

Terms of Art (New York, 1-2 Dec 20)

CUNY Graduate Center, 365 Fifth Avenue, New York, NY 10016, 01.-02.12.2020

Anmeldeschluss: 02.11.2020

www.dfs.ny.gov/termsofart

Anna Rubin, NY DFS Holocaust Claims Processing Office

Terms of Art: Understanding the Mechanics of Dispossession During the Nazi Period

Note: Despite the postponement of the symposium from May 2020 to December 2020, the registration process for the symposium remains open. Kindly complete the form on the symposium website, <http://www.dfs.ny.gov/termsofart>.

Please note that space is limited, and the symposium centers on a highly specialized subject. In order to ensure the substance remains focused, participation is intended for practitioners in this field including claimant representatives, attorneys, members of the art trade, cultural institution professionals, provenance researchers, historians and art historians.

This symposium aims to explore from the historical, art historical and practical perspectives and across practitioner groups, what it means to describe involuntary loss using a specific term. The symposium will include expert paper presentations and panel-led discussions among claimant representatives, attorneys, members of the art trade, cultural institutions, provenance researchers, historians and art historians.

Following the symposium, papers will be published as a free online book. The goal of the publication is to further the dialogue concerning this issue and promote greater understanding about the mechanics of dispossession as they relate to claims for artwork involuntarily lost as a result of Nazi persecution.

Our aim is to inform and guide future discussions about the disparate views on these historical events and how a common understanding of these terms can effectively contribute to resolving claims in a more consistent and expeditious manner.

Terms of Art: Understanding the Mechanics of Dispossession During the Nazi Period - AGENDA

Please note that this agenda is subject to change.

Tuesday, December 1, 2020

8:15 – 8:45

Registration/Coffee

8:45 – 9:30

Welcome

Opening Remarks by the Superintendent of Financial Services Linda A. Lacewell

9:30 – 11:15

A Historical Account of Acts of Dispossession

Susanne Kiel, M.A.

Deutsches Schifffahrtsmuseum · German Maritime Museum, Bremerhaven, Germany

The handling of removal goods of Jewish emigrants in Bremen after 1939

Daria Brasca, PhD

Università degli Studi di Udine, Udine, Italy

The Dispossession of the Jewish-owned Cultural Property under Fascism: Contention between National and Local Authorities

Michaela Sidenberg

Curator in Chief, Jewish Museum of Prague, Prague, Czech Republic

The Banality of Legal: The Case of Forced Donations and the Politics of Cultural Heritage Preservation in the Period of the Second Czechoslovak Republic

Dr. Felicitas Thurn-Valsassina

Dorotheum GmbH & Co KG, Vienna, Austria

On-site auctions of Jewish property 1938-1940: A case study from Vienna

Q&A

11:15 – 11:30

Coffee Break

11:30 – 12:30

The Historical Contextualization of a Restitution Claim

Dr. Agnes Peresztegi

Art Restitution Expert, Soffer Avocats, Paris, France

Jonathan Petropoulos, PhD

John V. Croul Professor of European History, Claremont McKenna College, Claremont, CA

Anna B. Rubin

Director, Holocaust Claims Processing Office, New York State Department of Financial Services, New York, NY

Anne Webber

Chair, Commission for Looted Art in Europe, London, UK

12:30 – 1:30

Lunch

1:30 – 2:45

The Terminology of Dispossession in Practice

Victoria Reed

Monica S. Sadler Curator for Provenance, Museum of Fine Arts, Boston, Boston, MA Defining Dis-possession: Case Studies of Restitution Claims from the Museum of Fine Arts, Boston

Antonia Bartoli

Curator of Provenance Research, Yale Art Gallery, New Haven, CT

Conflicting Confiscations: The Kommando Paulsen, Mühlmann's Commission, and the Expropriation of the Biblioteka Ordynacji Zamojskiej between 1939 and 1940

Olaf S. Ossmann

The Ossmann Group, Zurich, Switzerland

Confiscation; confiscation by transactions "contra bones mores"; Presumption of confiscation; Power of Avoidance; Restitution Law vs. Civil Law, the plea of "inadmissible exercise of the law"

Q&A

2:45 – 3:45

Guidelines, Unwritten and Written

John Coffey

Deputy Director for Research, the Jim and Betty Becher Curator of American and Modern Art, and Curator of Judaic Art, North Carolina Museum of Art, Raleigh, NC

Monica Dugot

International Director of Restitution, Christie's, New York, NY

Rebecca Murray

Assistant Counsel, The Metropolitan Museum of Art, New York, NY

Lucian Simmons

Vice Chairman and Worldwide Head of Sotheby's Restitution Department and Senior Specialist, Impressionist and Modern Art Department, Sotheby's, New York, NY

3:45 – 4:00

Coffee Break

4:00 – 5:00

The Role of US Courts in Determining a Nazi Period Taking

William L. Charron

Partner, Pryor Cashman LLP, New York, NY

Lawrence M. Kaye

Partner, Herrick, Feinstein LLP, New York, NY

Nicholas M. O'Donnell

Partner, Sullivan & Worcester LLP, Boston, MA

Thaddeus J. Stauber

Partner, Nixon Peabody LLP, Los Angeles, CA

Wednesday, December 2, 2020

8:15 – 8:45

Check-in/Coffee

8:45 – 9:30

Welcome Back

Keynote

9:30 – 10:45

The Lexicon of Spoliation

Sebastian Finsterwalder

Department for Provenance Research, Central and Regional Library of Berlin, Berlin, Germany

“Category yellow: dubious!” Problematic attempts at classification from Germany

Dr. Imke Gielen

Attorney, von Trott zu Solz Lammek, Berlin, Germany

The expression Zwangsverkauf (or forced sale) and its misconception

Marc Masurovsky

Holocaust Art Restitution Project, Washington, D.C.

The Problem with History

Q&A

10:45 – 11:00

Coffee Break

11:00 – 1:00

Approaches of the European Restitution Commissions to Assessing Loss

His Honor Judge Tony Baumgartner

Deputy Chair, Spoliation Advisory Panel, London, UK

Jérôme Benezech

Director, Commission for the Compensation of Victims of Spoliations Resulting from the Anti-Semitic Legislation in Force During the Occupation (CIVS), Paris, France

Dr. Alfred Hammerstein Chair

Eric Idema Secretary

The Advisory Committee on the Assessment of Restitution Applications for Items of Cultural Value and the Second World War, The Hague, The Netherlands

Dr. Dr. h.c. Clemens Jabloner

Chairperson, Commission for Provenance Research, Federal Ministry for Arts, Culture, the Civil Service and Sport, Vienna, Austria

Prof. Wolf Tegethoff

Vice Chair, Advisory Commission on the Return of Cultural Property Seized as a Result of Nazi Persecution, Especially Jewish Property, Berlin, Germany

Q&A

1:00 – 2:00

Lunch

2:00 – 3:30

The Impact of Terminology on Restitution

Amelie Ebbinghaus

Provenance Research Team, Art Loss Register, London, UK

Unified definitions – “solution windows”? Can clear definitions of Nazi looting allow for predefined ranges of just and fair solutions?

Tiffany Tonnellier

Attorney, Utopia Cabinet d’Avocats, Paris, France

The Lack of Unified Legal Terminology and How it Can Affect the Success of Restitution Claims

Prof. Dr. Matthias Weller

Mag.rer.publ., Institut für deutsches und internationales Zivilverfahrensrecht Mag. iur. Charis Hahne, M.A.

Wissenschaftliche Mitarbeiterin

Rheinische Friedrich-Wilhelms Universität Bonn, Bonn, Germany

The case for a Restatement of Restitution Rules for Nazi-Confiscated Art

Q&A

3:30 – 3:45

Coffee Break

3:45 – 4:45

Current Attempts and Ideas for the Standardization of Restitution Practices

Evelien Campfens

Former General Secretary of the Dutch Restitutions Committee for Holocaust related art claims 2002- 2016; PhD researcher at the Grotius Institute for International Legal Studies, Leiden University, Leiden, The Netherlands

Prof. Dr. Meike Hopp

Professor for Digital Provenance Research, Technische Universität Berlin; Chairwoman of the Arbeitskreis Provenienzforschung e.V., Berlin, Germany

Anna-Sabine Rieder

Legal and Institutional Affairs Officer, Legal Affairs Committee, European Parliament, Brussels, Belgium

Mag. Dr. Pia Maria Schölnberger

Administrative Director, Bureau of the Commission for Provenance Research, Vienna, Austria

David Zivie

Program Officer, Looted Art 1933-1945, Secrétariat Général du Ministère de la Culture et de la Communication, Paris, France

Quellennachweis:

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<<https://arthist.net/archive/22905>>.