

Artists' Archives and Estates: Cultural Memory between Law and Market.

Managing, protecting and safeguarding the cultural and patrimonial legacy of an artist, especially if established or potentially attractive to the market, involves economic interests of great importance and can require substantial investments in order to organize the artist's cultural memory, the archive and to manage the bequest.

All this is only partially regulated by the law - even if original reforms in this field seem to be ahead, as in the case of the revolutionary reform of the regulation currently being approved in the State of New York.

Museums are involved in this discussion, as they appear to be today the chosen places to receive and conserve artists' cultural legacy, when the heirs don't pursue their mission, due to lack of funds or interest.

Artists' Archives and Estates is a fundamental issue, also from a legal perspective: the topic needs to be further researched, involving the different professions to contribute to the very interesting international academic debate.

The aim of the conference is to highlight, by means of comparison between different regulations, the divide concerning inheritance and the safeguard of artist's rights in the many disciplines involved. The presentations will reflect on the complex issue of the right to authenticate and on the new market rules in this field - considering the very important role of certificates of authenticity issued by artist archives; the system of indirect authentication through the publication of an artwork in the artist's catalogue raisonné; the role of museums in the management of archives, including issuing expertise.

The conference purpose is to identify guidelines and good practices to navigate the complex set of rules already set and appropriated by the market.

Scientific Committee: Prof. Alessandra Donati (Univ. Milano-Bicocca), Prof. Rachele Ferrario (Accademia delle Belle Arti di Brera), Laure Marie Bandle (Univ. Genève, Director of Art Law Foundation) Anne-Sophie Nardon (Borghese Associés, Member Institut Art et Droit), Dott. Silvia Simoncelli (NABA, Nuova Accademia di Belle Arti Milano), Dott. Filippo Tibertelli De Pisis (AitArt).

Speakers will include representatives of some of the most important artists' foundations, art lawyers from different countries (France, UK, Germany, USA); distinguished museums directors and conservators, and Presidents of important cultural Institutions.

The conference will give voice to experts and professionals in the field, most of them coming from abroad, with papers delivered in English which will be later published in a book financed by the Law Department of Università Milano-Bicocca.

The conference is under the Patronage and Supported by Università Milano-Bicocca, Accademia delle Belle Arti di Brera, NABA Nuova Accademia delle Belle Arti di Milano and AitArt (Associazione italiana degli Archivi d'Artista); and under the Patronage of ICOM Italian - International Council of Museums Italian, The Art Law Foundation, Geneva, AMACI - Italian Association of Contemporary Art Museums - and The Museo del Novecento, Milano

Others Supporters: Nctm Law firm and Open Care, Servizi per l'Arte,

-PROGRAM -

Artists' Archives and Estates: Cultural Memory between Law and Market.

Monday 28 November 2016

8.30 - 9.00 Registration

9.00 – Welcome and Introduction - Prof. Alessandra Donati

9.10 Prof. Cristina Messa, Magnifico Rettore, Università Milano Bicocca

9.20 Prof. Franco Marrocco, Director Accademia delle Belle Arti di Brera

9.30 Dott. Alberto Bonisoli, Director, NABA Nuova Accademia delle Belle Arti di Milano

9.40 Dott. Filippo Tibertelli de Pisis, President AtiArt, Associazione Italiana Archivi d'Artista

10.00 Conference begins

Archiving

Chair Prof. RACHELE FERRARIO – Art Historian - Accademia di Belle Arti di Brera, Milano

10.00 - 10.30 –Avv. Debora Rossi, ASAC, Venice Biennale - *Archives and Contemporary Art*

10.30- 11.00 –Prof. J. Marc Poinot, Art Historian - *Contemporary artists and the archive*

11.00 - 11.30 –A. Donati, Univ. Milano-Bicocca, - *The legal relevance of documentation for contemporary art: documents and artworks authenticity*

Artists' Archives

Chair – Prof. LUIGI UBERTAZZI, University of Pavia

11.30 - 12.00 – Dr. Giulio Paolini, Artista – Maddalena Disch, Archivist, *The reasons for an archive*

12.00-12.30 – Anne Laure Bandle, Director of Art Law Foundation Geneva, Froriep, jr associate: *The Artist Rights and Liability on Authenticating his Artworks*

12.30-13.00 - Prof. Pierpaolo Forte, President, of Museo Madre Napoli - *Good Practices for Artists Archive*

13.00 - 13.30 Discussion

LUNCH BREAK 13.30 - 15

15.00 – Artists' Archives and Museums

Chair Dr. IOLANDA RATTI - Conservator, Museo '900, Milano; Rep. INCCA Italia

15.00- 15.30 Dott. Paola Pettenella, Conservator MART, Rovereto - *MART and the artists archives.*

15.30- 16.00 Dott. Claudia Palma, Conservator GNAM, Roma - *GNAM and the artists archives.*

Artists' Archives and Cultural Heritage

Chair Prof. MANLIO FRIGO University Milano

16.00 – 16.30 Prof. Stephen Urice, University of Miami School of Law , *Artists' Archives as Cultural Heritage*

16.30- 17.00 Prof. Enrico Crispolti, *Art Historian, The Artists' Archive as Cultural Entity*

17.00- 17.15 Discussion

Artists' Legacy

Chair Prof. ALBERTO TOFFOLETTO - University Milano

17.15-17.45 Benjamin Dauchez, Notaire Paris – *The complexity of the Artists' Legacy in Civil Law*

17.45-18.18.15: Daniel McClean, Lawyer,. . . - *Art After Death. Issues in artists' Legacy in Common law*

18.15 – 18.30 - Discussion

Tuesday 29 November -

Archives and Comités d'Artiste: safeguarding authenticity

Chair Prof. FILIPPO DANOVI - University Milano –Bicocca

10.00 – 10.30 - Avv, Sylviane Brandouy, Lawyer Comité Marc Chagall, *The Comité d'Artiste Marc Chagall*

10.30 -11.00 – avv. Claudia Andrieu, legal counsel for the Picasso Administration, *Protecting authenticity: the Picasso oeuvre*

11.00 11.30 – Dott. Silvia Fabro, Archivio Luciano e Carla Fabro, Dott. Sharon Hecker, Art Historian, *Definire l'autenticità di un'opera, problematica tra attualità e futuro. Dialogo e confronto tra metodologie*

Artists' Estates

Chair – Dott. SILVIA SIMONCELLI – Course Leader, Master in Contemporary Art Markets, NABA Nuova Accademia di Belle Arti Milano

11.30 – 12.00 Dr. Loretta –Wurtenberger, President of the Institute of Artist' Estates - *Keeping the Legacy Alive - Strategies for Artists' Estate*

12.00 – 12.30 Karin Seinsoth, Hauser & Wirth, - *The role of the gallery in the administration of artists' estates*

12.30 – 13.00 Hélène Vandenberg – President of Vandenberg Estates. *The complexity of the Artists' Legacy*

13.00 – 13.30 DISCUSSION

Lunch Break 13.30 - 15

Artists' Foundations

Chair Prof. PAOLO CASELLA – Univ. Milano-Bicocca

15.00-15.30 Massimo Sterpi, Lawyer, Partner Studio Jacobacci – *Artists' Foundations in Europe*

15.30- 16.00 Prof. Ann-Marie Rhodes, Loyola University Chicago - *The power of Artists' Foundations in the USA*

The Archives and the Market. Value of Certificates and Experts Liability

Chair Dott. ANTONELLA CRIPPA, Art Advisor Open Care

16.00 – 16.30 – Pierre Valentin, Lawyer, Partner, Constantine Cannon LLP C - *The Rights and Responsibilities of Authenticating Art in Europe and UK*

16.30 – 17.00 – Anne-Sophie Nardon, Lawyer, Borghese Associés, member of the Institut Art & Droit - *Editing the catalogue raisonné: the expert liability*

17.00 – 17. 30 - Ronald Spencer, Lawyer - *Expert liability in the USA and the proposal to reform the Arts and Cultural Affairs Law*

17.30 – 18.00 – G. Calabi, Lawyer, Senior Partner CBM Law - *Auction Houses: the relation with artists archives*

18.- 18.30 **Discussion**