

EVENTS AND CONFERENCES

Morgan Drake*

A Review of the *Second All Art and Cultural Heritage Law Conference* Geneva, 24-26 June 2016

The Second All Art and Cultural Heritage Law Conference, hosted by the Art-Law Centre at the University of Geneva, took place on June 24th and June 25th 2016 in a lecture hall full of students, scholars and legal professionals. Scholars from all over the world came to speak about their work in the vastly diverse field of art and cultural heritage law. The conference was divided into three panels over two days and covered a fascinating array of topics: the first panel discussed the role of ethics in art and cultural heritage law; the second the reality and effectiveness of protective efforts; and the third and final panel brought the conference to a close with discussion of national and regional experiences within the topic. Over the two days these broad topics layered into one another so as to leave the audience with a better and considerably more diverse understanding of art and cultural heritage law than most arrived with.

The first panel was led by Steven Urice of the University of Miami Law School and began with what seemed to be a simple question: What role does ethics play? Any presumption of simplicity quickly fell away as the presenters discussed

* **Morgan Drake**, an art history graduate, is a law student at DePaul University College of Law in Chicago, USA. She also served as legal extern at Partridge Partners PC and legal intern at Art-Law Centre of the University of Geneva, Switzerland.

the intricacies of how soft law and ethics combine to create national, and sometimes international, social standards which become politically, socially and morally binding on auction houses; the ways by which ethics affect the acquisition process in American museums; what it means to do the right thing when confronted with art looted during the Holocaust; the need for comprehensive image-driven data bases to aid in provenance research; and what ethical considerations should be taken into account when deciding, for example, whether ancient Roman lead should be preserved to further humanity's understanding of our own past, or melted down to further our scientific understanding of dark matter.

The second panel was led by Marc-André Renold, the director of the Art-Law Centre and a UNESCO chair holder, who focused the discussion on the efforts being made to protect cultural heritage and art and their effectiveness, as well as presiding over a lively discussion regarding what further efforts could be made to improve existing systems or implement new and more effective ones. The presenters discussed the relevant international laws regarding prevention of the destruction of cultural heritage, as well as potential ways to discourage its destruction at the national and local levels. The panel included an analysis of the international framework that could be used in prosecuting ISIS for their cultural crimes; the many ways in which Egypt is fighting the illicit exportation of its cultural heritage; the possibilities to use existing international frameworks to protect against cultural genocide; the feasibility of engaging armed non-State actors in order to strengthen the existing legal framework for protecting cultural heritage through awareness-raising and capacity-building; and a discussion of state responsibility in the protection of cultural heritage. The presentations led to a flurry of questions regarding both practical and legal matters, as well as a lively discussion regarding the possibility of implementing a UNESCO-run task force that could be deployed to protect world heritage sites in danger.

The second day featured the conference's third and final panel, which was led by Alessandro Chechi, a senior researcher at the Art-Law Centre, ending the conference with a discussion of national and regional experiences and the potential ways forward regarding cultural heritage and art law. This final panel covered topics ranging from international laws such as those protecting cultural heritage from being used to finance terrorist groups and what to do when confronted with underwater cultural heritage, to analysing how Canada's liberal implementation of the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property places it at a disadvantage when dealing with countries which have a far more limited implementation regime, and finally discussing how some states are offering themselves as safe havens to protect cultural heritage located in war zones. The final panel also included a discussion on the roles cultural and local values play in protecting cultural heritage in the developing world in cases where the State's laws and resources are not able to fully protect the local cultural heritage.

EVENTS AND CONFERENCES

Morgan Drake

The progression of the panels helped guide the participants through a complex and diverse array of topics in the complex legal field of art and cultural heritage in a way that allowed the theoretical and abstract to interact with the concrete, thus facilitating a better understanding of the field at large. Coffee breaks throughout each day also facilitated conversations among the scholars, students and professionals in attendance and presented opportunities for discussions which time restraints or bashfulness might otherwise have stymied. As a student only just entering into the world of art and cultural heritage law, I found the Second All Art and Cultural Heritage Law Conference to be a truly amazing experience. The conference is held every two years and is open to all interested parties. For more information concerning the scheduling of the next Third All Art and Cultural Heritage Law Conference, as well as how to submit papers, please see http://www.art-law.org/centre/all-art_en.html.