Speakers will include Judge Shoshana Berman (Israel); Charles A. Goldstein, Attorney, Herrick Feinstein, New York; Lord Howarth of Newport; Anna O'Connell (solicitor) and Professor Norman Palmer (barrister).

Den Haag: Haager Akademie für Internationales Recht, Seminar for Advanced Studies:

INTERNATIONAL PROTECTION OF CULTURAL PROPERTY

Die ehrwürdige Haager Akademie für Internationales Recht veranstaltet seit einigen Jahren "Seminars for Advanced Studies in Private and Public international Law". Die Leitung dieser Seminare obliegt IFKUR-Beirätin Frau Prof. Kerstin Odendahl. Die Seminare richten sich unter anderem an "Young Professionals" mit Beziehung zum internationalen Recht in ihrer beruflichen Tätigkeit, aber auch an Lehrende, Forschende und sonstige Lernenden. Vom 3. bis 13. Februar 2008 findet das nächste Seminar statt mit dem Oberthema "INTERNATIONAL PROTECTION OF CULTURAL PROPERTY". Programm und weitere Informationen stehen zur Verfügung unter <http://www.hague-academy.nl/index.php?section=point&point=168>.

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