VI European Registrars Conference 2008
Basel/Switzerland
10/11 November 2008

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Welcome Address

Michael Koechlin, Head of Culture, Department of Education Canton of Basel-City

Welcome Address

Dear Registrars, Ladies and Gentlemen

Your photographs and your names rarely appear in the media, especially if you’re doing a good job and all goes well. A job, that basically prefers discretion, I would assume. So all the more I am glad to have the honor to personally address so many registrars from all over the world here in Basel at this European, at this truly international conference.

I want to very warmly welcome you on behalf of the government of the canton of Basel-City. We are proud that you have chosen Basel as the place for this year’s conference. Basel is, if I may say so, somewhat of a mystery. It’s hard to believe that the surface amounts to only as little as 37 square kilometers, and the population to not more than 190,000 people. Yet Basel has an enormously rich cultural life, and it homes around 40 museums, amongst them world wide known ones like the Kunstmuseum, the Fondation Beyeler or the Schaulager, which you have visited yesterday. And, during the art fair in early summer, Basel regularly turns into the art capital of the world.

You registrars are doing essential and important work behind the scenes of the museums and the art world, without that we would have no exhibitions, or without which we would constantly look at the same local collections. I have been given these days a very fascinating booklet. It’s called “couriers-speak” and was written by Cordelia Rose. I meant to just flicker through it, but found myself an hour later still being fascinated by all the tasks and situations you are up to, and about which I learnt through this registrars and couriers language guide.

I can’t say that I am able to speak to you as an expert on the broad variety of your work. What I do know is that some aspects of your working field are giving me a serious headache as the responsible officer for culture, and therewith the museums in Basel. One of them, maybe the most important and most dramatic one, is the incredible rise of insurance costs. That, of course being linked to a global market of the fine arts that has in my opinion by far left any reasonable dimensions. If this evolution goes on in the way it has been going on during the last years, insurance companies will make their fortune, and we will go bankrupt. Or at least we won’t be able any more to offer the public the kind of exhibitions they want. Most of you will know, that the Kunstmuseum Basel is going to have an extraordinary van Gogh show next spring. The city of Basel could never have financed this show, we are com-
pletely dependent on the public private partnership, that is, on the private sponsor UBS. A fact, that does not really make me happy, although of course I am grateful to that bank that they maintain their generosity in these days. Another important issue is the delicate question of the origin and history of pieces of art. And the fascinating question, or better, challenge, how we are going to deal with all aspects of virtual artworks, and our modern digital communication and archives. The nightmare of a lost collective memory is one of the assets of our time.

I am sure that these and some more topics are strongly in the focus of your conference. And I am sure that you, the experts, will come up with, maybe not all, but some good answers to these questions and problems. As I gather from your program, you will also be presented with some “best practice” examples, from which you will most certainly get invaluable insights and impulses for your own work.

I wish you an interesting, enriching, instructive, successful but also enjoyable conference, and a very pleasant stay in Basel. I am sure you will find a lot of new friends, new insights and hopefully a welcoming city, that makes you want to come back one day.

Thank you very much for your kind attention!
Good morning everyone

I am Elaine Vogel Keller and on behalf of swissregistrars I am honored to welcome you to the VI European Registrars’ Conference.

In 2003 when my colleagues and I launched an informal Swiss registrars group, I don’t think any of us had this moment in mind. Quite the contrary, actually. While the idea of establishing a professional association was quite appealing to my colleagues working as registrars in museums, galleries, foundations and private collections throughout Switzerland, many expressed their concern about adding yet another time-consuming project to their already full workloads and busy schedules.

Nonetheless, with my urging, we decided to test the waters, as they say, and began holding informal quarterly meetings and eventually organized a workshop series for our members. We were moving forward, but in a careful manner, which is so typical for the Swiss.

And then – there was Wolfsburg!

For those of you who may not know, Wolfsburg, Germany was the location of the IV European Registrars Conference in 2004. Inspired perhaps by the impeccable organizational skills of our German colleagues or caught up in the exciting conference energy infecting us all, or quite frankly maybe we’d all just had one glass too many!? Suddenly my previously tentative colleagues threw all caution and common sense to the wind and declared their intent to host a future European Registrars Conference in Switzerland.

At the stroke of midnight on November 15, 2004, gathered around a table at the cocktail reception at Kunstmuseum Wolfsburg, we precipitously drafted a formal charter (albeit on a scrap of paper torn from a pocket agenda) pledging our commitment to see this project through. The document was signed, sealed (with wax drippings from one of the cocktail table candles) and carefully transported back to Switzerland to be placed in the Swiss registrars’ document archive.
I suppose the moral of the story is: Beware of late nights at conferences, for you too may find yourself one day standing where I am today! Humor aside, I think I speak for all of my colleagues when I say that the road that has led us from that memorable evening in Wolfsburg to this morning here in Basel, has been long, at times arduous but very worthwhile.

Long before the world had heard of Mr. Barack Obama, there was a small but industrious group of registrars in Switzerland chanting daily, “Yes We Can!”

We have all invested countless hours of our free time realizing the various aspects of this project and have called into play the tools of our trade: organizational skills, attention to detail, multi-tasking as well as a good dose of diplomacy, psychology and bar-room bouncer muscles.

While our commitment and hard work brought us quite far, we must acknowledge that it is our sponsors who ultimately enabled us to bring this project to completion.

We are very grateful for the in-kind and financial support of the following institutions and companies:

Schaulager, Kunstmuseum Basel, Fondation Beyeler
for so generously hosting the evening events.

Daros Collection for supporting this project from its inception and providing us with the start-up funds.
And the following companies for their generous contributions:

- Arteria srl – Italy, Rome
- Axa Art Versicherung AG, Zurich
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- Constantine Ltd., London
- Crown Fine Arts, L’Hay-les-Roses/F
- Dietl International Services Inc., New York
- ICEFAT – International Convention of Exhibition and Fine Art
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- VIA MAT ARTCARE AG, Basel/Kloten
- Welti-Furrer Fine Art AG, Zurich
- Zetcom AG, Bern

We certainly hope you will take full advantage of the program and the conference events we’ve organized for you and enjoy the time to network with colleagues, chat with old acquaintances and meet many new ones.

I now turn the microphone over to my colleague Charlotte Gutzwiller who will introduce this morning’s first session.

Thank you all for coming to Basel!

www.swissregistrars.ch
Session 1

A Different Type of Space for Art
It is a great pleasure to be invited to speak at the European Registrars Conference. The first section of this conference is dedicated to the theme “A Different Type of Space for Art.” Different spaces for art have been experimented with and become established at an almost excessive rate over the last thirty years. What we are talking about today, however, is a particular category of different types of space: namely, those where works of art are stored, depositories, as it were. Most of you deal with collections that are much larger than the collection for which Schaulager was built. Thus what makes Schaulager interesting here is not the size of the collection stored in it. Its unique quality is that it was expressly and programmatically conceived for those parts of the collection that are not on exhibition, and in this it functions as a kind of model.

To help understand the radicalness of this endeavor, several things should be noted at the outset. Schaulager is an autonomous institution; it is not part of a museum. It has no collection of its own, and it does not itself collect art. As a site, it responds to the needs of the preservation, conservation, and handling of modern and contemporary works of art – that is to say, to the needs that concern the life of artworks behind the exhibition spaces of the museum. Schaulager is a private institution that resulted from the initiative and commitment
of a single person, Maja Oeri. It was opened in May 2003, and it is an unfinished, ongoing project that is designed to evolve over the long term. Seen in this way, Schaulager is a space for art that has not previously existed in this form, neither as an institution nor as a building.

Allow me to begin by stating a few thoughts about storing art. Ever since art has been collected, works of art have had to be preserved and stored. Depositories in the sense we are discussing have existed ever since art has been shown publicly in museums. The assessment and evaluation of the works that are not shown have, however, changed repeatedly over time, and so have the requirements for the places where they are kept.

More innovative approaches to depositaries have always been employed in the field of collecting objects of cultural history. Such collections of objects are less subject to criteria of the hierarchy of value than works of the visual arts are. But there too we can observe in the last few years a striking evolution from passive to active preservation of the objects in the collection, which we can follow in numerous examples of museums of cultural history or anthropology throughout the world. In this context, I would like to mention a still young institution very close by, where the vision of a storeroom as a living place for the preservation and conservation of cultural historical possessions has been realized in an exemplary way: the collection center of the Schweizerische Landesmuseum (Swiss National Museum), which was initiated by the Swiss federal government and opened just over a year ago in Affoltern am Albis. It unites all the objects held by the Swiss National Museum that are not currently on exhibit.

Dealing with objects in storage has always been more complicated for art museums – that is, those concerned with so-called high art, where a canon has evolved that determines what is worth exhibiting and what remains hidden and can thus be more or less neglected. Consequently, for a long time, the need for the art to be visible and accessible in the storage rooms of art museums hardly played a role at all in the design of such rooms. Characteristically, artists were the first to address this problem of evaluation for art museums. I would like to mention two significant examples:
In 1969 Andy Warhol was invited to design an exhibition using objects in the storage rooms of the museum of the Rhode Island School of Design. Warhol’s selection was totally arbitrary; he accepted taxonomical distinctions unquestioningly but revealed no sense of qualitative hierarchies. He brought all sorts of forgotten objects to light, sometimes entire display cases, stands, and shelves, which he then integrated into the exhibition with no regard to their condition, value, or origin.

A month before the first presentation of *Raid the Icebox*, as the exhibition was called, opened at the Institut for the Arts, Rice University, Houston, another artist, Marcel Broodthaers, presented his *Musée d’Art Moderne, Département des Aigles, Section XIXème Siècle* in Brussels, a project in which Broodthaers transformed his house and studio into a fictional museum. It essentially consisted of empty transportation crates with labels such as “Keep Dry,” “Caution,” and “Fragile,” forty postcards with reproductions of nineteenth-century French paintings, a continuous slide show of engravings by Grandville, and an extremely assiduous staff. The second manifestation in Europe by an artist that broke down the line between the presentation of objects in a museum and in storage areas followed just a few months later: Joseph Beuys’ installation of the so-called Block Beuys in the Hessische Landesmuseum in Darmstadt. Beuys’ installation combines the areas of art and science, private mythology and politics, as well as the areas of prehistory and nineteenth-century exhibition practices.

I do not wish to claim that such artist exhibitions directly influenced the storage practices of art museums. They were, however, certainly symptomatic of a gradually emerging transformation in attitudes toward objects collected and stored, by art museums as well.
The Schaulager concept can be understood as a response to this situation, in that it not only quite consciously makes the depository for works of the visual arts the center of attention but also addresses its potential and makes it accessible for new uses.

The project began with a specific collection of modern and contemporary art: the collection of the Emanuel Hoffmann Foundation. The foundation was established more than seventy years ago by a young woman, Maja Hoffmann-Stehlin, in memory of her then recently deceased husband and their shared love of art. The goal of the foundation, as formulated in 1933, the year it was established, is unusual and far-sighted. It states that the endowment should be used “to purchase works by artists who employ new, forward-looking means of expression which are not yet universally understood by their contemporaries,” and that “the foundation’s purchases shall be made available to the public through exhibition in order to awaken and deepen the broader public’s understanding.” The initially rather small collection was first housed at the Kunsthalle Basel, and already in 1941 it was made a permanent loan to the Öffentliche Kunstsammlung Basel. The foundation’s holdings have ever since been exhibited at the Kunstmuseum Basel and, since its opening in 1980, at the Museum für Gegenwartskunst (Museum for Contemporary Art). Over the past decades, the collection has grown slowly but surely, so that today only a very small fraction of the works can be exhibited at the Kunstmuseum or Museum für Gegenwartskunst at one time. The rest of the collection is in storage.

One special quality of the collection is that, in keeping with the foundation’s statutes, it was open very early on to unusual formats and installation media. Such works are normally taken apart and stored in crates; in the traditional depository, therefore, they are more or less invisible and cannot be examined by conservators. An unsatisfactory situation for the works of art, and in this particular case one that no longer did justice to the purpose of the Emanuel Hoffmann Foundation. That inspired Maja Oeri, the current president of the foundation and its founder’s granddaughter, to rethink the situation. She saw the problem as a fundamental one that in the long term could not be addressed by a conventional solution – that is, by adding museum space. Her search for a solution started with the depository itself. Rather than closing them off under the traditional conditions for art, the works would be stored under circumstances appropriate to their conservation and remain accessible to professionals.

To make this project a reality Maja Oeri founded the Laurenz Foundation in 1999 to be the foundation responsible for Schaulager. The architects Herzog & de Meuron were commissioned to build Schaulager.

The architects’ point of departure was unusual. Schaulager represented a new brief, without any direct precedents in the history of architecture. The basis for the design was thus the statement of the brief that the client had presented: a storehouse for modern and contemporary works of art that would be visible and would require considerably less space than their presentation in a museum; storage under proper climatic conditions; accessibility on request. Offices, workshops, an auditorium, and facilities for loading and unloading works of art would fill out the program for the space. And it was supposed to be large, so that it would remain useful not just as an idea but also as a building for the future.
The location chosen by the client was also unusual: not in the center of the museum district but on the edge of an area with an urban character that is occupied by industrial buildings, about ten minutes from the main station. The choice of this location sent a clear message that what would be built was a different kind of site, not a museum. You had an opportunity yesterday to see the building and have a look at several of Schaulager’s spaces, so you are familiar with the principle according to which the works are set up. In this situation, the works can be seen, attended to, and processed by restorers and conservators.

Schaulager is, however, not just a place for the optimal preservation and conservation of the works stored but also a place where questions raised about and by art can be contemplated. The idea that an enormous accumulation of visual knowledge would be constantly available – the aspect of having “suddenly this overview,” so to speak – already led in Schaulager’s planning phase to taking the works of art seriously, beyond their material presence, as an archive of images and visual memory and to making it actively accessible to education and research. Schaulager sees its task as establishing and providing the necessary conditions for the use of this “archive of images.” That is also reflected in the program for the space – with an auditorium, a library, and workplaces. It is also expressed in the Laurenz Chair for Contemporary Art that the Laurenz Foundation established at the University of Basel even before Schaulager opened, which was the prelude to a very productive and progressive collaboration.

As at other depositories, the storage areas at Schaulager are not public. They are accessible to restorers and other museum professionals, to researchers, artists, and students. Once a year the Schaulager turns to the public with a large exhibition. These exhibitions can be produced under conditions unlike those in an institution with one exhibition after the other. The annual exhibitions also want to offer insight into the work and activities at Schaulager. Schaulager’s other activities, however, which are less visible to the outside than the exhibitions, are no less important.

In that sense, the reviving of the depository that was initiated by artists such as Warhol or Broodthaers in the form of exhibitions has truly taken form in the depository itself at Schaulager.

www.schaulager.org
Exhibition Jeff Wall – Photographs 1978–2004, 2005

Storage room with works by Stephan Balkenhol, Jean-Frédéric Schnyder, Rosemarie Trockel

Exhibition Herzog & de Meuron – No. 250. An Exhibition, 2004

Katharina Fritsch, Rattenkönig, 1993 (Rat King), (Emanuel Hoffmann-Stiftung, Depositum in der Öffentlichen Kunstsammlung Basel) © Pro Litteris
I have been Head of Collections at the Musée national d’art moderne (MNAM), Centre Georges Pompidou since the department was established in 2001. My responsibilities include the physical conservation of works that have been held in the external depositories since 1997, when the Centre Georges Pompidou closed its doors for a two-year renovation. I am also in charge of organising gallery hangings and, since recently, extramural exhibitions held at international venues. Preparation for projects such as these is carried out in close collaboration with the conservation team, and involves only works from our own collection.

The department has two depositories. One of them, covering almost 10,000 square metres, is located off-site from the main building and houses all works which, for reasons of size and/or fragility, need to be kept in crates, as well as paintings that are stored in racks or on grids, all small-format items such as sculptures, design objects and architectural models, which are held in cabinets, and large-format drawings and photographs.
The other depository, 900 square metres in size, is situated underground at the Centre Pompidou and is used as transit storage. It holds works that are going to be displayed in the permanent collection galleries or have been removed for loan to museums either in France or abroad following a decision at one of the committee meetings held every six weeks. It is also used for works that form part of temporary exhibitions organised by the institution. The works spend only a short time here, either while they await transfer to the galleries in which they are to be shown, or until they are returned to their owners. The depository also houses works that the museum has decided to acquire at one of the three acquisition commission meetings organised each year.

The external depository is headed by a site manager whose job is to monitor the condition of the works kept there and ensure the upkeep of the conservation areas and facilities. The manager organises access for researchers and conservators who wish to view works for the purposes of research or future exhibition. Logistical operations at the depository are handled by a custodian who, together with four assistants plus a warehouseman, is tasked with preparing and packing works that are being transferred. There is also a custodian at the Centre’s transit store. Both are supported by a range of conservation professionals, including restorers, framers, packers and art handlers, who have workshops at both sites.

The pace of activity at the depositories is dictated by gallery hangings, the decisions of loan committees and acquisition commissions, requests from our partner institutions for viewings of one sort or another, restoration work on items from the collection, photography sessions for documentary purposes and so on. There were a total of nearly 10,170 movements in 2007 alone, all of them carried out by the highly experienced team of five. Due to the concentration of storage, handling and restoration activities at a single site, the external depository acts as a logistical and scientific platform, managing inward and outward movements while ensuring compliance with preventative conservation standards and coordinating the work of all the professionals concerned.

Before turning to the specific topic of my presentation, I would like to provide you with an outline of the chronology leading up to the opening of the Centre Pompidou and the Musée national d’art moderne where I work.

In fact, the Musée national d’art moderne was already in existence before it moved to the Centre Georges Pompidou when the latter opened in 1977.

The museum was conceived before the war and opened its doors in 1947 at the Palais de Tokyo, taking over the functions previously exercised by the Musée du Luxembourg. Its initial holdings came partly from donations and bequests from artists such as Picasso, Braque, Matisse, Chagall and Brancusi, and partly from the generosity of private collectors, who then as now proved keen to enrich the national collection by means of donations, bequests and gifts. In addition, the support provided by the Friends of the Museum and the Georges Pompidou Foundation and others, regularly enables the institution to acquire works of exceptional heritage and artistic value.

The Musée national d’art moderne now holds one of the finest collections of 20th-century art anywhere in the world, comprising almost 65,000 works. It covers all areas of creative activity from painting, photography, cinema, the new media, sculpture and design to architecture. It also includes documentary holdings and archives relating to these objects.
Nevertheless, and despite the size of the exhibition galleries – more than 14,000 square metres – only a selection of the works is actually on view at any given time. A policy of rotating display enables the pieces in the collection to be hung in alternating sequence, with two entire levels of the Centre being replaced every two years. Parallel to this, the institution’s generous loan and deposit policy enables many pieces to be hung on an ad hoc basis on the modern and contemporary levels.

To begin the discussion of my central argument, I would like to quote some observations from the report on museums presented to the French National Assembly in May 2000. It states, in particular, that “until the 1970s, museums were viewed as dusty and lifeless storehouses remote from the general public, incapable of keeping up with changes in cultural practice and simultaneously transmitting the memory of our heritage, a taste for living art and the enthusiasm of those who create it.” The 1980s saw an upsurge of interest, the report continues, and in the 1990s museums underwent a revival, which led to a boom in development and renovation projects. Thus, within the space of a few decades, the public has become the priority, indeed the raison d’être, of museums. Collections are, as it were, made available for their education and delectation. Museums now fulfil two functions:

– as custodians of heritage, requiring their activities to be organised around the collections that are entrusted to them;
– as social and pedagogical institutions. “As the owners of collections whose works are in fact the property of all, museums constitute a tool of popular education and must as such be as widely accessible as possible.”

As the museums report underlines: “Throughout the world, museums stand at the service of the public at large and of their various audiences, and they have a duty to make them as welcome as possible.” One of the first inviolable rules imposed on them was that they should ensure the continual growth of public collections, without considering whether they had the capacity to display them all within their walls.

That being the case, how are we to manage the tension between our desire to fulfil our mission of communicating the work of artists and our wish to preserve our cultural heritage for future generations? That is the issue I wish to address here.

The first question concerns our audiences. Who are the people who come into museums today? The majority are regular visitors who pass through our doors frequently. There are also audiences that have grown thanks to the development of international tourism in Paris. We must concede, however, that despite all the efforts devoted to education and resources for visitors, museums are still seen by many as alien and inaccessible. Do we, then, need to design exhibition spaces for different uses and audiences?
These days, displaying works of art gives rise to a number of problems. We are often torn between the desire to present works in a way that does justice to their creators’ conception of them, the scenography desired by curators, and issues of security. Among the visitors to our institutions there are some who have little regard for the preservation of works, and this compels us to override the wishes of artists who wanted them to be both accessible and legible. Dubuffet’s *Winter Garden* is one example; the interactive work of Melik Ohanian recently displayed in gallery is another.

A second aspect of the problem relates to the exhibition capacity of the Musée national d’art moderne at the Centre Pompidou. Owing to lack of space, it is unable to display more than about 1,500 works, although given the richness and quality of its holdings it could theoretically show many more. One possible response is the approach adopted during the renovation work at the Centre Pompidou, which is to develop a policy of extramural exhibition. The rationale behind this was precisely to fulfil the mission of disseminating modern culture to the largest possible audience. As a result of that policy, over a two-year period nearly 1,300 works from the collections of the MNAM travelled around France, appearing at no fewer than 15 exhibitions.

The question of accessibility and legibility of collections raises its head once again in the projects currently being implemented by several museums – from the Louvre, with its recently announced extension at Lens and the Centre Pompidou in Metz, to the mobilisation of a number of major French museums in Abu Dhabi, which should enable experiments in new ways of presenting works and rendering them accessible.

I believe, however, that there are other avenues which could be explored, and that depositories could be one of them.

As Jacques Rigaud, in his report to the French Ministry of Culture, writes on the delicate issue of the inalienability of works belonging to public collections, “the central mission of a museum is to make works of art available to the public”; yet all museums have works in storage. The problem is, as Rigaud also notes, that the word “store” inevitably suggests something that is put aside, not meant to be shown, purely utilitarian, and devoid of immediate use. The awkward word is thus further qualified in order to give it shape or dynamism: we distinguish between depositories that are remote or nearby, active or dormant; more grandly, we speak of study collections, conservation units or, better still, conservation centres.

We know, for example, that some works are unsuitable for public display for obvious reasons, such as their fragility or potential hazards due to the materials used in their creation. Indeed, if displaying a work requires a battery of measures to keep the public at a distance, such as barriers, glass cases, or some other form of protection that is equally harmful to the legibility of the work itself, it is appropriate to ask whether it is worth displaying it at all.

Although it is now generally recognised that the process of familiarising people with works of art should begin at school, we may nevertheless agree that we need to rethink the ways in which we raise public awareness. As Nathaniel Herzberg recently wrote in the newspaper *Le Monde* in connection with the Jeff Koons exhibition at the Château de Versailles and the display of
works from the Palais de Tokyo at the Château de Fontainebleau: “These exhibitions recently allowed contemporary art to bring an element of surprise to historic institutions whose directors described their audiences as weary of the works displayed there.”

Depositories may be perceived as places that are at once more intimate and more educational, opening up access not only to the work itself but also to everything around it that plays a role in its preservation: restoration, framing, packing, and so on. These considerations militate in favour of a fully-fledged policy for museum depositories, namely one that promotes the idea of stores open to visitors, especially those whose interest is not limited to the “exceptional character of the object but also includes the message that it conveys” (Luc Rémy, OCIM Circular no. 65, 1999).

The case of the Musée national d’art moderne is similar to that of many present-day institutions, in that for practical reasons of space or geography (in our case, areas that are liable to flooding), the decision was taken in 2002 to move the depositories to an external location. Today, the question of the depositories’ future is couched in different terms, and this is the motivation behind our participation in the debate on the creation of a heritage conservation and restoration centre in the Île-de-France.

The aim of the future centre would be to accommodate works from several museums and national cultural institutions rather than being a simple entrepôt. When we look at the list of this centre’s main functions we find many that are characteristic of depositories: to accommodate works held in reserve under optimum conservation conditions; to enable conservators and heritage preservation staff to carry out studies, inventory and research on the collections; to provide a home for restoration workshops; and to facilitate research into cultural heritage.

The list of auxiliary functions, however, contains within it the basis of a policy for museum repositories. They include
  – educational activities, colloquia and conferences aimed at a wide audience;
  – public exhibitions that can capitalise on both the pieces displayed and the restoration and research work carried out in the depository, offering a glimpse behind the scenes of the major museums;
  – events at the moulding and engraving workshops of the Réunion des Musées Nationaux (providing a first-hand insight into art-related crafts and trades);
  – training and further education offerings linked to the works and the activities carried out in the Centre.

What we have here, then, is a way in which public access to museum collections can be extended while at the same time fulfilling the principal objective of repositories – to conserve, study and preserve our heritage. It is an opportunity to move away from a focus on preservation alone that would remove a large proportion of the works from public view altogether.

www.centrepompidou.fr/collection
Session 2

New Museums in the Middle East
Issues and Opportunities
Dubai’s Aspiration to Become a Center for Global Culture

Geography
Located on the Southern shore of the Persian Gulf

Second largest of the seven Emirates of the United Arab Emirates
2.5 hours from Mumbai
4.5 hours from Moscow
6 hours from Paris
7 hours from London
7.5 hours from Beijing

Economy
- 11% GDP growth rate (2007)
- Majority of revenue from tourism, trade, financial services, and manufacturing
- 4% of GDP from oil, gas
- 2,369 buildings completed in 2007
- World’s largest building to be completed in 2009
A vibrant, Arabian global city that shapes 21st century culture and arts in the region and the world.

Population
1,600,000 (2008) – set to increase to 3.5 million by 2010
Ca. 90% expatriates – from over 200 nations

Language
Arabic and English – Hindi, Urdu, and most European languages also widely used

Religion
Muslim, Hindu and Christian, various others

History/Late 1800s
– 800 People settled at mouth of Creek (Al Shindagha)
– The homes were made of barastis and gypsum, lit by kerosene lamps and candles

Early 1900s
– The Creek lacked fertile land, so settlers looked to the sea
– Livelihood based on fishing, pearling and sea trade
– Unlike Persian counterparts, settlers welcomed traders
– Dubai offered basic facilities for trade and free enterprise for merchants who left Iran’s Lingah

1900–1920
– By 20th century, Dubai achieved a level of prosperity to attract settlers from Iran, Baluchestan and India
– These settlers named their district Bastakiya
– A growing souq on the Deira side was thought to be largest on the coast with 350 shops

1930s–1980
– In the 1930s Dubai faced strong competition from Japanese cultured pearling industry
– International Trade became the basis of rapidly increasing prosperity
– Dubai grew and developed due to inhabitants and entrepreneurial abilities, not oil
– Leadership was critical with regard to Old Dubai’s success
1980s – Today
– Today, much of Dubai’s history is preserved in its collection of forts, mosques, palaces in Creek area of Deira-Bur Dubai
– The so-called old district is rich in narrow alleyways, handsome old homes with their beautifully carved doors and unique wind-towers

Khor Dubai (Dubai Creek)
The “Khor Dubai” cultural project stretching over 20 kilometers, will commence at Shindagha, Dubai’s oldest neighborhood at the mouth of Dubai Creek, and stretching to Business Bay, Dubai’s newest commercial district.

Dubai Creek will be the vibrant destination for culture, arts and heritage in the city.

Museum on Prophet Mohammed
The museum is dedicated to the life and message of the Last Prophet, and will reflect about his comprehensive teachings on individual, social, political, economic, cultural, scientific and educational aspects of human life.

The museum project will be implemented in three phases. The first two phases will chronicle the life of the Prophet, beginning from the political and economic situations of the world before his birth and then his blessed birth.

The Universal Museums
The development of a new institution called UNIVERSAL MUSEUMS DUBAI is part of the overall cultural strategy of Dubai targeting the year 2015 and beyond.

The UNIVERSAL MUSEUMS DUBAI are meant to play a leading role in the world of contemporary arts and culture, in the wider region of the Middle East – connecting Europe, Africa and the Far East.
Part of the profile is to become a driving force for Dubai as a cultural hub in the Arabian world. The UNIVERSAL MUSEUMS embody Dubai as a vibrant, cosmopolitan city that shapes cultural heritage and 21st century arts and culture in the region and the world.

In a global network of cultural references and co-operation the UNIVERSAL MUSEUMS DUBAI will facilitate museum work and communication on all layers with a focus on the contemporary:
- Museum
- Cultural museum
- Learning opportunity
- Hub in an international network
- Public location

The UNIVERSAL MUSEUMS DUBAI are targeting the general public as well as tourists, international experts, and the media.

**Topics and disciplines**
The Collection of Islamic Art should be connected to the Museum of Contemporary Middle Eastern Art.

Furthermore, it will have focal points and links to topics and disciplines that are prioritized according to their relevance in the region.
The Research Division: Institute for advanced study
The UNIVERSAL MUSEUMS DUBAI intend to accomplish their own research division. In an institute for advanced study international fellows – scholars in residence – get an opportunity to work under perfect conditions and to exchange their thoughts with other guests.

To The Holy Lands – Pilgrimage Centers from Mecca and Medina to Jerusalem
DIFC, Dubai, September 15 – November 4, 2008

The exhibition presents photographs taken by some of the pioneers of photography in the Arab world.

The rare collection of photographs belongs to the Reiss-Engelhorn-Museums (rem), which the DCAA recently chose as its first European partner for exhibitions.

Into Dubai – Compositional Approaches to the City
Four renowned composers of contemporary music each created a musical piece reflecting on Dubai.

In three musical lectures the four composers presented the project and selected previous compositions that count among the most innovative in the contemporary European music scene.

www.dubai-speed.de/
Saadiyat Island and the Guggenheim Abu Dhabi Museum

Abu Dhabi is the federal capital of the United Arab Emirates and home to ministries, embassies, state broadcasting facilities and oil companies, with a population of currently around 1.6 million with UAE citizens making up 20% of it. Civilian employment is mainly tied to the services industries.

Saadiyat Island is Abu Dhabi’s answer to the challenges posed by the country’s heavy economic reliance on finite carbon resources. By developing Saadiyat Island, Abu Dhabi wishes to become a reference for cultural institutions in the region and one of the greatest concentrations of cultural facilities around the world, complementing Dubai in its quest for tourism as a source of revenue and employment.

The idea to develop what is currently a marshland and desert into the Middle East’s cultural hub relies on a partnership with Western institutions that will provide the necessary expertise to make this project a “world class environmentally sensitive tourist destination.”

The Island is expected to be home to a community of more than 150,000 people. At the same time, this project hopes to “engage a new generation of Arabs in a complex cultural conversation,” promoting an exchange of ideas on
different cultural fields that, hopefully, will have an impact on the geography of the art world. The project, scheduled to be completed by 2018, will include commercial and residential properties, hotels, recreational facilities, nature preserves and a cluster of world class institutions that would be operated in partnership with established museums and performing arts centers from Europe and North America.

Already planned are a Classical Art Museum, to be operated by the Louvre and designed by Jean Nouvel, a Performing Arts Center designed by Zaha Hadid, a Maritime Museum designed by Tadao Ando, the Norman Foster designed Sheikh Zayed National Museum along with Biennale Pavilions.

The Guggenheim Abu Dhabi Museum, designed by Frank Gehry to house a Modern and Contemporary Art Museum, is planned for a site at the tip of the island. The museum is conceived as a series of galleries loosely arranged around open-air courtyards that, according to the architect, draws its inspiration from its immediate context. The cone-shape galleries, derived from traditional Islamic wind towers, will draw air up through the interiors, cooling them in the summer heat. Programming and staffing for the Guggenheim Abu Dhabi Museum are still being defined by a team of curators and consultants working jointly with the Solomon R. Guggenheim Foundation.

The Cultural District Master Plan Exhibition
Our experience installing the CDMP exhibition at the Emirates Palace Hotel gave us a first insight of what is to work in this new context.

Due to the lack of materials and skilled labor we needed to rely heavily on Gordon Findlay, from Gulf Agency Company Ltd. (GAC) and who is now with Constantine, to provide basic installation materials such as tape, to help us navigate customs, installation crew and to provide assistance at the airport.
Since all cargo flew into Dubai airport, we had no control over the logistics of transport from Dubai to Abu Dhabi airport where the cargo was released. This can be a problem for high value and climate sensitive cargo. Not knowing if the cargo would be released from customs on the same day was very challenging and changed our installation schedule on a daily basis.

It was also challenging to get the trucks into the Emirates Palace Hotel since there was a lack of internal communication within the hotel.

GAC’s crew was trained on site with a hands-on approach, made possible by this being an architecture exhibition and, therefore, not requiring the same handling standards than an art exhibition. It was important for us to establish a sense of partnership with the crew. By feeling part of the group and responsible for the “final product”, that is, the completion of the exhibition, they worked long days and 24 hours straight on the last day of installation, going out of their way to make sure that the exhibition was finalized in time for the opening.

For example, one of the crew leaders rushed to buy double stick tape at 6 a.m. on the same morning as the opening and, by the time the sheik was arriving, we had just finished hanging the panels.

**Questions and Thoughts**

The work force in the UAE is mainly comprised of expatriates so the institutions in Saadiyat Island will exist in a truly global work environment. Because of that, common problems should be addressed by a new approach that takes into account the local culture.

For example, the training of locals into the museum practices could be done by the various institutions that will be working there and a common ground towards shipping methods, art handling and customs requirements could be achieved.

In my opinion, registrars should establish cross-cultural partnerships not only by training but also exchanging experiences. It’s important, at this point, to ask ourselves what will be our role in this new work environment.

www.guggenheim.org

www.saadiyat.ae/en/
A practical guide for registrars in the United Arabian Emirates (UAE). Based on our own experience of setting up a new business in the UAE.

Outline:
1. Vehicles
2. Venues
3. Climate
4. Airports
5. Customs
6. Culture
1. Vehicles
Limitations
– Heavy goods vehicles are banned between 06.30 – 08.30 and 13.00 – 15.00 and 17.30 – 20.00.
– Large shipments arriving at the airport can be held up due to time of arrival.
– Deliveries to venues often take place after 22.00 in UAE.
– In general, when traveling in the cities, expect traffic, particularly in a truck.
– There are no speedometers and precious little health and safety regulations.

2. Venues
Emirates Palace Hotel, Abu Dhabi
– Currently the main venue in Abu Dhabi

Dubai International Financial Centre (DIFC)
– Main exhibition halls in Dubai
– Was the venue for “Collected Visions”

Madinat Jumeirah, Dubai
– The Hotel venue for Art Dubai art fair

Sharjah Museums
– Based in downtown Sharjah

Abu Dhabi Authority for Culture & Heritage
– Venue for “Pearls” exhibition
3. Climate
Heat and humidity are a constant factor.
– In the summer months, temperature can reach 45° C. Workers can stop work when the temperature reaches 50° C.
– All vehicles and buildings need to be air conditioned/climate controlled. The capacity of these systems has to be much greater than standard European models.

4. Airports
Tarmac access for agent’s representatives is possible at Dubai, Abu Dhabi and Sharjah airports, with advanced warning. Warehouse access for couriers can be arranged with advance notice, and witnessing palletization has been found to be comparable to the UK.
– Dubai airport is downtown and can be very busy. The main cargo village is adjacent to the airport, but it could take more than one hour to exit Dubai airport and go to cargo village.
– Abu Dhabi airport is 35 km from the city, and much faster to pass through and gain access to cargo village.
– Sharjah airport is 20 km from the city. Facilities are similar as for Abu Dhabi.
– Deliveries in to airports have to take account of the local HGV restrictions. A new Dubai airport at Jebel Ali, and a new terminal and cargo centre at Abu Dhabi, demonstrate the significant expansion of capacity.
– X-ray of cargo can be avoided for export provided airlines when customs witness packing at the venue.
– For inbound shipments, unpacking or inspection at the airport can be avoided provided customs are pre-advised of the shipment details by the agent and the exhibition organizer.
– Follow car will be provided by the agent’s airport representative.
– In addition, a police escort can be arranged from airport to venue, but Emirati police forces cannot cross over into neighboring Emirates.
5. Customs
There is no centralized customs authority in UAE. This means, Dubai, Abu Dhabi and Sharjah have individual customs procedures. Temporary (e.g. exhibition loans) admissions last six months, and must be re-exported from the same airport that they entered. Works of art imported on a temporary basis are subject to 5% duty, which can be paid by lodging a check with customs for the duty amount. Or it can be waived by negotiation between the exhibition organizer and the local customs, but only on an ad hoc basis.

6. Culture
People are generally easy going and easy to work with in the UAE, but remember that Shariah Law still underpins these modern Islamic societies.
- Certain types of art will not be allowed, representations of the nude being the most obvious. Ask your local art agent!
- Working week is Sunday to Thursday, hours 08.00 to 17.00. Ramadan and the two Eid holidays also impact. Government employees only work until 14.00. In Sharjah Museums, most of the staff is female, customs regarding meeting Arabic women must be observed.

In summary
Plan well in advance and have local agents conduct a survey of the venue as soon as possible. Investigate customs regulations well in advance of sending an exhibition to the UAE. Have the exhibition organizer talk to customs in the relevant Emirate, and have the local art agent attend this meeting. It is important to build trust between all parties involved in staging the exhibition, especially between the art agent, customs and the exhibition organizer. Supply a list of all exhibition items at the earliest opportunity, as there are height and weight restrictions at each venue.

Things are getting better for your exhibitions, couriers and valuable objects all the time!

www.const.co.uk
Insuring exhibitions in the emerging markets of the Middle East

The emergence of venues in parts of the world that have, up to now, not been on the cultural map must generally be seen as a positive thing. However, this updating of the order certainly gives some of the museum service providers a few fresh challenges, including insurers.

Specialist art insurers tend to be extremely comfortable with the conditions that are in place for most major venues in the Western world that have, until now, been the principal borrowers of cultural property. Indeed, in the knowledge that nearly all the borrowing venues have been seen and approved by security officers and conscious of the care and professionalism involved in moving artworks between long established venues, insurers rarely need to ask any questions about the risks that they face in relation to most Western museums.

Over the last few years a number of new countries have built up the resources and appetite to host major exhibitions. We have been involved with exhibitions in Qatar and Dubai.

I thought it would be useful to discuss some of the areas of risk to artworks associated with the museums and galleries of Qatar.
Assuming insurers were providing the usual “All Risks”, nail-to-nail cover I have considered (in conjunction with insurers) any obvious and real differences in the main risks that present themselves in the museums. The principal peril where a clear differentiation can be made is with regard to theft.

**The risk of theft in a Qatari museum is very remote for the following reasons:**

- The fear of the gravity of the punishment outweighs the potential gain from the crime. The police force in Qatar, as in other Emirate States, is efficient and when it wants to be, heavy handed.
- There is no easily accessible market into which any stolen items could be placed and it is very difficult to secrete things out of the country due to the strong border controls. As a result this removes much of the motivation for committing the theft.
- A number of the main Qatari museums are protected by 24 hour armed guards which tends to act as a pretty good deterrent.

Most crime that is committed in Qatar is of a financial nature and attempted, generally, by the relatively poor immigrant workers. If anything, the principal theft risk probably exists through the collusion of the museum employees themselves. This is extremely unlikely to happen to an object on loan but could occur to objects forming part of the permanent collection. This “infidelity risk” however, remains very minor and is not something insurers would give much, if any, import to when rating up the risk.

Whilst the theft risk in Qatar and in other Middle-Eastern countries is probably low – relative to European and American museums – most of the other main perils (fire, water damage, accidental damage, malicious damage) in the Middle-Eastern museums that we have come across would at least on the surface appear to be on-a-par with museums that we know in the West.

As we know, many of the museums in the Middle East have been built very recently to a very high standard with expensively “bought in” expertise, and insurers are conscious of how this minimises the possibility of a serious claim. However, moving beyond the simple categorisation of a risk into its component perils, insurers also seriously consider the general prevailing risk management in these new Middle-Eastern museums.

Although, as previously mentioned, these new museums are able to buy in expertise at nearly all levels for the smooth running of the operation there is not necessarily the embedded professionalism that exists in Western Europe and America gained through experience and a long established culture of best practice.

**Whilst the facilities of the museums are generally immaculate it is quite possible that the advice that is being given is not always the best. For instance:**

- Sprinklers may be inappropriately positioned in relation to important or vulnerable works.
- Works may not always be exhibited in places to minimise claims. The placing of objects was recently highlighted by a serious claim in a museum in the USA. Serious damage was caused to a fragile sculpture by a workman who
simply wasn’t looking where he was going. He walked into the sculpture which had been placed unprotected in the middle of the gallery space and the ensuing damage resulted in a USD 5,000,000 claim. Insurers did feel that the museum was partly to blame although stupidity on the part of the workman was certainly a contributory factor.

Also, one assumes that the support mechanisms do not exist in emerging countries that we take for granted.

What if there is a serious damage claim that requires immediate attention from a host of expert restorers to mitigate the eventual claim? The experts, including loss adjusters, are not immediately available. Also, what if the air-conditioning breaks down and the gallery space starts to heat up very quickly? Has the disaster planning been fully thought through? Are there enough quality storage facilities to house the artworks if the museums have to be suddenly emptied? I suppose it is to be entirely expected that in such a short space of time it is highly unlikely that the network of agencies that support culture in Western Europe and the USA are going to exist yet in the emerging countries.

So, whilst the risks on the surface are as good, if not better, than what we are generally used to, insurers will mark these museums down a little for more nebulous reasons, such as lack of experience and a scarcity of all important support structures that do not yet exist in such immature institutions.

The other main area of concern for insurers, is the transportation and handling of objects in the emerging Middle-Eastern countries. Certainly countries like Qatar are accustomed to dealing with high value items as huge amounts of jewellery, cash and bullion are shipped into the country on a very regular basis.

However, insurers are similarly anxious of lack of experience when it comes to handling as they are with certain aspects of the museums themselves. One very important element to consider is the searing heat of countries in the Middle East. Anything left on the tarmac for too long would be roasted. There is also the risk of violent temperature swings as objects are moved from temperate aircraft to burning tarmac to chilled air-conditioned storage facilities. Insurers assume (I hope correctly) that the chain of events from unloading to the arrival at the museum is slick and seamless. Anything less than this could have a detrimental effect on works of art that are vulnerable to temperature change.

On talking to insurers about the risk of heat that exists in this part of the world they even suggested (naively perhaps) whether it would be prudent to ship works into Middle-Eastern countries outside the searingly hot summer months.

So when insurers take all facts and (in some respects) presumptions into account, an exhibition risk to Qatar or the United Arab Emirates would probably be charged at a higher rate than an exhibition risk in Western Europe or the USA. However, the loading of the rate would not be that substantial as insurers do recognise that, despite certain risk management shortcomings that result from a lack of experience, the facilities in place are generally of a very high standard.
When lending to museums in the emerging countries of the Middle East it is important, wherever possible, to have control over how the insurance is placed. If it is possible, lenders should try to make sure they are the party instructing the placement of the insurance. There are a few core reasons for this:

– If the lending institution is the principal subscriber to the insurance the cover can be done as a direct placement with the London insurance market. If, on the other hand, you elect to take the insurance offered (say in this case by a Qatari museum) the insurance would initially have to be placed with the Qatari Insurance Company. The QIC would in turn reinsure the vast majority of the risk (probably 99% of it) with the London market.
– Insuring direct into London will mean that jurisdiction of the lending museum will apply as a matter of course in the event of a dispute arising from a claim.
– In the event of a serious claim it is very important that you as the owner of the work are fully involved in the mitigation and satisfactory settlement of the claim. An expert insurer/broker would make sure that, if applicable, a specialist loss adjuster was sent to the site of the claim and in the event of damage of whatsoever nature insurers would pay for the lending institutions favoured restorer(s) to be flown out to restore and stabilise on site. Conversely, if the damaged item was stable but still in need of fairly prompt treatment, insurers would pay for the object to be transported back to the lender if this was considered by the owner to be the more reasonable approach. The smooth settlement of claims is assisted enormously by easy and direct communication between the claimant and the insurer and this becomes increasingly important in parts of the world where there is little immediate access to the relevant expertise to mitigate a claim.

So if you are the instructing party the increased control that you have over the various aspects of the insurance contract should give you greater peace of mind.

I have so far talked about the usual “All Risks” of physical loss or damage which may affect the objects on loan and it does not seem to be the case that these core but everyday risks are hugely aggravated through exposure to the museums and galleries of emerging countries of the Middle East.

I thought as we are focusing on this part of the world that I should consider and discuss additional risks and other classes of insurance that one would assume may also be relevant to this part of the world. These are as follows:

**Terrorism**

The world’s economies are changing very quickly and Qatar is a country that has become extremely wealthy over a very short period of time due to the relatively recent discovery of oil and gas reserves. In fact, it is the country with the highest GDP per capita in the world, although approximately 60% of the population of the country are immigrant workers. Qatar is interesting because it is trying to steer a middle course when it comes to world politics in an attempt to demonstrate that it sees both sides.

On the one hand, it has obviously antagonized a significant section of the overtly anti-Western Middle Eastern countries with regard to the war in Iraq and the presence of troops in the Persian Gulf. While Qatar’s rulers officially opposed the war, they allowed the United States to maintain military facili-
ties in the country, including the central command that directed the war effort. Following the end of the war, the United States withdrew almost all its troops from Saudi Arabia and Qatar has become a major US base in the region. Qatari government policies have led militant Islamists to identify it as an enemy, giving rise to certain security concerns.

There has also been friction between Qatar and other Arab regimes due to the activity of the Qatari based Al-Jazeera satellite TV station that has become a major media source for the Arab world, providing an alternative view to that offered by the government controlled media in other Arab countries. On the other hand, Al-Jazeera is frequently the medium of choice for Islamic terrorist groups which helps to dispel the idea that Qatar is entirely in thrall to the US and its allies.

Qatar’s peaceful history, pro-Western orientation and the loose physical security around key symbolic or commercial facilities make it potentially attractive to terrorists. Large-scale attacks remain possible, but small, opportunistic attacks on individuals pose the most immediate risk.

The police and army in Qatar are both strong and heavy handed, so, any kind of internal uprising would probably be squashed quickly and effectively. So, in my discussions with terrorism underwriters in Lloyd’s they do not perceive the risk of terrorism in Qatar to be any greater than in most major cities of Western Europe and the USA. This part of the risk should therefore be no more expensive than the terrorism premiums that are charged to museums and galleries in Europe.

Confiscation
When I was thinking about what to say, I was of the view that one of the potentially heightened risks in Qatar and the newly emerging Middle-Eastern borrowers would be that of confiscation – by the government itself or other authorities, especially if the provenance of the loans were Middle Eastern in origin. Once again, I was immediately slapped down by the specialist underwriters who I talked to. Confiscation is a political risk and as a result of Qatar’s, Abu Dhabi’s and Dubai’s very close relationship with the West and particularly with some of these countries being strategic American outposts, the likelihood of these countries upsetting most Western European and American governments by confiscating objects belonging to major institutions is very remote.

The other point to raise here is that presumably very serious consideration would be given to any object being lent from a Western European or American institution that is knowingly going to raise political tension in the country to which it is travelling. In other words, if there is a risk relating to provenance to start off with, the object may well not leave lender’s premises. For your information, Hiscox, a leading insurer of the risks of confiscation in Lloyd’s has received no more than ten confiscation enquiries for goods going into (or already in) Qatar over the last two years. Most of these enquiries have come from banks. So, once again, the risk is extremely small.

Kidnap and Ransom
As far as the Kidnap and Ransom team at Blackwall Green is concerned, there is a negligible risk of kidnap in any of the Emirates. Again, this may change in the future if the political landscape in the Middle East deteriorates. However,
as things stand, couriers accompanying works to Qatar, Abu Dhabi and Dubai would be at no greater risk there than in the Western world. I am sure lending institutions in the Western world provide couriers and any other members of staff travelling to any country with advice on minimising risk to themselves. If anyone requires a print out of the basic rules to follow in the less travelled countries in the world I have been provided with a number of bullet points by our Kidnap and Ransom team and can send this on to anyone who is interested. Travel insurance is also important and do check that your travel policy gives a lot of cover for medical expenses and repatriation.

Conclusion
Having looked into all the risks that you may encounter in the emerging countries of the Middle East, it is appeared that there is not much to worry about unduly.

My desire to uncover anything juicy and colorful relating to risks in this part of the world has turned up very little!

However, the things to consider most closely are:
- Transits and handling – talk to your transport agents.
- Make sure you have as much control over the terms and placement of insurance as possible. If, for whatever reason, you are not able to be the instructing party, make sure a broker you know looks over and advises you on the insurance that has been arranged.
- Finally, make sure you are happy with the disaster plans and comfortable with local resources for mitigating a claim. If you are not, it is important that the insurance policy that is protecting you will respond through its network experts.

www.heathlambert.com
Session 3

Preserving for the Future: Documentation and Storage of Museum Work
Long-term archiving in a digital age

The age of digital storage means a new challenge for the custodians of our cultural heritage, since digital data have a completely different “shelf life” from their analogue counterparts, such as photographs. The quality of analogue data deteriorates continuously; and although such deterioration can be slowed with optimal storage, it cannot be forestalled. Digitally stored information, on the other hand, either remains legible – and thus accessible without loss of quality – or becomes illegible, and thus entirely inaccessible.

Although the digitization of documents and visual material of all kinds is essentially analogous, in both significance and function, to the writing and printing of language, now for the first time it is possible to encrypt originals, such as images, in symbolic form (namely as bundles of numerical data) and to transport and reproduce such code immaterially. The digital “revolution” is truly worthy of its name, since it renders place and time virtually meaningless while at the same time abolishing the concept of the unique original. While symbolic encryption as bundles of numerical data is analogous to writing within the domain of language proper, the mass dissemination made possible by digitization enjoys the role of printing. The following characteristics distinguish all digital code, and thus all digital multimedia data:
– Digital code is in principle independent of the medium serving as its vector, which can be exchanged at will (although digital code graven in stone could of course prove fairly unwieldy).

– Digitized information can be reproduced – in other words, copied – without data loss, which latter is thus reduced to zero, mathematically speaking: provided, that is, that the same procedure is applied to each reproduction. This means that the concept of the unique original is meaningless when it comes to digital data, since the “original” and its “copy” are identical and indistinguishable. A further key result of reproducibility without data loss is the essentially unlimited lifespan of digital information.

Redundancy is crucial, since it means greater security in the event of damage to a given medium. By means of the appropriate process (ECC or error correction code), digital information can be made particularly redundant, and thus protected against “bit error”. Without a doubt, the extremely compromised longevity of the IT sector and the short product cycles of both hardware and software pose at present the major challenge to digital archiving. Just think: computers and data storage units typically have a product cycle of just one to two years! And while storage capacity is ever increasing, even as computers grow speedier every day, this in turn creates problems of incompatibility among storage media as soon as a new successor product hits the market; and thus we are currently advised to expect no more than five to seven years of life from our systems. So it is becoming harder to read data in storage, not because a given medium is insufficiently long-lived, but because systems are too often exchanged.

And yet we may indeed pursue our comparison with writing in the name of ensuring long-term accessibility of digital data (or rather information in digital form). For if we consider the history of data storage, we note that a large portion of our cultural heritage and knowledge has been handed down to us in writing, and is being handed down to future generations in the same form. This is information that has survived for centuries. If we were to translate this process into the language of information technology (IT), we might say that, over the course of its history, the older practice of writing has met the following three conditions.

– Knowledge composed in a known and broadly distributed format (language) has been set down and stored in “digitally” encrypted form (letters, texts).
– The information medium used (paper) is relatively stable.
– The information thus stored is accessible without hardware (that is, without special equipment) as a visual impression – that is, it is human readable.

Now, if we could reproduce these milestones from the annals of writing in those of the archiving of digital data, would it mean creating a storage medium that is more or less “migration-free” and whose legibility remains guaranteed for long periods of time? A key element here is the interface between human beings and data: in contrast to the book, which is legible without aids because its information is immediately visually accessible, the IT sector continues to demand the deployment of complex technical devices in order to read the data it stores.
A new visual medium must thus offer:
– Great stability and longevity
– Great data density
– Simple processing of data, even in significant volumes
– Acceptance among archivists
– Unproblematic availability even in significant volumes
– Cost-effective pricing

Such a medium already exists: it is known as microfilm. A series of research projects have been initiated in recent times, among them PEVIAR (PErmanent VIsual ARchive), which deserves a slightly more detailed presentation here.

– PEVIAR involves the inscription of digital data as a pattern of dots (digital barcode) on microfilm.
– Microfilm is well-known and very stable.
– In this application the film can be used to write not only the requisite digital patterns, but additional information as well.
– PEVIAR is cost-efficient.
– The infrastructure needed to deal with microfilm already exists.
– PEVIAR is technologically independent of specialised hardware, since any scanner and all cameras can record visual images.

www.iml.unibas.ch
www.distarnet.ch
www.peviar.ch
Richer museums may buy expensive software, producing data in specific file formats. Poorer museums may buy cheaper software, producing data in specific file formats.

Different museums may buy very different software, producing data in specific file formats.

Small scale → in Museums
Large scale → in ICOM-CIDOC

An international body like ICOM or ICOM-CIDOC cannot be too precise
- In recommending
- In suggesting solutions
- In answering questions
It can only give abstract recommendations, suggestions or answers.

ICOM-CIDOC-WG Digital Preservation
- Has about 30 international committees
- Was established in 1950
- Has about 450 members from 60 countries
- Holds annual meetings
- Maintains seven working groups

**How it works:**
- No bank account
- No office building
- No employees
- No printed newspaper
- No formal membership
- A group of about 15–20 people meeting twice at annual CIDOC conferences
- A core group of 5–6 people attending meetings since many years
- Communication and discussion via Internet – mail, forum, website
- A group of about 15–20 people meeting twice at annual CIDOC conferences

Meetings take/took place in…

**Short examples from minutes (meeting in Athens 2008) on questions / discussions in different countries:**
- Finland: How to keep data from 3-D Scans?
- Estonia: How to build the nationwide digital repository?
- Sweden: What can small museums do?
- Germany: Concepts to convince museum directors?
- Singapore: Migrations of databases?
- Greece: Workflows and procedures for data production, how to find the ideal?

Another project is a **paper consisting of 12 points** to be considered when dealing with digital data (this paper is a work in progress to be completed in 2009; especially the last few points are not fully developed yet).

**1. Each museum with any kind of digital data has a responsibility to take up the question of long-term preservation**

Not only museums collecting digital art hold digital data. Every computerized museum holds digital data. Such data may result from object management in the form of a database, or may result from communication via e-mail or other devices. Working on an exhibition catalog often produces digital data, too – just like the exchange of objects. More and more reports of conservation departments exist only in digital form. Many of these digital data are important in the daily work, some are important for the future reconstruction of museum work.

The responsibility for this data lies with the museum administration. Even if the museum hires a company to save such data for it, the fulfillment of the agreement with such companies has to be controlled. The agreement itself has to be revised from time to time by the museum administration.
2. Long-term preservation of digital museum data is a question that needs answers urgently
Unlike physical objects museum data cannot be put into the depot. The carriers, CD, DVD, hard disks, etc., are degrading in time quite fast. The technical equipment changes and a modern computer may not have all the devices necessary to read old data carriers. Even if there is a working device to read the carrier, the software to interpret the data might not be available anymore. All this happens constantly. It is impossible to save the data to some carriers and wait while – if we like it or not – the technical prepositions are changing.

3. Long-term preservation has to be considered at the very moment a museum produces digital data
If a museum scans historical photographs that belong to its holdings or if it takes digital images of its objects or if high resolution images of parts of objects are taken digitally in the conservation-restoration department, if it publishes a catalog of some of its assets digitally or if data are taken into the database: whenever digital data are produced, a first – and sometimes not revisable – decision is taken. For example: photographs and scans can result in JPG, RAW, TIFF and many other file formats. There is a consensus that digital images in JPG-format are not suitable for long-term preservation because they are usually compressed and never contain all the information of the original view. The many different formats called RAW are company-specific, the definition often is not made public. You cannot be sure that in 60 or 80 years someone will be there to write software that is able to interpret the data of a RAW-format. For images, it is the TIFF-format that is commonly used, openly documented and saves images without compression (which means that all image-information is kept). This is only an example. When a museum buys or creates a database it has to make sure that an export in XML or at least an export of the data as a flat file is possible. The inside structure of the museums database has to be very well documented – without this, there will be no possibility to reconstruct the meaning of the many numbers in the database in 50 to 60 years. All data production has to be done with an eye on sustainability of formats and possibilities to read and interpret the data correctly in many years. Also, if a museum collects digital art it has to make sure that this kind of data can be read in many years hence.

4. Long-term preservation cannot be achieved without well-defined plans
Museums produce data in a specific setting, using specific hardware, storing on specific storage media and using specific software. All these elements change over time. New hardware may not be able to read old storage media, or new software may no longer be able to open old files. Like everything else, storage media deteriorate, they have a very small lifespan. The content has to be copied to new media and probably it also has to be reformatted into new file formats. All this has to be done in defined intervals. Every CD should be checked at least every other year and its content then should be copied to new data carriers. Such intervals and the action taken then have to be well defined – a plan has to be made which also defines how many copies of the museum data are produced and where they are to be distributed. Such a plan also has to define which data
are to be considered worth keeping. It might not be advisable to keep all the
mails of the staff of a museum, but it has to be defined which shall be kept. The
same holds true for museum-websites, especially if they consist of dynamic
content. It has to be defined how often (and if) the websites and the underly-
ing information are saved and stored for future access. Without such definitions
and the corresponding plans for action, there will be no overview and control
of the measures taken.

5. Efforts undertaken for long-term preservation need time,
money and equipment
Still, no one knows how high the costs for the long-term preservation of digital
material will be. But new equipment has to be bought from time to time, staff
has to be trained to use it, storage media have to be renewed, files have to be
reformatted – all this takes time and financial resources. Long-term preservation
of digital museum resources cannot be achieved without such. After making a
plan appropriate to its specific conditions, a museum shall try to fix the amount
of time and money needed to follow it. These amounts have to be incorporated
in the overall strategic planning of the museum.

Some digital resources, especially from the field of digital art, are difficult
to be kept. If, for example, an artist demands that his video installation is only
“original” if it is shown on a 14-inch-screen, the museum acquiring such an
installation has to be prepared to have enough of these screens for the years to
come. In any case, a museum has to come to well-formulated agreements with
artists allowing the museum to make regular copies of the artwork without
violating copyright restrictions. The same holds true for any digital production
done by order of the museum. If the museum is not allowed to make regular
copies and reformattings of them, it eventually will have to buy up-to-date
versions of its own products again and again.

6. Appropriately trained personal is a prerequisite
for digital preservation
Planning for preservation of digital museum resources, over viewing and con-
trolling the implementation of the plan, adjusting the plan to the changes of
hard- and software needs well-trained persons. Those responsible for the pres-
ervation-observation and also those performing the actual preservation tasks
need constant training. A minimum training, e. g. explaining the purpose and
gains of choosing the best file format right at the time of data creation, is neces-
sary for everyone producing those digital data a museum wants to keep through
time. Such training, raising of awareness and understanding updated from time
to time, is one of the most important prerequisite for long-term preservation
of digital material. The strategic planning of a museum has to consider such
training.

7. File formats and storage media used by the museum have
to be defined und limited to a small number
The “digital world” is getting more complex with new file formats, new soft-
ware, new hardware, new storage-media every other day. A small number of
different storage media makes it easier to secure access to respective reading
equipment. A limited number of file formats (used for long-term preservation)
allow to do some automatic reformatting. Some formats are the property of people or companies, which may suddenly demand money for the use of it. These owners can try (and did so already) to force software companies, which produce programs that are able to read and write documents in such format to pay for it. As a result, the programs of the software companies might stop supporting such format. Often these companies introduce their own format, which sometimes only works with one specific program and sometimes even a format, which is only applicable (readable and writable) in one specific version of one specific program. All this makes preservation very demanding, because to be able to read the files, you will have to have specific software – and also the specific (and most probably, in 50 years, historic) operating system running on adequate hardware. The only way out of this dilemma is to use non-proprietary file formats like TIFF for images or XML/HTML for texts. Such formats are well established (used by very many institutions and customers) which increases the chance that future programs will be able to make the content of such files visible. The use of any format that works with compression of data is not advisable because to read the files the future programs will have to be able to decompress the data first and then to interpret it in the appropriate way.

8. Responsible persons have to be named
Long-term preservation of digital museum data is a perpetual task. Someone responsible for overseeing the associated efforts and for updating the long-term preservation plan has to be named. This person needs training and must be given the opportunity to follow the developments in hard- and software. This person could also be the one organizing the training for those of the museum staff who produce digital data. In all questions regarding the creation or ingestion of digital data in (or into) the museum this person has to be consulted and has to check if long-term preservation needs are considered adequately. If, for example, a digitization project in a museum is to be planned, the one responsible for long-term preservation will have to check, if the files produced will be in a format suitable for long-term preservation, if the quality of the data makes them worth to be kept for a long time, but also if the possibly huge amount of data produced inside the project can be handled by the museum in the long-run.

9. Long-term preservation has to safeguard the authenticity of the digital objects
When the process of long-term preservation needs changes of any kind, attention must be given to secure the authenticity of the original digital object. This has to be considered especially if you plan to “outsource” the data – i.e. to give them to someone who promises to keep them for you.

10. All rights relating to the digital museum data must be kept intact
This has to be considered especially if you plan to “outsource” the data – i.e. to give them to someone who promises to keep them for you.
11. A museum has to define what shall be kept and for how long
Not all digital data can be kept for all times. Shall all e-mails be kept for all the
time? Some mails might be of importance for future researchers reconstruct-
ing museum history. Legal issues might influence the decision. One has to con-
sider that some data are not worth to be kept at all.

12. A museum has to look for partners in other museums but also in libraries and archives to find solutions and for cooperation
Everybody has the same problems, one can learn from the other and cooperation might decrease cost.

http://cidoc.mediahost.org/
Session 4

New Media Art: Collecting, Inventorying and Exhibiting New Media
The Preservation of Video Art: Collecting Data, Archiving, Documenting

Introduction

“Video art” can be quite versatile, the term comprising as it does both one-off single-channel pieces and complex interactive installations. And the formats in which the genre is stored are every bit as varied.

When preserving magnetic and optic media the same concerns obtain as for the products of other artistic domains, such as paintings and sculptures: at stake is ordinary wear and tear due to normal use, and thus the prevention of damage in handling and transport, among other situations, as well as preventive and active conservation as well as, if needed, restoration.

Before we address issues of conservation, a word on the key concepts.

When it comes to reproducible media it is difficult to speak of an original, as one does, for instance, in the case of a painting: which makes it all the more urgent to determine clearly the status of vector, a.k.a. the generation of the tape. In contrast to the “classic” art forms, the status of a cassette is not always identical for the producer (the artist and the owner of the work) and the museum in which it is displayed.

The artist as producer might speak of categories like camera master (the recording), edit master (the edited tape) and dub master or simply copy (for
copies of the edited tape to be sold to a museum). The museum on the other hand usually assigns the acquired *dub master* the status of an *original* or a *collection master*.

To meet the requirements of preservation and presentation the museum will produce additional copies to be categorized as *archive master, copy master, exhibition copy* or *viewing copy*.

These various copies have a different status and frequently exist in different formats – be it an U-matic tape (the *collection master*), a Digital Betacam tape (the *archive master*) or DVDs (the *exhibition or viewing copies*). These categories have been introduced to the practice of museums only during the last 10 to 15 years.

Up to then, in the era of U-matic, all of these categories were often combined in one single cassette, which makes for major problems when we deal with such cassettes today, since they often exhibit considerable wear and tear.

Thus the status of a copy has got to be clarified during the process of inventory. Such technical key data are just as important as the artist’s name and the artwork’s title. They must include information on the television standard (PAL, NTSC, SECAM), on details of sound, color and aspect ratio. This last is taking on ever greater importance as we move from SD-TV to HD-TV, which in turn means attempting not to squeeze work produced in a 4:3 ratio onto 16:9 screens. So the more such technical data at our disposal, and the more precise it is, the greater the likelihood that we (and our successors) will be able to avoid making errors when transferring work to other media.

Such transfers will always be necessary, since magnetic tape is not immortal – quite the opposite: compared to film it is short-lived. According to the Nederlands Instituut voor Mediakunst, Montevideo/Time Based Arts, a tape can be easily migrated without significant loss of quality for between seven and ten years. Now, in this regard it is not simply the lifespan of the medium in question that is at stake, but the technological progress that threatens to make our formats obsolete, even if they have stored magnetic information in sufficiently good quality. And finally, on this rapidly turning merry-go-round, there is the third dimension: the television standards, which will continue to develop. For these reasons it is imperative that we migrate our works in a timely fashion, and in the best possible quality.

**Handling, physical monitoring and storing**

In order to preserve a given work in the best possible quality guidelines for handling must be respected; the work must be regularly monitored and properly warehoused. Nor should such monitoring be performed exclusively with a digitization project in view for the collection as a whole, but prior to every viewing of a given piece, and when it is added to a collection.

The initial steps are actually pretty simple: when first examining a work it is a good idea to put on gloves, or at least to wash your hands. The following should then be determined.

– How is the cassette labeled? What information is to be found on its case, and on the cassette itself?
– What is its format?
– Is its housing intact? Shake the cassette back and forth – does it rattle? If you determine that parts have come loose inside it, you must pass the cassette on to an expert rather than simply going ahead and playing it anyway, since the tape and player both could be at risk of damage.
– Have a look behind the cassette window. Are traces of dirt and dust clearly visible? Perhaps even mould? If so, the tape should under no circumstances be played.
– Isolate the cassette from the others and check whether other tapes are similarly contaminated; always check first for mould.
– If you find no such traces, the last thing to check is the tape pack: does it look compact and tightly wound, or can you detect gaps or windowing? If so it may be necessary to wind the tape manually and with care before inserting it into a player.
– Should no damage of any such kind be detected, open the lid on the cassette and have a look at the surface of the tape. As mentioned, you must never touch the magnetic tape. The merest fleck of dust can create drop outs. Does the tape’s surface seem even, or are there traces of damage, such as edge curl, folds, wrinkles, scratches or any other sort of marks? If so, pass the cassette on to an expert.

In any case activate the copy protection mechanism of the cassette before inserting the tape into a player.

If, however, you have detected no problems by this point, finish your monitoring with this final step.

– Wind the tape to the end and then back to the beginning, all the while watching the cassette’s guide roles. Do they exhibit deposits? If so, consult an expert once again. If there are no deposits in evidence, close the lid and check that copy protection is activated before assessing the tape by playing it.
Always use a test cassette with familiar content to check whether your player is functioning properly, or have an expert check it for you and perform whatever repairs might be necessary. Keep track of anything peculiar by precisely noting down the relevant time codes.

- For storage in principle, all recordings should be kept clean and dust-free.
- Make sure neither players nor tapes come in contact with tar or nicotine, since it takes only the slightest deposit to cause a drop-out or other disturbance in the picture. For this reason smoking must be expressly forbidden in archive and viewing rooms.
- Protect your cassettes against magnetic fields; do not place them on CRT-monitors or on top of loudspeakers. Avoid immediate proximity to headphones, powered speakers, decibel-level displays on various devices and other generators of magnetic fields.
- Keep cassettes out of direct heat and sunlight – that is, do not place them near heating units or on surfaces exposed to sunlight. Special care must be taken with transport in summer, when it is crucial to avoid hot luggage compartments and the like.
- Keep cassettes away from paints and solvents, whose fumes can damage magnetic tape. The same goes for inappropriate cassette covers. There are two problems with the cardboard sleeves in which VHS cassettes in particular are often stored: such covers are typically made of inferior cardboard, free of neither wood nor acid and liable with use to develop fibers, which can in turn penetrate the cassette itself (along with dust particles) and create drop-outs or more serious defects. The covers of open-reel tapes and U-matic cassettes pose another problem, produced as they often were using plasticized PVC. The plasticizers can migrate to the surface with age, so that when such sleeves are stored too close to one another, they may stick together. In contact with other porous or absorbent materials, plasticizers may be exuded. With increasing age, PVC can emit acetic acid fumes. For this reason, archive masters must be kept away from such cassettes. If it is necessary to store original cassettes in their PVC cases, it is wise to leave some space between them.

The rule of thumb, for cassettes as for tapes, is to store them vertically rather than horizontally. When a cassette is stored horizontally, its reel rests on the edge of the tape, which can have fatal results – damage to the tape edge – especially when the tape in question has not been properly wound. It is important always to wind the tape right to the beginning or end. Whether you are viewing an original or an archive copy, wind the tape to the end after you are finished, and then back to the beginning, all in one go.

The base film of a magnetic tape consists of polyethylene terephthalate which is liable to plastic deformation due to long storage on the cassette’s guide roles if not wound back to its end. The deformation will affect the video. In cases like these it can help to rewind the tape completely and then store it that way for a while, but such storage damage is often permanent.

Storage may be either medium or long-term, where the stored objects can be either used regularly or only exceptionally. These options involve different climatic conditions. In his research report “Temperature and Humidity Conditions and Risk of Hydrolysis” of 1995 John W.C. Van Bogart of the National Media Laboratory recommends 15 ± 3 °C (59 ± 5 °F) and 40% maximum relative humidity (RH) for long term storage.
Of particular importance are consistent climatic conditions, so fluctuations should be kept to a bare minimum. If material that has been long-term archived is to be played or even just transported, it requires a period of acclimatization, preferably in two phases depending on the temperature and humidity at its original location, and at its destination. Note that, the larger and more compact its lap, the more acclimatization a tape will require.

**Optic media**

Since optic media are read contact-free, they do not suffer the same wear and tear as magnetic tape. They are nevertheless fragile in their own way, since scratches, fingerprints and dust can all prevent a clean read by the laser.

Most of the art DVDs for sale and in circulation are so-called “burned” DVD-Rs, distinguished by their blue or purple emulsion side, and have had their information inscribed by laser – the reactive element in this case being dyes that are altered or “burned away” in the process. The reaction depends upon the photosensitivity of these dyes, which means that they are also sensitive to other sources of light, in particular sunlight. For this reason, DVDs should never be left on a surface in bright sunlight. An alternative to the DVD-R is the DVD-RW, whose operation is a function of the different refractive indexes of amorphous and crystalline states.

When writing on DVDs, the same goes for all types: only use a special DVD marker, which may not contain any pigment or solvent that might be diffused across the emulsion side. Labels must be avoided at all cost, since small labels create an imbalance that eventually damages the DVD player, while large labels tend to develop bubbles. Furthermore, when a DVD so labeled is heated by prolonged rotation in a player, the adhesive can be liquefied and may seep out from under the edges of the label, which can also damage the DVD player. DVD-Rs are essentially inappropriate archival media! For one thing, their components are not stable enough; for another, their contents are stored in drastically compressed form: for while one minute of uncompressed video is roughly equivalent to 1 GB, and a DVD has a storage capacity of 4.7 GB, we all know from experience that your average DVD contains more than 4.5 minutes of video material. So we are talking about compression.

Sleeves made of PP and PE are particularly good for both archiving and shipping, since although free of plasticizers, they are not as brittle and crack-prone as polystyrene, for instance.

**Digitizing in best possible quality**

Why should analogue media be digitized in the best possible quality? As I have mentioned, we are currently in transition from SDTV to HDTV, so that works now available with 768 x 576 pixels resolution will soon be on view as 1920 x 1080 pixels, which means enlargement by a factor of 3.5.

That’s why, when it comes to choosing an archival format for works in SDTV resolution, I recommend Digital Betacam which implies low compression and is widely used. Files are also a possibility, but they should be at least of the same quality as Digital Betacam – or higher.

If an archive copy is file-based, it is imperative to save it to a second medium as well – apart from one’s hard disk, for example an LTO tape.
What is the significance of documentation?
In classic conservation work, documentation is an integral part of each job. The same should apply to the production of archive copies. The simplest documentation of a copy is a recording sheet containing source, signal path and all other forms of manipulation, such as TBCs (time base correctors), reference signals and possible irregularities should also be noted down.

The recording sheet should also note when the copy was created. Some collections produce a docket for each cassette, containing information on when and how it was used.

This documentation of “object history” can be quite useful during subsequent transfers. Even if such notes are often very brief, they make clear what impression the tape’s condition – typically involving its content – has made on the people who have viewed it.

Nevertheless, it is a good idea for documentation not only to be verbal but also in the form of a documentary or preview copy – that is, a simple, unprogrammed copy not necessarily encoded in high quality featuring the time code of the archive master. Since only very few collections have a Digital Betacam player at their disposal, I believe the creation of a preview copy is doubly sensible, especially when the time code is also included in the frame: this constitutes both a clear reference to the archive master while also preventing the low-quality copy from being exhibited publicly. And finally, the content can thus be easily viewed without the archive master being fetched.

Documentation and conditions when making an acquisition
Preventive conservation begins with the acquisition of a new video or piece of video art. What format should a collection purchase, how many copies and which is the archival format?

Once the purchase has been made, it is always a good idea to check the work acquired and perform an inventory. Ask galleries and artists you deal with for MAZ cards and the relevant information. When was the copy produced? Check the content of your copies, or have it checked by a studio you trust.

In principle, as they say, “one copy is no copy,” so make sure to produce different archival copies, preferably tape and file formats, and keep your copies stored separately.
Session 5

Ethical Issues in Museum Work: Laws, Controls and Procedures
Does art know borders? This question not only engages us in the national, but even more so in international exchange. The opportunity for ethics and its relevance for work at museums must be considered before the backdrop of a multidimensional and far-reaching art and cultural world:

Collecting, preserving, indexing and exhibiting as well as trade in art and cultural goods are intercultural, interdisciplinary and, today, often international. Art does not stop at national, cultural, personal or business boundaries.

Where do we stand today in the international exchange of cultural property? And what challenges do we face?

**Two aspects are key:**
1. Globalization that has also made its way to the art and cultural world.
2. The desire for freedom in art.
Globalization

Globalization is above all an opportunity and enrichment for the art and cultural world. The international exchange of cultural property has been constantly on the agenda since UNESCO’s foundation in 1945.

With the UNESCO Agreement of 1950 on the importation of Educational, Scientific and Cultural Materials and the UNESCO 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property we can name two important milestones of this work.

The Council of Europe took up the topic and initiated a European Conference on Cultural Heritage and the Challenges of Globalization in 2001 in Slovenia. As a result, the cultural ministers encouraged nations, in Resolution Number 1, to support international cultural exchange, cross-border cooperation and agreements as well as to promote joint projects between associated communities and individuals.

Switzerland stands by this vote and is in the process of creating the legal basis for promoting international cultural exchange under the new Cultural Promotion Act. Another instrument created by Switzerland specifically designed to promote or protect the international exchange of cultural property by museums or exhibition purposes, is the return guarantee which is based on the UNESCO 1970 Convention. I am pleased that museums are taking brisk advantage of this protective instrument and that my collaborator Benno Widmer will be talking about this important subject within the frame of this conference.

Based on some outstanding examples of exhibition art in Switzerland, it is not only clear that museums have embraced the global exchange of cultural property, but is becoming increasingly important as well.

– For the current special exhibition Venice – From Canaletto and Turner to Monet, the Beyeler Foundation in Basel, for example, gathered together some 150 masterpieces from 30 museums, 14 galleries, 6 foundations and more than a dozen collections from 17 countries. The foundation cooperated to this end with all neighboring countries, Spain, Portugal, Sweden, Great Britain, the US and Japan.

– Another example is the nearby Rietberg Museum in Zurich that collaborated for this year’s exhibition Cameroon – The Art of Kings with numerous lenders from around the globe. A large part of the 147 objects originated from 18 different museums from Switzerland, Germany, France (Paris), the Netherlands, Cameroon and the US.

– Finally, I would like to mention the Swiss National Museum and the new special exhibition Rome – Treasures of Gold, Buried and Rediscovered, which similarly maintains intensive international exchange and borrowed for the exhibition from 22 museums; 9 of which are in Switzerland, 6 from Germany, 1 from Austria, 3 from Italy and 3 from France.
As a result, we see that it has become common that cultural property travels internationally. This travel however is not without risks. Not only does it require special conservative measures but it also confronts cultural property to different national legislation all over the world. There is nothing worse than having cultural property seized somewhere in a foreign country because of lack of preventive measures. In such a context, the work of museum registrars is an essential key to the safe exchange of cultural property.

The Desire for Freedom in Art
The second fundamental aspect of a discussion on ethics in the art and cultural world is the need for freedom in art and for the free transfer of cultural property. In Switzerland, the Freedom of Art is explicitly guaranteed as a basic right in the Federal Constitution. Article 21 of the Swiss Federal Constitution says:

“The Freedom of Art is guaranteed.”

On the one hand, the guarantee protects the act of creating art and its presentation, while also protecting the work of art itself.

At an international level, the freedom of art is protected as an integral part of the freedom of expression in the European Convention on Human Rights (Art. 10) and the Universal Declaration of Human Rights of the UN 1948 (Art. 19). The UN Pact II on civil right of 1966 moreover and explicitly sets forth:

“Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.”

Is this freedom now without borders?
As is the case with any basic right, freedom of art is not unconditionally protected. It finds its limits at the recognition and respect of the rights and freedoms of others, for public safety and order, the general welfare in a democratic society, the health of the populace and public morality.

Let me illustrate this with some examples:
– In Switzerland, the exhibition of contemporary art in Fribourg, the Fri-Art 8 was confronted with these limits, for example, in 1981. An artist created three large paintings for the exhibition, titled “Three nights, three paintings” that were displayed at the public event and printed in the catalog. With their focus on pushed sexuality the images aroused resistance among exhibition visitors, whereupon the authorities seized the paintings at the opening of the exhibition. This measure was last judged and upheld in a detailed consideration by the European Court of Human Rights in 1988.

– Austrian authorities prohibited an Institute in Innsbruck from showing Werner Schroeter’s film Das Liebeskonzil (The Council of Love) due to vilification of religious teachings and seized the film. In the view of the Austrian authorities, the film endangered religious peace through its depiction of a pact between God and the devil to spread syphilis among sinful mankind. The European Court of Human Rights reviewed the measures against the film and confirmed that the limits of artistic freedom were breached pursuant to Art. 10 of the ECHR as well.
An indispensable prerequisite for limiting freedom of art is a legal basis, as it is a basic right. Each limit must be supported by a justified legal standard, and provisions placing limits on art and culture are found in various legislations, ranging from the constitution itself to the penal code, up to and including the civil code, for example, the protection of the person.

In the area of the international cultural property transfer, international limits are established, in particular, by the mentioned UNESCO 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property and, in Switzerland, by export regulations found in the Cultural Property Transfer Act (CPTA).

And what does this have to do with ethics?

Ethics deals with the limits of the freedom of art more comprehensively than do individual legal provisions. The term “ethics” was introduced by Aristotle, who was referring to the scientific pursuit of habits, mores and customers.

Today, ethics is understood as a philosophical discipline, whose purpose is to establish criteria for good and bad acts and assess its motives and consequences.

Ethical standards are not equal to legal standards and cannot be enforced through legal means. They are nevertheless quite important and often indicative of legislation.

Finally, professional associations have recognized the importance of ethical standards for their sectors endeavoring to establish standards for their members that enjoy a high degree of acceptance on the market and among the populace.

Within the museum world, the International Council of Museums – ICOM – has a global reach, not the least due to its drafting of a code of ethics for museums. A non-governmental organization (NGO), the ICOM dates back to 1946. It maintains formal institutional cooperation with UNESCO and has consultative status at the United Nations’ Economic and Social Council. ICOM works through regional associations that work locally on strengthening the network of qualified museum personnel and ensure communication as well as the exchange of know-how. The federalism within the association allows it to duly consider local conditions.

ICOM took up the challenge to draft globally applicable professional rules for museum personnel. It implemented a code of ethics applicable to all ICOM associations and members.

The code entered into force in 1986, was supplemented in 2001 and revised in 2004. ICOM is not, however, the only organization to enact a code of ethics. National and regional museum associations, for example, the American, Canadian, Brazilian, British, Australian, Dutch or South American associations of museums, as well as associations closely related to museums, followed this example in the area of conservation, anthropology, archaeology, archive, art dealers and the museums themselves and enacted their own ethical guidelines that, to some extent, go even further.
The ICOM code of ethics is intended to provide professional self-regulation and minimum standards of code of conduct. It can be used as a recipe and provides answers to the issue of what the public may expect from museums and qualified museum personnel. It is an appeal to their professionalism and social responsibility and focuses on the following areas:

- The preservation, documentation and publicizing of natural and cultural heritage as a core mission of museums
- Maintaining collections of interest to the general public
- Maintaining important witnesses for educational purposes
- Promoting the knowledge and understanding and the scope of the natural and cultural heritage
- Offering other services, for example, appraisal activities
- Cooperating with communities of origin and target audiences
- Compliance with laws
- Professional performance of museum work

Furthermore, the code of ethics looms large due to the fact that museums are assuming a greater role in the international transfer of cultural property. Museums are buyers and, to some extent, sellers of cultural property and thus exposed to the risks of the illicit transfer of cultural property. The ICOM was also at the forefront in publicizing museum procurement policies when it released its first position paper on ethics in acquisition in 1970 (http://icom.museum/acquisition.html).

Museums that comply with ethical guidelines thus make an important contribution in fighting the illicit transfer of cultural property.

Nevertheless, ethical guidelines are voluntary, in contrast to the law, and apply in principle to ICOM members only. Membership is bound by recognition of the guidelines. Noncompliance can even lead to expulsion from the council in extreme cases.

However, the impact on third parties of the ethical guidelines is also not to be underestimated that for their part are detailed in judicial interpretation or legal references.

Again, I would like to illustrate this with an example. One such reference is found in the Swiss Cultural Property Transfer Ordinance (CPTO) which is based on the UNESCO Convention of 1970 and foresees financial aid for fiduciary custody of cultural property only to those museums that orient their activities to the deontological rules of the museum profession such as the ICOM code of ethics for museums, in particular, with regard to their acquisition and exhibition policies.
The Federal Office of Culture supports therefore the efforts of the ICOM and appeals to you, dear museum professionals, to implement the code of ethics in order to keep art travelling beyond the borders, and as such enriching our cultural exchange and life.

CITES and Museums: How Do Endangered Species Regulations Affect the Work of a Registrar?

The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), also called the Washington Convention, is an international agreement between governments which was signed in March 1973. Its aim is to ensure that international trade in specimens of wild animals and plants and derivatives thereof does not threaten their survival. “Trade” includes import, export and re-export for commercial purposes, but also non-commercial purposes such as research and education which includes exhibitions – and this is where the work of a registrar is affected.
CITES works by subjecting international trade in specimens of selected species to certain controls. The CITES website (www.cites.org) contains a database in which the endangered species are listed in various Appendices. Any kind of cultural property may include specimens mentioned in the database, not only the most obvious ones, such as scientific and research objects, ethnographic works with fur or feathers, but even a work of contemporary art. Trade with these objects has to be authorized through a permitting system which is provided by a country’s CITES Management Authority.

Specimens obtained before the species was listed can be considered pre-Convention and are thus not subject to restrictions, but a document to that effect issued by a Management Authority is still necessary to allow trade – or, in our case, import and export of exhibition loans. The Appendices are modified periodically, which means the document requirements can change, and the status of specimens in collections can also change! Allow enough time for the permitting system (in the US, for instance, this process may take up to 6 months).

CITES is one of the largest conservation agreements in existence. Participation is voluntary, and countries that have agreed to be bound by the Convention are known as Parties. Currently there are 175 Parties to the Convention. Although CITES is legally binding on the Parties, it does not take the place of national laws. Rather it provides a framework respected by each Party, which must adopt domestic legislation to implement CITES at the national level.

Be aware, Parties have the right to adopt stricter domestic measures regarding the conditions for trade, taking, possession or transport of specimens of CITES-listed species.
Introduction
Numerous lending institutions nowadays require a borrower to procure an immunity from seizure document prior to sending objects from their collections to a foreign exhibition. In Switzerland, this so-called “return guarantee” was introduced as part of the Cultural Property Transfer Act (CPTA) to promote the international exchange of cultural property among museums. With this Act, the Swiss Government wishes to make a contribution to the maintenance of the cultural heritage of mankind and prevent theft, looting, and illicit import and export of cultural property. Are registrars encountering “new” obstacles?

Here are listed three international cases that caused a stir:

**Portrait of Wally (by Egon Schiele), Leopold Foundation (1997)**
This painting was acquired by Rudolf Leopold in 1954 and later became part of the collection of the Leopold Museum in Vienna. After an exhibition of Schiele’s work at the Museum of Modern Art in New York City in 1997, the painting was seized by the authorities. Heirs of the former owner claimed the Nazis had confiscated the painting from its former owner. After years of legal dispute in the US the parties agreed 2010 on a compensation payment to the heirs of the former owner and the painting could return to the Leopold Museum in Vienna.
14 Malevich paintings, Stedelijk Museum (2003)
When the Stedelijk Museum Amsterdam lent 14 of its works by Malevich to two American museums in 2003, his heirs claimed ownership of them before a United States Court. A settlement was reached in 2008.

French impressionists, Foundation Pierre Gianadda (2005)
2005, French paintings from the Pushkin State Museum of Fine Arts which had been exhibited at the Fondation Pierre Gianadda in Martigny (Switzerland), were being seized by the authorities following a request of Geneva-based trading firm Noga attempting to claim unpaid debts of the Russian government. The masterpieces were not allowed to leave the country for some days. Eventually the Swiss Federal Council ordered the release of the paintings and the works of art could return to Russia.

These three cases show how cultural property was (temporarily) seized due to third-party legal claims. In Switzerland, immunity from seizure can be attained since June 2005.

Federal Act on the International Transfer of Cultural Property (CPTA)
(text taken mainly from the FOC website)

The Cultural Property Transfer Act (CPTA) is based on the “UNESCO Convention of November 14, 1970 on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property”.

The Specialized Body for the Transfer of Cultural Property at the Federal Office of Culture is responsible for granting the return guarantee to a museum or another cultural institution in Switzerland. Similar to a state immunity, such a guarantee protects the loan from third-party legal claims and the corresponding court proceedings in Switzerland during the loan period stipulated in the loan agreement.

Procedure
Should cultural property of one contracting state be on temporary loan for an exhibition in a museum or another cultural institute in Switzerland, the institution borrowing the cultural property may request that the Specialized Body issue a return guarantee to the lending institution for the period of the exhibition. The application must be submitted to the Specialized Body at least three months prior to the intended import date of the cultural property into Switzerland. An application form can be downloaded from the Specialized Body’s homepage (www.bak.admin.ch/kgt > Return guarantee for museums). A copy of the loan agreement (extract) must be included.

The application form is published in the Federal Bulletin and must include information such as the name and address of the loaning institution; a description of the cultural property; as detailed a description as possible of the cultural property’s origin and provenance; the intended time frame for the temporary import and export of cultural property into Switzerland, and the exhibition dates.
A written objection may be filed to the Specialized Body within 30 days of publication. Especially persons asserting title to the cultural property qualify as a party.

A return guarantee is granted, if
a) no one makes a claim to ownership through an objection,
b) the import of the cultural property is not illicit
   (in terms of Art. 2, para. 5, CPTA) and
c) the loan agreement stipulates that the cultural property will be returned to the contracting state of origin following the conclusion of the exhibition (Art. 12, para. 2, CPTA).

**Effect**
Under the return guarantee, neither private parties nor authorities may make legal claims to the cultural property as long as the cultural property is located in Switzerland. This includes, for example, actions for restitution or repatriation, attachment decrees, collection proceedings and seizures.

*(based on the lecturer’s PowerPoint presentation, supplemented by the information on the FOC’s website)*

For more information:

This PDF contains the proceedings of the 6th European Registrars Conference, held in Basel from 10 to 11 November 2008. It comprises either the original manuscripts of talks presented by speakers, or texts prepared on the basis of their PowerPoint presentations, supplemented in part with material from relevant websites.

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Translation from the German: Rafaël Newman
Translation from the French: Geoff Spearing
Copyediting: Andrea Kuprecht, Elaine Vogel Keller
Design: Iza Hren, Zurich

Picture credits:
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The 6th European Registrars Conference 2008 was supported by:

swissregistrars would like to thank the hosts and sponsors of the evening events:

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