

## REPORT

ICOM-CC Legal Issues in Conservation Working Group  
Interim Meeting  
Friday June 3, 2016 10am -3 pm  
New York City

"The Rights of Living Artists With Respect to the Conservation of Their Work"

On Friday June 3, 2016, the ICOM-CC Legal Issues in Conservation Working Group held an interim meeting in New York City at the Conservation Center of the Institute of Fine Arts. The goal of the meeting was to look at the question of what rights living artists have when it comes to the restoration and conservation of their work. Due to the space limitations of the Conservation Center auditorium, participation was limited to 28 people the meeting was thus sold out with a waiting list. The attendees included conservators, collections managers, lawyers, artists and insurance executives.

The program ran from 10am until 3pm. There were five presentations before the lunch break and a Socratic Dialogue in the afternoon. The presentations were:

"Working with artists", by Christian Scheidemann, Contemporary Conservation Ltd.

"Ethics and Modern Public Paintings, Part 1: Outdoor Murals", by Rustin Levenson, ArtCare

"Ethics and Modern Public Paintings, Part 2: Graffiti", by Harriet Irgang, ArtCareNYC

"Outdoor sculpture", by John Scott, New York Conservation Foundation, Inc.

"Community and ritual art", by Ida van der Lee, community and ritual artist, Amsterdam, The Netherlands

Each presentation was followed by a lively question and answer period. The issues raised in the talks and discussion included artist sanction and the rights of artists to direct and oversee the restoration, copying, remaking, or reinstallation of their works.

The Socratic Dialogue was moderated by Dr. Bill Wei of the Cultural Heritage Agency of the Netherlands. The dialogue posed the question, "How do I deal with the intent and rights of a living artist when conserving / restoring one of their works?". A Socratic dialogue is a structured form of dialogue in which all participants actively contribute. The purpose of the dialogue is not to solve the question at hand, that is, how to deal with artist intent in the conservation of contemporary art. The Socratic method provides a safe, open environment for participants to investigate what the essence behind this controversial question is, and to understand their own points of view as well as those of others.

The dialogue was well received. Examples of the essences of the dialogue included

- It is difficult to truly understand what the intent of the artist is even if one is able to engage in a dialogue with him or her.
- I am struck by the disparity of views in the room as to whether a work should be preserved as a snapshot of an artist's work in time or allow the artist to evolve a work, even if not obviously created as a work to be weathered.

A number of requests were made for further dialogues at ICOM-CC or other venues.

Rebecca Rushfeld, Working Group Coordinator.