

WHY ARE WE STILL LOOKING FOR NAZI-LOOTED ART IN ITALY?



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THE IMPORTANCE OF PROVENANCE RESEARCH AND NEGOTIATED SOLUTIONS

25 MARCH 2022
ATENEIO VENETO, VENICE

Organization:

Pierre Valentin
Katharina Hüls-Valenti

Administration:

Katharina von
Sprenger

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Milano



PROGRAMME

- 09:00 Welcome
Antonella Magaraggia, Ateneo Veneto
- Katharina Hüls-Valenti, Johannes Gutenberg-Universität Mainz
Pierre Valentin, Constantine Cannon LLP
- 09:15 German History (1933 – 1945)
Meike Hopp, Technische Universität Berlin
- 09:45 Italian History (1933 – 1945)
Daria Brasca, IMT – Scuola for Advanced Studies Lucca
- 10:15 Post War History to Washington Principles (1945 – 1998)
Bianca Gaudenzi, Deutsches Historisches Institut Rome
- 10:45 Break
- 11:05 Negotiated solutions or litigation? – How restitution has been dealt with since 1998
- Tony Baumgartner, Deputy Chair of the Spoliation Advisory Panel
 - Christian Fuhrmeister, Zentralinstitut für Kunstgeschichte München
 - Sabine Loitfellner, Jewish Community Vienna
 - Nicholas O'Donnell, Sullivan & Worcester LLP
- Moderator:** Eleonora Chielli, Studio Legale Chielli Venice
- 12:00 The importance of provenance – The art market's perspective
- Giovanna Bertazzoni, Christie's
 - Giuseppe Calabi, CBM & Partners
 - Johannes Nathan, Nathan Fine Arts
 - Elizabeth Royer, ARA/HARP Europe
- Moderator:** Pierre Valentin, Constantine Cannon LLP
- 12:45 Lunch Break

13:45 Auditing the Cerrutti Collection. The case of Jacopo del Sellaio
Caroyln Christov-Bakargiev, Castello di Rivoli Museo d'Arte Contemporanea

14:15 Fair and just solutions – A matter of justice

- Jutta von Falkenhausen, Lawyer
- Felix de Marez Oyens, B.H. Breslauer Foundation
- Anne Webber, Commission for Looted Art in Europe
- Stephen Zack, Boies Schiller Flexner LLP

Moderator: Till Vere Hodge, Constantine Cannon LLP

15:00 Provenance research – Methods and field reports

- Elena Franchi, Researcher and Teacher Trainer
- Katharina Hüls-Valenti, Johannes Gutenberg-Universität Mainz
- Christian Huemer, Belvedere Research Center Vienna
- Amelie Ebbinghaus, Art Loss Register

Moderator: Christian Fuhrmeister, Zentralinstitut für Kunstgeschichte Munich

16:00 Break

16:15 Doing the right thing – Nazi-looted art in private collections

- Richard Aronowitz, Restitution specialist
- Friederike von Brühl, K&L Gates
- Isabel von Klitzing, Provenance Research & Art Consulting
- Pierre Valentin, Constantine Cannon LLP

Moderator: Luigi M. Macioce, Boies Schiller Flexner Italy

17:00 Final Discussion and Conclusions
Katharina Hüls-Valenti, Johannes Gutenberg-Universität Mainz
Pierre Valentin, Constantine Cannon LLP

Richard Aronowitz:

Richard Aronowitz is author of several novels and an expert on German Expressionism and restitution. Until recently, Richard Aronowitz has been the European Head of Restitution at Sotheby's London. Formely, he was the European Head of Research in the Impressionist & Modern Art Department at Sotheby's London, before being appointed as Director & Senior Curator of the Ben Uri Gallery, the London Jewish Museum of Art, in 2003. Aronowitz has a BA in Modern Languages from Durham University as well as a MA in Modern Art History from the Courtauld Institute of Art and a MA in Art History from Oxford University.

Tony Baumgartner:

Tony Baumgartner is an English Circuit Judge. Before his appointment to the bench he was a partner at Clyde & Co LLP, where he specialized in fine art and cultural property law. In practice his client base ranged from insurers in the London and overseas markets to auction houses, galleries, dealers and collectors. He is Deputy Chairman of the United Kingdom's Spoliation Advisory Panel, and a trustee and council member of the Royal Academy of Arts. He teaches on Nazi-era spoliation at the Institute of Art and Law as well as at Queen Mary University of London.

Giovanna Bertazzoni:

Giovanna Bertazzoni is Vice-Chairman of the 20th – 21st Century Department at Christie's. She joined Christie's in 1998 and has since forged and continues to cultivate strong relationships with a global network of major private collectors, particularly with collectors of works on paper, and graphic arts departments of major European and American museums. She oversaw the Impressionist and Modern Art Department's global expansion in Asia and was instrumental in selling the first Picasso ever offered in Mainland China, during Christie's inaugural sale in Shanghai in September 2013. Previous to her outstanding career at Christie's she has worked at the Cabinet des Dessins of the Louvre and at the Achenbach Foundation for Graphic Arts in San Francisco.

Daria Brasca:

Daria Brasca is a post-doctoral fellow at the IMT Lucca, where she investigates the dispossession of Jewish-owned cultural property in Alpe Adria during World War II. She obtained her PhD in Management and Development of Cultural Heritage at the IMT Lucca conducting a research project on the Jewish cultural heritage in Italy during World War II investigating the Florentine case. She is currently part of the Provenance Research Training Program – European Shoah Legacy Institute (PRTP/ESLI) and from 2016 to 2020 she also was a member of the international research team TransCultAA. Her research interests focus on provenance research, Looted Art on Nazi Era, history of collecting and of art market in Italy during the two World Wars.

Friederike von Brühl:

Friederike von Brühl is a partner at the K&L Gates Berlin office. She is a member of the intellectual property litigation group and heads the firm's fine art and cultural property practice. She has more than a decade of experience in intellectual property litigation and other dispute resolution matters. She has extensive experience in providing legal advice to the art market and deals regularly with disputes on authenticity and complex title issues, including Nazi-looted art, trophy art and artworks protected under cultural heritage law. She lectures copyright and art law at the Free University of Berlin. She studied law and art history in Freiburg i. Br., Bonn and Paris and continued her academic career with a PhD on the "Market Power of Art Experts as a Legal Problem" at the University of Lausanne.

Giuseppe Calabi:

Giuseppe Calabi is senior partner at CBM & Partners, a law firm based in Milan. After graduating in Law at the University of Milan, in 1990 he earned a Master of Laws at Harvard University. He has successfully developed the Art Law practice, in which his firm is widely recognised as a leader both nationwide and internationally. He is the past Co-Chair of the Art, Cultural Institutions and Heritage Law Committee of the International Bar Association (IBA). He is also a member of the Harvard Law School Leadership Council of Europe. In December 2021, he was appointed by the Italian Minister of Culture as a member of a permanent committee in charge of drafting proposals for facilitating domestica and international circulation of artworks. He regularly assists Italian and international art market operators among which important private collectors, artists, auction houses, dealers, art galleries, artists estates, cultural foundations and associations.

Eleonora Chielli:

Eleonora Chielli is owner of the law firm Studio Legale Chielli. She has extensive court experience at all levels, acting as both plaintiff and defendant and specializes in commercial law, international law and art law. Before starting her own business, she worked as a lawyer in several Venice based law firms. Since 2017, Eleonora has been teaching art law at the IED Istituto Europeo di Design in Venice and she regularly publishes articles in the field of art law. She studied law at the University of Padova.

Carolyn Christov-Bakargiev:

Carolyn Christov-Bakargiev is the director of Castello di Rivoli Museo d'Arte Contemporanea and Fondazione Francesco Federico Cerrutti in Turin. She is the recipient of the 2019 Audrey Irmas Award for Curatorial Excellence. From 2013 to 2019 she was visiting professor in art theory and practice at Northwestern University. Her curatorial career started over twenty years ago at Villa Medici and the PS.1 Contemporary Art Center affiliated to MoMA in New York. Since then she has curated numerous exhibitions worldwide, amongst others the Sydney Biennale in 2008, the dOCUMENTA(13) in 2012 and the 14th Istanbul Biennial in 2015.

Amelie Ebbinghaus:

Amelie Ebbinghaus is a Director at the Art Loss Register, the world's largest private database of stolen and looted art and antiquities, as well as items subject to security interests or held in trust. Amelie leads the Art Loss Register's provenance research team and focuses on the tracing and restitution of artworks stolen and looted by the Nazis. She works closely with auction houses, art fairs, dealers, collectors and museums in due diligence on artworks, and liaises with victims of spoliation to ensure that issues raised in research are addressed and resolved. Amelie trained as a lawyer in Germany and completed an MSc in Art, Law and Business before joining the ALR in 2016.

Jutta von Falkenhausen:

Jutta von Falkenhausen practices law in Berlin. Having worked for many years in a large international law firm advising major business clients in the areas of German and international corporate and commercial law and transactions, she started her own firm in 2009. Today, her practice focuses on advising foundations and non-profit organisations in corporate and commercial matters as well as on art law, specifically restitution issues. She is a founding member of "FidAR – Frauen in die Aufsichtsräte e-V.", an association committed to increase the number of women in corporate boards in Germany, and a member of various boards of non-profits, including the German Council on Foreign Relations.

Elena Franchi:

Elena Franchi is an art historian, journalist, and a member of the Committee for Museum Security of the International Council of Museums (ICOM). Since 2017 to 2019 she was a senior researcher of the international project TransCultAA, which investigated the transfer of cultural assets in the Alpe Adria area in the 20th century. In 2009 she was nominated for the Emmy Award in the "Research" category for the documentary *The Rape of Europa*, 2006. Teacher trainer of secondary school teachers, she has just published a schoolbook on cultural heritage for Civic Education. Her research areas are the protection of cultural heritage in armed conflicts, claims and restitutions, and cultural heritage education.

Christian Fuhrmeister:

Christian Fuhrmeister is professor for Art History at the Ludwig-Maximilians-Universität Munich. He received his PhD in 1998 at the University of Hamburg. Since 2003 he is research associate at the Central Institute for Art History in Munich, where he has led various projects in the field of art during National Socialism and provenance research. In 2016 he directed the international research project TransCultAA, which over the following four years investigated the transfer of cultural assets in the Alpe Adria area in the 20th century. Since 2019 he is advisory council of the Jewish Digital Cultural Recovery Project.

Bianca Gaudenzi:

Bianca Gaudenzi is Research Fellow at the German Historical Institute in Rome and at the Zukunftskolleg, University of Konstanz, as well as post-doc at Wolfson College, University of Cambridge. Her current research project, funded by the DFG, analyses the politics of restitution of fascist-looted cultural property in Italy, the Federal Republic of Germany and Austria since 1945. Previous to this she was Marie Curie Fellow at the University of Konstanz and also worked as historical consultant for the Commission for Looted Art in Europe. She holds a PhD in History from Trinity Hall, Cambridge.

Meike Hopp:

Meike Hopp is professor for Digital Provenance Research at the Technische Universität Berlin. She received her PhD in 2012 at the Ludwig-Maximilians-Universität in Munich with a thesis on „Art Trade under National Socialism. Adolf Weinmüller in Munich and Vienna“. Since 2009 she has led various projects in the field of provenance research at the Central Institute for Art History in Munich and has worked on exhibition projects such as the „Inventory Gurlitt“ at the Bundeskunsthalle Bonn and the Kunstmuseum Bern (2017). Her latest research and database project investigated the art dealer Julius Böhler (1903-1994). Since 2018 she is Chairwoman of the Arbeitskreis Provenienzforschung. Since 2021, she is also Chair of the Board of Trustees of the German Lost Art Foundation.

Christian Huemer:

Christian Huemer is director of the Belvedere Research Center in Vienna. He studied art history in Vienna, Paris, and New York, where he received his PhD with a thesis on “Paris-Vienna: Modern Art Markets and the Transmission of Culture (1873-1937)” in 2013. After work experiences at the Solomon R. Guggenheim Museum, the MOMA New York and the Österreichische Galerie Belvedere, he worked for several years at The Getty Research Institute Los Angeles. At the Getty he was head of the “Project for the Study of Collecting and Provenance” and led projects as “German Sales, 1901-1945” and “Remodeling the Getty Provenance Index”.

Katharina Hüls-Valenti:

Katharina Hüls-Valenti is a Venice-based art historian. Since autumn 2019 she is working as an independent provenance researcher with a focus on looted art objects in Italy. Before that, she acted as Client Strategy Consultant for Christie's Italy in occasion of the 58th Venice Art Biennale, but already joined the firm in 2016 as Administration Manager at Christie's Vienna. Previous to this role, she gained work experience at the Peggy Guggenheim Collection in Venice as well as the German Centre of Venetian Studies. She holds an MA in art history from the University of Vienna. Since 2018 she is completing her PhD at the Johannes Gutenberg University of Mainz with a research project on the Italian art market during World War II.

Isabel von Klitzing:

Isabel von Klitzing established her own business Provenance Research & Art Consulting in 2012. With her team she provides detailed research on the provenance of works of art in both private and public collections worldwide thereby helping to provide tailor-made solutions on provenance related issues to the art world. Before setting up her own firm, she worked for 10 years as a Senior Restitution Specialist for Sotheby's in London, Belgrade, and Frankfurt. From 2014 to 2016 she served as a member of the Board of the Working Group Provenance Research and since 2011 lectures on the topic “Provenance Research in the Art Trade” at the Free University of Berlin. Isabel von Klitzing studied law in Göttingen, Berlin, Brussels, and Paris. She is a member of the Bar Association Frankfurt/Main and was appointed Provenance Expert by the Court of Arbitration of Art.

Sabine Loitfellner:

Sabine Loitfellner studied history and political science at the University of Vienna. Since 2002 she is art restitution and provenance researcher in the Department of Restitution Affairs of the Jewish Community Vienna. Previously to this role she worked in research projects on approaches to Nazi crimes after 1945 and dealing with the past in Austria (FWF, Austrian National Bank Anniversary Fund, Investigation Office for Post-War Justice) and Wehrmacht crimes (“History in the Making”, Ruth Wodak/Walter Manoschek). In 2000–01 she was part of the Austrian Historical Commission, which assessed the history of Nazi asset expropriation and restitution in Austria.

Luigi M. Macioce:

Luigi Macioce is one of the founding partners of the law firm Boies Schiller Flexner Italy. He is specialized on Wealth Planning, Tax and Art law. He obtained an LL.M. in Internal and International Tax Law at Bocconi University in Milan. Over the course of the last 15 years he developed a specific expertise in the protection and organization of family assets, including art collections. Having assisted several world recognized contemporary artist, Luigi Macioce also assists international art galleries, collectors and art foundations (both foreign and Italian) and is often involved in complicated art transactions and art law disputes. He was one of the consultants who aided the Italian Ministry of Culture and Heritage (“MIBACT”) in amending, improving and perfecting the ART Bonus program currently in force in Italy.

Felix de Marez Oyens:

Felix de Marez Oyens is Agathe Breslauer Saulmann's step-son. He is the president of the B.H. Breslauer Foundation of New York. He is a former director of Christie's International and has published and lectured on bibliography, booktrade history and provenance.

Johannes Nathan:

Johannes Nathan is director of Nathan Fine Art (Zurich and Potsdam). He studied art history at New York University and the Courtauld Institute of Art (PhD 1995) and was subsequently a member of the Swiss Institute in Rome. He taught art history at the University of Berne from 1996 until 2001 when he became director of his family's Galerie Nathan (Zurich) – now Nathan Fine Art (Zurich and Potsdam) – a gallery originally founded in Munich in 1913. In 2012, together with Bénédicte Savoy and Dorothee Wimmer, he co-founded the “Forum Kunst und Markt – Center for Art Market Studies” at TU Berlin. He is Founding Chair of the International Art Market Studies Association, President of the Max Liebermann Gesellschaft Berlin and a board member of the Swiss Art Trading Association. Nathan has published widely on Leonardo da Vinci and the history of the art market and has lectured at universities in Europe and the US. In 2019, he was an expert at the European Parliament's hearing on “Cross-border restitution claims of works of art and cultural goods looted in armed conflicts and wars”.

Nicholas O'Donnell:

Nicholas O'Donnell is partner at the law firm Sullivan & Worcester with a primary focus on civil litigations and is one of the leading practitioners in the US in matters concerning claims to allegedly Nazi-looted works of art. He is also the editor of the Art Law Report, a blog that provides timely updates and commentary on legal issues in the museum and visual arts communities and has authored several books on art law. In addition, Nicholas is Co-Chair of the Art, Cultural Property and Heritage Law Committee of the International Bar Association and Co-Chair of the New York chapter of the Responsible Art Market Initiative.

Elizabeth Royer:

Elizabeth Royer owns an art gallery in Paris called "Galerie Elizabeth Royer" for more than 35 years, specialized in Design, Furniture, photography, paintings and drawings. She is also an art historian and restitution expert since 1996. She is one of the founders of HARP Europe (Holocaust Art Restitution Project), and of ARA (Art Restitution Association), both non-profit entities that assists claimants in obtaining their restitution, conducts archival research on artworks looted by the Nazi regime and seeks improvement of the legislative and political framework in favor of restitution of looted artworks.

Pierre Valentin:

Pierre Valentin has spent the last 25 years advising art collectors and art businesses on the law, first as in-house Counsel to Sotheby's and more recently as a partner of Withers LLP. He currently heads the art and cultural property group at law firm Constantine Cannon LLP in London. He has extensive experience in supporting the resolution of claims to art looted during the Nazi era, through the courts and through negotiated solutions. In 2011, Pierre founded the association of Professional Advisors to the International Art Market (PAIAM), and in 2019, he founded the International Catalogue Raisonné Association (ICRA). He teaches at the Sotheby's Institute, Christie's Education and at the ESA Business School in Beirut, Lebanon.

Till Vere Hodge:

Till Vere Hodge is an associate in the law firm Constantine Cannon LLP. He works with international private collectors, art dealers and auction houses, galleries, and museums, as well as art investors and advisors in relation to both, contentious and non-contentious matters. He has built a particular expertise in handling restitution claims to looted artworks in the context of World War II. He is regularly called upon to lecture at various Art Law forums, for example at the Sotheby's Institute of Art, the Royal Academy, and the Federal Bar Council in New York. Prior to his career in the Law, Till worked for several years as a Public Diplomacy Officer at the Embassy of the Federal Republic of Germany in London.

Anne Webber:

Anne Webber is Co-Chair of the Commission for Looted Art in Europe, a non-profit representative body which negotiates restitution policies, conducts research, and acts for families and institutions to identify, locate and recover Nazi-looted cultural property. She is also Director of the Central Registry of Looted Cultural Property 1933-1945 at www.lootedart.com. She was on the organising committees of the 2000 Vilnius International Forum, the 2009 Prague Conference and the 2017 London Conference and is a member of the British Spoliation Advisory Committee which oversees the provenance research work of British museums.

Stephen Zack:

Stephen Zack is a partner at the law firm Boies Schiller Flexner LLP, based in Miami. His practices focus amongst other topics on international arbitration, insurance disputes and government litigations. He attended the University of Florida and received his Juris Doctorate from the Levin College of Law. He was nominated by President Barack Obama for the position of Alternate U.S. Representative to the 68th Session of the General Assembly of the United Nations, and he served as Senior Advisor to the United States State Department. He is also a member of the Council on Foreign Relations. As President of the American Bar Association, Stephen Zack visited and spoke with bar associations, law schools, the judiciary and the media in 22 countries about the rule of law and professional integrity. Zack represents, with others, the heirs of Lilly Cassirer, the claimants to the work by Pissarro known as "Rue St Honoré, après-midi, effet de pluie" (1897), now in the Thyssen-Bornemisza Museum in Madrid.

