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## *CHRONICLES*

# January 1, 2003-December 31, 2003

**Kurt Siehr***

### 1 JANUARY 2003

Brazil's legislation no. 230/2002 goes into effect, mandating that all new public works projects must incorporate and pay for archaeological salvage and necessitated by the project. Enterprises must pay also for storage and public outreach, including heritage education. *Diário Oficial da União* de 17 de dezembro de 2002.

### 8 JANUARY 2003

William Turner's "Shade and darkness–the evening of the deluge," stolen in Frankfurt on Main in 1994 returned to the Tate Gallery in London. *The Art Newspaper. The Year in Review 2003*, p. 65.

### 15 JANUARY 2003

The Musée du Quai Branly, a museum dedicated to indigenous art set to open in Paris in 2005, comes under fire for purchasing works from Geneva collector Jean-Paul Barbier, owner of one of the largest private collections of indigenous art. Some of the sculptures procured by the new museum are on UNESCO's "red list" of endangered cultural artifacts and are thought to have been taken illegally from Nigeria. (http://www.swissinfo.org/sen/Swissinfo.html?siteSect=111&sid=1565546)

### 26 JANUARY 2003

Three members of Egypt's Supreme Council of Antiquities arrested in Cairo on suspicion of taking a bribe to allow a merchant to try to smuggle 362 pieces from Egypt's pharaonic, Roman and Greek eras—288 icons, 13 bracelets, 60 small statues and the head of a large statue—to Spain. The Associated Press, 26 January 2003.

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## 30 JANUARY 2003

James Fralick, 57, of Callahan, Florida, sentenced in federal court following his previous conviction for stealing artifacts from Castillo de San Felipe Del Morro (or El Morro), a 16th century fort located in the San Juan National Historic Site, Puerto Rico, designated a UNESCO World Heritage Site in 1983. His is the first conviction for a violation of the Archaeological Resources Protection Act (ARPA) at a World Heritage Site in the United States. [Submitted by Office of the US Attorney, Middle District of Florida to the museum-security network at www.museum-security.org]

## JANUARY 2003

The struggle to save Afghanistan's heritage is hindered by vicious circumstances. UNESCO requires export licences from the Kabul Museum, but the Kabul Museum lacks resources to handle export licences. *The Art Newspaper. The Year in Review 2003*, p. 14.

## JANUARY 2003

Final judgment in the case of George Grosz' heirs against the New York art dealer Serge Sabarsky (1912–1996) concerning some 400 art objects of George Grosz (1893–1959). *Frankfurter Allgemeine Sonntagszeitung*, 4 January 2004, p. 43.

## 5 FEBRUARY 2003

In the UN building in New York, UN officials covered over the tapestry based on Pablo Picasso's "Guernica" when US Secretary of State Colin Powell came to make his speech in defense of attacking Iraq. *The Art Newspaper*, March 2003, pp. 1–2; Werner Spies, *Frankfurter Allgemeine Zeitung*, 25 February 2003, p. 33.

## 9 FEBRUARY 2003

Agreement signed between the heirs of the late Alfred Sommerguth (Magdeburg 1859–1950 New York) and the Federal Republic of Germany on the restitution of the painting "Frau Professor Roubaud with Marion Lenbach's daughter" by Franz von Lenbach (1836–1904), since 1966 on loan in the Landesmuseum Darmstadt. The restituted painting was finally sold to the museum for the carefully evaluated market price. Joel Levi, *Spoils of War. International Newsletter*, No. 8, May 2003, pp. 108–109.

## 13 FEBRUARY 2003

The Court of Appeal of Paris had to decide a case in which a forged painting of Chaim Soutine (1893–1943) had been sold in 1964 by A to B and in 1972 by B to C.

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When C was successful with his lawsuit against B and B had to reimburse C, B in his third-party liability suit asked A to compensate B. A pleaded that the statutes of limitation had expired after 30 years. The Court decided that the statutes do not start to run before B was held liable to C and therefore could sue A. *Gazette du Palais* 2003, Sommaire, p. 2619, No. 2516.

## 14 FEBRUARY 2003

The city of Jaffna (Sri Lanka) celebrated the opening of the new Tamil Library, to replace and make amends for the one burned down by anti-Tamil mobs in 1981. The original library, built in 1959, contained 95,000 volumes and about 150 ancient Tamil scripts on herbal medicine. The rebuilding of the library, aimed at winning back Tamil confidence, was begun by the government in 1999 and at the time of its opening contained 25,000 volumes in Tamil and English. The Associated Press, 2 February 2003.

## FEBRUARY

Iraq returns to Kuwait artwork, swords, and documents stolen during Iraq's 1990–91 occupation of the emirate in a handover at the border coordinated by the U.N. Iraq-Kuwait Observer Mission (UNIKOM). Agence France-Presse.

## 12 MARCH 2003

The conference, "The Parthenon Marbles in view of the 2004 Olympiad," takes place in Athens, at which representatives of both the British Museum and the New Acropolis Museum attempt to find common ground and compromise solutions regarding the sculptures' future. Press release from the British Committee for the Restitution of the Parthenon Marbles, 12 March 2003.

## 13 MARCH 2003

The United States District Court for the Southern District of New York decided the complaint by the German Galerie Gmurzynska of Cologne against Bengt Schwitters, grandson of the artist Kurt Schwitters (1887–1948) and a Norwegian citizen residing in Germany, against the Hutton Galleries in New York and against three art experts because of their critical remarks that some of the works of art sold by the plaintiff (especially of Russian avant-garde art but also works of Kurt Schwitters) were inauthentic and not genuine. Berman, J., held that the court lacked personal jurisdiction over the defendant Bengt Schwitters and that the plaintiff failed to establish disparagement conspiracy between the Hutton galleries and the art critics. *Gmurzynska v. Hutton*, 257 *Federal Supplement 2d Series* 621 (S.D.N.Y. 2003).

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## 14 MARCH 2003

The Albertina of Vienna opened again in a modernized, extended, and renovated building. *The Art Newspaper*, July/August 2003, pp. 17–18.

## 18 MARCH 2003

An original copy of the American Bill of Rights of 1789 taken from North Carolina at the conclusion of the Civil War in 1865 was seized by U.S. Marshals during a federal undercover operation. North Carolina declined to buy stolen property of the state. *Frankfurter Allgemeine Zeitung*, 21 March 2003, p. 35.

## 22 MARCH 2003

Publication of the Italian directive of 19 December 2002 for the company "Patrimonio dello Stato S.p.A." This company shall evaluate, manage, and sell Italian state property including cultural property. *Gazzetta ufficiale*, 22 March 2003, no. 68.

## 24 MARCH 2003

The United States District Court in Miami/Florida decided the forfeiture case with the bizarre title *United States v. One Lucite Ball Containing Lunar Material (One Moon Rock) and one Ten Inch by Fourteen Inch Wooden Plaque*, 252 F.Supp.2d 1367 (S.D.Fla. 2003). The lunar rock is a piece from a moon rock retrieved by the Apollo-17 mission in December 1972. The piece on a wooden plaque was donated to the President of Honduras by the United States. After 1990 it was stolen and bought by the fruit importer Alan Rosen. The Federal Court decided that the plaque and the rock are still the property of the Honduran government. Both were returned to the owners on September 22, 2003 in Houston, Texas.

## 25 MARCH 2003

The United States District Court for the Southern District of New York gave summary notice of pendency of class action, proposed settlement and settlement hearing in the class action against Christie's and Sotheby's of New York because of their unlawful agreement to maintain or fix the prices for their services. The notice is given to all persons who purchased items form the auction houses between 1993 and 2000. *The Art Newspaper*, May 2003, p. 12.

## MARCH 2003

The New York State Supreme Court dismissed the case brought by Hector Feliciano (author of the book *The Lost Museum*) which sought compensation from the heirs

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of the Paris art dealer Paul Rosenberg for helping the family to recover paintings that had been seized by the Nazis. Kelly Devine Thomas, *ARTnews*, May 2003, 60.

## MARCH 2003

Russia's Public Prosecutor's Office in Moscow blocked the return of the "Baldin collection" to the Kunsthalle Bremen/Germany. The Russian officer Viktor Baldin took the works (drawings of Delacroix, Manet, Rembrandt, Rubens, van Gogh, and paintings by Dürer and Goya) from Germany to Russia in 1945, saved them from destruction and deposited them later with the Moscow Museum of Architecture of which Baldin was the director. The Russian Ministry of Culture had previously decided to transfer the "Baldin collection" to Bremen. *The Art Newspaper*, May 2003, p. 9; *Frankfurter Allgemeine Zeitung*, 26 March 2003, p. 41.

## MARCH 2003

The Russian Ministry of Culture launched the Web sites http://www.lostart.ru and http://www.restitution.ru containing images and descriptions of artworks in Russian hands. These works, visible for the first time in over half a century, will be turned to those who can prove their claims against Russia. Sylvia Hochfield, *ARTnews*, April 2003, p. 52.

## MARCH 2003

The European Parliament's committee on legal affairs and the internal market convened a hearing in the first phase of an initiative to harmonize European legal standards on cultural property plundered during wartime. The initiative also seeks to create a pan-European system to resolve claims. Marilyn Henry, *ARTnews*, May 2003, p. 68.

## MARCH 2003

The American Association for the Advancement of Science launches the TEK*PAD (Traditional Ecological Knowledge Prior Art Database) website at http://ip.aaas.org/tekindex.nsf to provide a searchable database of traditional healing practices and remedies in the public domain in an effort to combat bio-piracy and the appropriation of indigenous intellectual property. BBC News, 18 March 2003.

## MARCH 2003

The pharmaceutical giant Pfizer makes the first agreement to share profits arising from the use of the traditional botanical knowledge of a transnational indigenous group when they make an agreement with the Republic of South Africa and the San

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people of the Kalahari Desert region regarding use of the Hoodia plant as the basis for an appetite-suppressant drug. *The New York Times*, 1 April 2003.

## MARCH 2003

The descendants of the Czech lawyer Arthur Feldmann († 1941) of Brno signed an agreement with the Moravian Gallery in Brno on the return of 135 drawings by Dutch, Italian, and German masters from the 16th to the 18th century confiscated under Nazi occupation law in 1941. The Czech government has still to decide whether the drawings are national treasures and therefore will prohibit their leaving the country. Kelly Devine Thomas, *ARTnews*, Summer 2003, p. 72.

## MARCH 2003

An anonymous American collector decided to withdraw two paintings on loan to a Magritte retrospective at the Jeu de Paume in Paris because of France's "blatant opposition to America's foreign policies." Alan Riding, "France-U.S. art war? Not coming," *International Herald Tribune*, April 25, 2003, p. 18.

## 8 APRIL 2003

The largest ever Iron Age coin hoard uncovered in the United Kingdom (in Leicestershire) was determined to be "treasure" by Leicester coroner's court according to sect. 7 of the Treasure Act 1996 (c.24). Therefore the value has to be paid to the farm's landowner and the finder. The hoard will be exhibited in the British Museum from 21 November 2003–14 March 2004. *The Art Newspaper*, June 2003, p. 25.

## 9 APRIL 2003

Remains of 60 Aboriginal people are returned to Australia from the Royal College of Surgeons in London under the supervision of representatives from the Brisbane organization the Foundation for Aboriginal and Islander Research Action (FAIRA) and the Yorta Yorta (Victoria-New South Wales) and Ngarrindjeri (South Australia) peoples, to whom the remains belonged. [ATSIC Media Release at www.atsic.gov.au]

## 8-12 APRIL 2003

Looting of the National Museum of Iraq in Baghdad during the occupation of Baghdad by the American army. Nobody knows exactly how many objects (3000 to 13,000) have been stolen. Jerome M. Eisenberg, *Minerva* 14(4) (2003): 2–3, 9–40; *IFAR Journal* 6 (1–2) (2003): 30–55, 64–68.

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## 14 APRIL 2003

Looters and arsonists ransack Iraq's National Library, the nation's principal Islamic library. The Library housed copies of all books published in Iraq, including all doctoral theses, and preserved rare old books on Baghdad and the region, historically important books on Arabic linguistics, and antique manuscripts from the Ottoman and Abbasid periods. The Associated Press, 14 April 2003.

## 17 APRIL 2003

Meeting of the UNESCO in Paris to discuss assistance for Iraqi museums and archaeological sites to recover the losses of cultural objects suffered during the battle of Baghdad. *The Art Newspaper*, September 2003, p. 3.

## 17 APRIL 2003

The new Saatchi Gallery opened in the Greater London Council's County Hall. *The Art Newspaper*, April 2003, p. 23.

## 17 APRIL 2003

Italy passed Statute No. 91 on the establishment of the "Museo Nazionale della Shoah" in Ferrara as a symbolic place for conserving the recollection of racial persecutions and the Holocaust. *Gazzetta Ufficiale della Repubblica Italiana*, 26 April 2003, p. 5.

## 22 APRIL 2003

Italian authorities pass a decree that increases the prison term to six years for those caught dealing in stolen or smuggled works of art, but also offers amnesty for private collectors who own illegally acquired antiquities, provided they open their homes for public viewings. The Italian press said there was a submerged cache of national treasures, which the new decree was intended to bring to light. Many of the objects were bought in good faith from dealers, but collectors often did not inquire too closely into their origin. (http://www.theaustralian.news.com.au/)

## 26 APRIL 2003

A dozen Ukraininan Orthodox monks take over Ukraine's State Archaeological Institute's archives, housed in the gold-crested, onion-domed Monastery of the Caves, demanding the government return the building to the church. Ukrainian media quoted Metropolitan Volodymyr, leader of the Ukrainian Orthodox Church to which the monastery belongs, as saying the institute had "desecrated" the premises. Volodymyr denied the monks were breaking the law, saying they were simply reclaim-

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ing their property. The nearly 1,000-year-old Caves Monastery—a UNESCO world heritage site—spreads over two large hills in central Kiev overlooking the Dnieper River. The Associated Press, 26 April 2003.

## 28 APRIL 2003

The United States Court of Appeals for the Ninth Circuit amended its opinion in the case *Altmann v, Republic of Austria*, 317 F.3d 954 (9th Cir. 2002) and denied the petition for panel rehearing: *Altmann v. Republic of Austria*, 327 F.3d 1246 (9th Cir. 2003) and *The Art Newspaper*, June 2003, pp. 1, 3. Maria V. Altmann brought an action against the Republic of Austria to recover six paintings (estimated value: $150 million) of Gustav Klimt (1862–1918) formerly owned by her aunt Adele Bloch-Bauer of Vienna, stolen by the Nazis in 1940, and at present exhibited as property of the Republic of Austria in the Österreichische Galerie Belvedere in Vienna. The United States District Court for the Central District of California denied a motion to dismiss because of immunity of the Republic of Austria and because of lack of jurisdiction: *Altmann v. Republic of Austria*, 142 F.Supp.2d 1187 (C.D.Cal. 2001). The U.S. Court of Appeals for the Ninth Circuit affirmed and remanded: *Altmann v. Republic of Austria*, 317 F.3d 954 (9th Cir. 2002) with exhibits of publications of the Gallery at pp. 975–1003. The Federal Sovereign Immunities Act's (28 U.S.C. §§ 1602–1611) expropriation exception to immunity applies, and the Republic of Austria is subject to jurisdiction because the Austrian Gallery edited and published several publications in the United States which were designed to solicit tourism by United States citizens in Austria and to attract those visitors to the Gallery and the Republic of Austria and the Gallery profited from sales of books. The doctrine of *forum non conveniens* was not applied because Ms. Altmann as an elderly United States citizen cannot travel to Austria and pay the costs of litigating action in Austria. The dispute has been finally decided by the United States Supreme Court on June 7, 2004. *IFAR Journal* Nos. 6 (1–2) (2003): 6–7; Martha Lufkin, *The Art Newspaper*, November 2003, pp. 1–9.

## APRIL 2003

Sale of the estate of surrealist André Breton (1896–1966), including a collection of tribal art, in Paris. *The Art Newspaper*. *The Year in Review 2003*, p. 51.

## APRIL 2003

A University of Chicago on-line database on thefts from Iraq is launched at http://www-oi.uchicago.edu/OI/IRAQ/iraq.html

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## 1 MAY 2003

Agents of the Immigration and Customs Service of the US Department of Homeland Security searched the Santa Fe home of Ron Messick, an art dealer, and found a 16th-century altarpiece from a Peruvian village near Lake Titicaca which was exported to the United States in 1961 and is claimed by Peru, *The Art Newspaper*, July/August 2003, pp. 39, 42.

## 11 MAY 2003

The "Saliera" of Benvenuto Cellini (1500–1571) was stolen from the Kunsthistorisches Museum of Vienna. *Frankfurter Allgemeine Zeitung*, 13 May 2003, p. 37.

## 12 MAY 2003

David Wooley, former Curator of the Wisconsin Historical Society, convicted of stealing a 12-inch bear clan carving from an American Indian museum. A judge ruled that he will have to serve his sentence after he finishes the 15-year prison term he began in 2001 for stealing Indian artifacts from the society's museum. The Associated Press, 12 May 2003.

## 13 MAY 2003

Christie's in Amsterdam sold 73 items of the Gutmann collection restituted last year by the Dutch government. *The Art Newspaper*, July/August 2003, p. 39; *Die Zeit*, 22 May 2003, p. 39.

## 15 MAY 2003

Pietro Cordone, a retired Italian diplomat, took up the position as senior adviser for culture to the Coalition Provisional Authority in Baghdad, i.e. acting minister of culture for the provisional government in Iraq. In October 2003 he was replaced by Mario Bondioli Osio, the retired President of the Italian Commission for the Recovery of Lost Works of Art. *The Art Newspaper*, October 2003, p. 25.

## 15 MAY 2003

The lower portion of one of eight bird figures identified by historical records as an integral part of the ceremony and spirit of Great Zimbabwe was reunited with its upper part after being returned to Zimbabwe from Germany. The lower portion of the bird was taken from the Great Zimbabwe Monument in 1890 and resurfaced in South Africa in 1906 in the possession of Cecil Rhodes, who gave it to Karl Theodore George Axenfeld, a missionary of the Berlin Society, who in turn sold it to the Royal

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Prussian Museum for Ethnology in Berlin. Following the occupation of eastern Germany by Soviet forces, the section was taken from the Berlin museum together with other items to a museum in what was Leningrad, Russia, where it remained until the end of the Cold War, when it was taken back to East Germany. Upon the reunification of Germany, the portion was moved back to Voelkerkunde Museum. In 1997, the Royal Museum of Central Africa in Tervuren, Belgium, held an exhibition entitled "Legacies of Stone: Zimbabwe Past and Present." The Belgians had secured the lower half for the exhibition and asked to borrow the top from the Zimbabwe Government for the purpose. Zimbabwe's President Mugabe attended the exhibition during his trip to Belgium that year and initiated diplomatic efforts to have the object returned home. *The Harare Herald*, 15 May 2003.

## 16 MAY 2003

A seventh-century gilt bronze Buddhist statue from the Baekje Kingdom (18 BC-AD 660) listed as a national treasure was stolen from Korea's Gongju National Museum, along with two celadon dishes from the Goryeo dynasty (913–1392) and a ceramic dish from the Joseon dynasty (1392–1910). *The Korea Herald*, 16 May 2003. http://www.koreaherald.co.kr/

## 17 MAY 2003

Panamanian police recover about 300 stolen gold and ceramic Pre-Hispanic vessels, jewelry, and figurines stolen in February from Panama City's Anthropology Museum. Several people are arrested in the operation, and police said that some museum staff may have been involved in the theft of the pieces. The Associated Press, 17 May 2003.

## 19 MAY 2003

Greece's highest court rules that plans for a museum at the foot of the sacred Acropolis hill were illegal, stating that its construction on the southeastern slopes of the Parthenon would mean other nearby antiquities would be destroyed without Culture Ministry approval. In response, the government said it would do all it could to proceed with the building. http://www.ekathimerini.com/

## 19–21 MAY 2003

The National Committees of the International Council of Museums of Austria, Germany, and Switzerland draft a resolution on the occasion of their triennial Lake Constance Symposium held in Bregenz, on the topic of "Threatened Museums: Natural Disasters–Theft–Terror."

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## 20 MAY 2003

The Grand Ducal House of Sachsen-Weimar-Eisenach and the Cabinet of the German Land Thüringen reached an agreement on the cultural treasures of Weimar and the compensation of the former Grand Dukes of Weimar. The Weimar Classics Foundation will continue to hold the Goethe Schiller Archives, the Duchess Anna Amalia Library, the Kunstsammlungen zu Weimar, and the inventory of many houses, mansions, and castles. Press release of the Thuringia Ministry of Science, Research and Art of 21 May 2003; *Frankfurter Allgemeine Zeitung*, 24 May 2003, p. 35.

## 21 MAY 2003

The announced exhibition "Serge Sabarsky, a collector in New York" in Vienna does not take place. The Historical Museum of the City of Vienna wanted to exhibit the collection of Serge Sabarsky (1912–1996) normally shown in the "Neue Galerie" opened in New York (corner of Fifth Avenue and 86th Street) in November 2001. No agreement on the loan contract could be reached because no immunity against seizure of the paitings lent by the Sabarsky Collection could be granted. *Frankfurter Allgemeine Zeitung*, 19 May 2003, p. 48; Holger Christmann/Ute Thon, *art*, July 2003, p. 117.

## 22 MAY 2003

The Security Council of the United Nations passed Resolution 1483 (2003) on Iraq. According to section 7 of the resolution, all Member States should take all measures to facilitate the return of national treasures which have been illegally taken from the National Museum of Iraq, the National Library, and from sites in Iraq. *Journal du droit international* 130 (2003): 675ff.; *International Legal Materials* 42 (2003): 1016ff.; Chamberlain, *Art Antiquity and Law* 8 (2003): 357–368.

## 23 MAY 2003

The London Court of Appeal decided the dispute *Marcq v. Christie's*. A stolen painting by Jan Steen (1625/26–1679) was consigned by a third person to the defendants for sale at auction. The painting remained unsold and was returned to the third person. The plaintiff as the owner brought an action claiming damages in conversion and bailment against the defendants. The court held that an auctioneer is not liable in conversion if he returns the unsold goods to the prospective seller, because by doing this he acts only ministerially by changing the position of goods, not the property in them. (2003) 3 *Weekly Law Reports*: 980ff. (C.A.).

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## 23 MAY 2003

The Conference "Illegal Archaeology" in Berlin discussed the illegal trade of antiquities. *ARTnews*, september 2003, pp. 56–62.

## 23 MAY 2003

A seminar on Resolution of Cultural Property Disputes was organized by the Permanent Court of Arbitration, at the Peace Palace, The Hague.

## 26 MAY 2003

The German Research Foundation (Deutsche Forschungsgemeinschaft) convened a conference in Bonn on "Archaeology in no Man's Land. Protection of Cultural Property and Research in Times of War and Crisis," discussing events in Serbia, Afghanistan and Iraq. *Frankfurter Allgemeine Zeitung*, 31 May 2003, p. 35.

## 31 MAY 2003

Inauguration of the reconstructed Amber Room in the Catherine Palace of Tsarskoe Selo near St. Petersburg. The original Amber Room was a gift of King Frederick I of Prussia to Tsar Peter I in 1716. The room was installed in 1770, restored several times, dismantled by German troops in 1944, and taken to Königsberg. In Königsberg the Amber Room disappeared and has not yet been rediscovered. In the early 1980s the German Ruhrgas AG decided to pay for the reconstruction of the Amber Room. *Frankfurter Allgemeine Zeitung*, 14 May 2003, p. 33; *ARTnews*, May 2003, p. 64.

## MAY 2003

The historic Nydam ship (Viking period, 4$^{th}$ century AD) excavated in 1863 north of Schleswig, then part of Denmark and now in Germany, returned to Denmark and will be exhibited in the Danish National Museum for one year. *Minerva* 14 (3) (2003): 6.

## MAY 2003

The Spanish government declines to return Camille Pissarro's painting "Rue St.-Honoré, Après-Midi, Effet de Pluie" of 1897 to Claude Cassirer (a U.S. citizen living in San Diego), the heir of the former owner Lilly Cassirer Neubauer of Munich. The painting is part of the Thyssen Bornemisza Collection now owned by the privately organized Thyssen-Bornemisza Foundation and exhibited in the Villahermosa Palace in Madrid. The Spanish argument is that the Washington Principles of Decem-

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ber 1998 do not apply to privately run museums. Marilyn Henry, *ARTnews*, Summer 2003, p. 60.

## MAY 2003

In the Tribunal de grande instance de Paris, Sir Elton John (singer and a trustee of the Wallace Collection in London) lost a battle with the Parisian art dealer Jean Renoncourt over four groups of statues bought in 1996 for $360,000. The statues bore the signature of Luigi Grossi († 1795) but art experts raised doubts about their authenticity. Georgina Adam, *The Art Newspaper*, June 2003, p. 40.

## MAY 2003

The royal family Habsburg-Lorraine approached the Austrian government and applied for restitution of their property illegally taken by the Nazi government in 1938. Paul Jandl, "Ein Zimmer in Schönbrunn," *Neue Zürcher Zeitung*, *Internationale Ausgabe*, 9/10 August 2003, p. 35.

## 1 JUNE 2003

The hydroelectric project of the Yangtze River in China reached completion, and 1200 sites of historical and archaeological importance along the river began to submerge. *The Art Newspaper*, July/August 2003, p. 1.

## 3/4 JUNE 2003

Conference in Rome on the Dancing Satyr of Mazara del Vallo, found in 1996 by Italian fishermen in the channel between Sicily and Tunisia. Archaeologists discussed whether the Satyr is the original of a statue or a copy. Bernard Andreae, *Frankfurter Allgemeine Zeitung*, 2 June 2003, p. 35; *The Art Newspaper*, May 2003, p. 26.

## 5 JUNE 2003

The German Bundesgerichtshof (Federal Supreme Court for Matters of Private Law and Criminal Law) gave a judgment in favor of the Austrian artist Friedrich Hundertwasser (1928–2000) against the commercial chain Metro which, without the permission of the Hundertwasser Foundation, sold posters depicting the Hundertwasser house in Vienna. 2003 *Zeitschrift für Wirtschaftsrecht*, p. A 47.

## 5–7 JUNE 2003

Programs in the Arts at New York University's School of Continuing and Professional Studies [NYU SCPS] sponsors a conference entitled "The Certainty of Uncer-

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tainty: Preserving Art and Culture in the 21st Century," on strategies to protect cultural sites from damage and destruction. See www.scps.nyu.edu/uncertainty

## 6 JUNE 2003

The police in India arrested Vaman Narayan Ghiya who for 30 years smuggled art objects stolen in Indian temples out of the country to be sold by well-known European auction houses. *art* 2003 (9): 113.

## 7 JUNE 2003

The Treasure of Nimrud (ca. 900 B.C.), missing since April 2003, was discovered in a bank vault of the Central bank of Iraq. It was put on display for one day on 3 July. *Neue Zürcher Zeitung, Inernationale Ausgabe*, 10 June 2003, p. 21; *Minerva* 14 (5) (2003): 2; *Minerva* 15 (1) (2004): 33.

## 10 JUNE 2003

A theft from Waddesdon Manor (Buckinghamshire, England) was the latest in a series of robberies of antiques from major country houses. The thieves escaped with over 100 gold boxes and other precious items (mainly 18th century French). *The Art Newspaper*, July/August 2003, p. 7.

## 12 JUNE 2003

Sale of 82 major works of Hans Arp (1886–1966) in Paris. These works were consigned by Dr. Claude Gubler, physician of president François Mitterand and later of Ruth Tilliard-Arp, daughter of Hans Arp's brother François Arp, after a long and still on-going legal battle in French courts with the German Hans Arp Foundation in Rolandseck/Remagen. *Die Zeit*, 5 June 2003, p. 43.

## 14 JUNE 2003

The British Iraq (United Nations Sanctions) Order 2003 came into force. According to section 8 of this order the importation or exportation of any item of illegally removed Iraqi cultural property is prohibited. Any item of this kind has to be transferred to a constable, and dealing with such goods is an offence under this Order. *Statutory Instruments* 2003/1519; in *Art, Antiquity and Law* 8 (2003): 307ff.

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## 15 JUNE 2003

The 50th Biennale of Venice opened until 2 November 2003. 2003 *art* no. 6, pp. 12–29; *The Art Newspaper*, July/August 2003, pp. 23–26; *ARTnews*, September 2003, pp. 128–129.

## 16 JUNE 2003

In the Palazzo dei Normanni in Palermo/Sicily the Sicilian authorities and the German businessman and art collector Reinhard Würth signed a contract in which Mr. Würth sponsors the restoration of the Cappella Palatina of the Palazzo dei Normanni. *Frankfurter Allgemeine Zeitung*, 2 July 2003, p. 33.

## 20 JUNE 2003

Switzerland enacted a Federal Law on the International Transfer of Cultural Objects (Bundesgesetz über den internationalen Kulturgütertransfer) implementing the UNESCO Convention of 14 November 1970 on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property. *Bundesblatt* 2003, p. 4475.

## 21–26 JUNE 2003

The Fifth World Archaeological Congress in Washington focuses on issues of heritage preservation and stewardship and holds a special session on "The Heritage of War." See http://www.american.edu/wac5

## 23 JUNE 2003

"Krumau landscape" of Egon Schiele (1890–1918), stolen by the Nazis in World War II, bought by the Neue Galerie Linz, and finally restituted to the family of Wilhelm and Daisy Hellmann, sold for £12.6 million ($21 million) at Sotheby's in London. *The Art Newspaper*, July/August 2003, p. 1; *ARTnews*, September 2003, p. 76; *Frankfurter Allgemeine Zeitung*, 21 June 2003, p. 45.

## 25 JUNE 2003

The federal court of appeals in New York upheld the criminal conviction of Frederick Schultz, the former president of the National Association of Dealers in Ancient, Oriental and Primitive Art, for having dealt with antiquities "stolen" under the National Stolen Property Act (NSPA). The antiquities were owned by Egypt under the Egyptian Law 117 according to which all antiquities excavated or found in Egypt are State property. Martha Lufkin, *The Art Newspaper*, September 2003, pp. 1–6, and

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*Art Antiquity and Law* 8 (2003): 321–342; Ashton Hawkins and Ricardo J. Elia, *The Art Newspaper*, September 2003, p. 24; Sharon Flescher and Samuel Butts, *IFAR Journal* 6 (1–2) (2003): 3–4; 333 F.3d 393 (2d Civ. 2003).

## 30 JUNE 2003

Panama's Legislative Assembly passes a law incorporating subaquatic treasures into the category of national heritage. The areas declared archaeological sites cover 30,000 square km. on the ocean floor of the Pacific and Atlantic within Panamanian territorial waters. Panama is the only country that has ratified the UNESCO Convention on the Protection of Underwater Cultural Heritage, approved in 2001 and requiring the adhesion of 19 other countries to enter into force. Tierramérica news service, www.tierramerica.net

## JUNE 2003

Over 600 small items of antiquities (cylinder seals and jewelry) from Iraq have been seized at a New York airport. Also in Rome more than 600 objects apparently looted in Baghdad were recovered. Martin Bailey, *The Art Newspaper*, September 2003, pp. 1–3.

## JUNE 2003

The Terra Museum of American Art in Chicago decided to close its doors at the end of next year, after years of disappointing attendance and a long-running boardroom feud. About half of Terra's 700 piece collection will be placed in the Art Institute of Chicago on a long-term loan. Whether this will work out has yet to be seen because of legal battles concerning the future of Terra's collection. Ernest Beck, *ARTnews*, September 2003, p. 43; Martha Lufkin, *The Art Newspaper*, July/August 2003, p. 12.

## JUNE 2003

Several New York art dealers pled guilty to charges of failing to collect and pay sales taxes on art transactions. *ARTnews*, September 2003, p. 82; *The Art Newspaper*, September 2003, p. 41.

## JUNE 2003

The United States Supreme Court decides *Eldred v. Ashcroft*, 123 S. Ct. 769, 807 (2003), upholding the constitutionality of the Sonny Bono Copyright Term Extension Act of 1998, which extends the term for current and future copyrights by 20 years.

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## 4 JULY 2003

UNESCO adds 24 new sites to the World Heritage List, including Afghanistan's Bamiyan Valley and the ancient Iraqi city of Ashur, threatened by ongoing civil unrest. Other sites include London's Royal Botanical Gardens at Kew, for its plant diversity; a district of the Israeli city of Tel Aviv famous for its Bauhaus architecture; as well as sites in Gambia, Kazakhstan, Mongolia, and Sudan. The new additions increase to 754 the number of sites in more than 120 countries. The Associated Press, 4 July 2003.

## 7 JULY 2003

Council Regulation (*EC*) No. 1210/2003, concerning certain specific restrictions on economic and financial relations with Iraq and repealing Regulation (EC) No. 2465/96, prohibits in Article 3 the import of, export of, and dealing in Iraqi cultural property. *Official Journal of the EC* of 8 July 2003, No. L 169/6 and in a shortened form in *Art, Antiquity and Law* 8 (2003): 315ff.

## 7-15 JUL 2003

The Fifth Session of the World Intellectual Property Organization's Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore in Geneva. See http://www.wipo.int/meetings/en/details.jsp?meeting_id=4795

## 9 JULY 2003

Jordan returns to Yemen three statues it confiscated at Queen Alia International Airport in 2000 from the luggage of a Yemeni national heading for Europe. Jordan *Times*, 9 July 2003.

## 14 JULY 2003

Germany created the Advisory Commission Concerning the Return of Cultural Property Taken by Nazi Persecution (Beratende Kommission im Zusammenhang mit der Rückgabe NS-verfolgungsbedingt entzogener Kulturgüter). This Committee, which includes Thomas Gaethgens, Jutta Limbach, and Richard von Weizsäcker among its members, will try to solve conflicts between museums and the former owners of art objects looted during the Nazi period. The Commission is located in Magdeburg with the Koordinierungsstelle für Kulturgüterverluste, Turmschanzenstr. 32, D 39114 Magdeburg. *Frankfurter Allgemeine Zeitung*, 15 July 2003, p. 35.

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## 15 JULY 2003

Zahi Hawass, director of Egypt's Supreme Council of Antiquities, in his speech at the British Museum in London made a request for the return of the Rosetta Stone (captured in Egypt by the British Army in 1801) at the British Museum, of the head of Nefertiti (given by Egypt to Germany in 1913 as a share of discoveries) at Berlin's Egyptian Museum, of the statue of Hatshepsut (found and reassembled by American archaeologists in the 1920s) at the Metropolitan Museum in New York, and of the obelisk in the Place de la Concorde in Paris (given to France in 1830 by Mohammed Ali, the Vice King of Egypt and representative of the Sublime Port in Egypt). Hawass also suggested that the Rosetta Stone should be loaned to Cairo's Egyptian Museum for three months. The British Museum does not consent to the loan. Martin Bailey, *The Art Newspaper*, September 2003, p. 13.

## 15 JULY 2003

André-Marc Delocque-Fourcaud, grandson of the Russian collector Sergei Ivanovich Shchukin (1854–1936) and resident and citizen of France, filed a lawsuit in the federal court for the Central District of California against the Los Angeles County Museum of Art (LACMA), which is exhibiting 76 paintings on loan from the State Pushkin Museum in Moscow, including 26 paintings from the Sergei Ivanovich Shchukin Collection nationalized by the Russian government in 1918. The paintings are immune from U.S. court action under a grant from the State Department (cp. 22 U.S.C.A. § 2459 and Executive Order No. 12047) made before they entered the U.S. Therefore Mr. Delocque-Fourcaud asks for damages resulting from LACMA's "receipt of stolen property" and for restitution of the museum's "unjust enrichment" derived through exploiting the paintings. Martha Lufkin, *The Art Newspaper*, September 2003, p. 18; *IFAR Journal* 6 (1–2) (2003): 5–6; about the dismissal of his lawsuit cp. *The Art Newspaper*, November 2003, p. 8. Many years ago Mrs. Irina Sergejevna Shchukina, daughter of Sergei I. Shchukin and widow de Keller and Delocque-Fourcaud, tried to seize paintings of the Shchukin Collection while on exhibition in France. The French court decided in favour of the Russian museums. Cp. Mark M. Boguslavskij, "Irina Shchikina's Suit": *International Journal of Cultural Property* 4 (1995): 325–341.

## 16 JULY 2003

The Stiftung Preußischer Kulturbesitz in Berlin returned two panels—"Jacobus und Johannes" and "Thaddäus and Philippus" of the Younger Master of the Heilige Sippe (ca. 1480–1520)—to the heirs of the former owners of the Munich auction house A.S. Drey who left Germany in 1935. His collection was sold in 1936 by the auction house Graupe of Berlin. *Frankfuter Allgemeine Zeitung*, 17 July 2003, p. 33.

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## 25 JULY 2003

The police in Apsalos near Pella in Northern Greece detained a 54-year-old man who was subsequently arrested and charged with taking part in illegal excavations as well as with being involved in black market sales and purchases of antiquities in Greece and abroad. Over 10,000 archaeological objects were discovered in a cache and in a vineyard. Elizabeth Plessa, *The Art Newspaper*, September 2003, p. 6.

## 29 JULY 2003

The Manchester Museum returned to Australian Aborigines a box with four skulls removed from Australia a hundred years before and thereby contributed to the British policy to return art objects and human remains to former colonies. *Frankfurter Allgemeine Zeitung*, 30 July 2003, p. 8.

## JULY 2003

For the first time after 1945 German archaeologists obtained the permission of Russian authorities for excavations in former East Prussia, now the Russian enclave Oblast' Kaliningrad. In a joint research project Russian and German archaeologists try to get more information about the early culture in this region, which recently has been said by Andej Sacharov, director of the Institute for Russian History of the Russian Academy of Science, to be the home of Rjurik (9$^{th}$ century A.D.), the founder of the Russian nation. Philipp Adlung, *Osteuropa* 53 (2003): 193, 199; Leonid S. Čekin, *Osteuropa* 53 (2003): 206–212.

## JULY 2003

Sotheby's of Sydney/Australia held an auction of Aboriginal art. 73.6 percent of the 559 lots were sold for $4.95 million. *ARTnews*, October 2003, p. 72.

## 1 AUGUST 2003

French Law 2003–707 modifying Law 2001–44 of 17 January 2001 on preventive archaeology (*relative à l'archéologie préventive*). The new statute, inter alia, seeks to improve the task of the Institut national de recherches archéologiques préventives. *Journal officiel de la République française* 2003: 13270; Colette Saujot, *La Semaine Juridique* 2003, p. 2229.

## 1 AUGUST 2003

The French president signed French Law 2003–709 on patronage, associations and foundations. This act reduces tax burdens if the debtor acquires cultural objects

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located in France or abroad. *Journal officiel de la République française* 2003, p. 13277; Gabriel Ballif, *Gazette du Palais* 13/14 August 2003, p. 2.

## 7 AUGUST 2003

The National Park Service turns over three ancient buffalo hide shields used by Navajo medicine men in traditional religious ceremonies to Navajo officials, ending a four-year long ownership dispute. The shields were discovered in a shallow rock shelter below Boulder Mountain in south-central Utah in 1926. Because the shields were found on federal land, they were put on display at Capitol Reef National Park until 1999 when the Navajo tribe claimed them under the Native American Graves Protection and Repatriation Act of 1990. Six tribes filed requests for the shields, but after consultation with anthropologists and archaeologists over two years, the Park Service determined the shields belonged to the Navajos, largely based on oral tradition. *Deseret Morning News*, 12 August 2003.

## 8 AUGUST 2003

Joseph Braude, author of *The New Iraq* was arrested at Kennedy International Airport for allegedly smuggling stolen 4,000-year-old Mesopotamian artifacts out of Baghdad. Cp. also *The Art Newspaper*, November 2003, p. 11.

## 20 AUGUST 2003

Prince Harry of England accused by Australia's Aboriginal and Torres Strait Islander Commission of breaching intellectual and cultural property rights for using Aboriginal symbols and copying painting styles for his own art work. See http://www.theadvertiser.news.com.au/

## 24–29 AUGUST 2003

ICOM Workshop on the Protection of Cultural Heritage in South Asia held in Polonnaruwa, Sri Lanka.

## 26 AUGUST 2003

Caspar David Friedrich's painting "Nebelschwaden," stolen along with two Turners from the Tate Gallery while on loan to Frankfurt's Schirn Kunsthalle in 1994, has been recovered without any payments and returned to the Kunsthalle Hamburg. The Turners had already been recovered separately in 2000 and 2002. Now the Kunsthalle Hamburg has to repay the insurance money which had to be spent for acquisitions. *Frankfurter Allgemeine Zeitung*, 29 August 2003, p. 33; *The Art Newspaper*, October 2003, p. 6.

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## 26 AUGUST 2003

The United Kingdom returned to Russia the Banner of St. George of the grenadiers of the tsarist bodyguard, which was taken to England during the civil war by members of the bodyguard. A portrait of Alexandra Pawlowna Romanova, daughter of Tsar Paul, stolen during World War II, was acquired from a *bona fide* purchaser and afterwards also returned to Russia. *Frankfurter Allgemeine Zeitung*, 9 August 2003, p. 30.

## 27 AUGUST 2003

Theft of "Madonna of the Yarnwinder" attributed to Leonardo da Vinci (1452–1519) and part of the collection of the Duke of Bucchleuch, in the Scottish Drumlanrig Castle. *Frankfurter Allgemeine Zeitung*, 29 August 2003, p. 36; *Neue Zürcher Zeitung* (Internationale Ausgabe), 11/12 October 2003, p. 37; *ARTnews*, October 2003, p. 68; S.Flescher, *IFAR Journal* 6 (3) (2003): 10. Also several country houses in England have been sacked in a series of art robberies. *The Art Newspaper*, July/August 2003, p. 7.

## 28 AUGUST 2003

The Bactrian hoard excavated in 1978 by the Russian archaeologist Viktor Sarianidi and Afghanistan's greatest treasure escaped destruction from the Taliban and has been found in a locked vault beneath the presidential palace compound in Kabul. Martin Bailey, *The Art Newspaper*, October 2003, p. 3.

## 28 AUGUST 2003

Completion of the first part in restoring the Cathedral St. Mary in Novgorod/Russia financed by German companies. The cathedral had been severely damaged during World War II. *Frankfurter Allgemeine Zeitung*, 4 September 2003, p. 35.

## 28 AUGUST 2003

The State of São Paulo, Brazil, enacts rule 34/2003, protecting archaeological heritage in projects of environmental impact. *Diário Oficial do Estado de São Paulo*, Vol. 113, No.162, 28 de agosto de 2003.

## 30 AUGUST 2003

Archaeologists found a tablet of cuneiform script in the Nile delta, Egypt. It may be part of the correspondence of Rameses II with rulers of Mesopotamia. *Frankfurter Allgemeine Zeitung*, 20 October 2003, p. 9.

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## 30 AUGUST 2003

The Royal Dutch/Shell oil company announces it will avoid exploring or drilling on sites that carry the United Nation's World Heritage designation. Shell's decision comes a week after the International Council on Mining and Metals, a group of the world's 15 largest mining companies, said it would stop exploring or mining on World Heritage sites. *The New York Times*, 30 August 2003.

## AUGUST 2003

The Federal District Court for Massachusetts granted a temporary restraining order enjoining certain changes to the Boston Eastport Park, including removal of stonework next to David Phillips' sculptures and a stone path. David Phillips had created for the Boston developer Pembroke Real Estate sculptures for Eastport Park in 1999/2000. Three years later Pembroke wants to remove or demolish the sculptures. Phillips relies on the federal Visual Artists Rights Act of 1990 (17 U.S.C.A. § 106A; 37 C.F.R § 201.25) and Massachusetts' Moral Rights Statute (cp. 231 Mass. Laws Ann. § 85 S). Martha Lufkin, *The Art Newspaper*, November 2003, p. 4, and December 2003, p. 5.

## AUGUST 2003

California almost became the first American state to abolish all public funding of the arts. The funding was slashed to 3% of the national average. Jack Scott, *The Art Newspaper*, October 2003, p. 24. Similar news has come from Florida and Michigan, *ibid*., p. 10, and also private donations declined last year. *The Art Newspaper*, December 2003, pp. 1–11. Congress has voted to give the National Endowment for the Arts a modest rise of $6.7 million in the fiscal year 2004. *Ibid*., p. 11.

## AUGUST 2003

Publication that in the Royal Collection in London Benvenuto Cellini's "Satyr" for Francis I 's Porte Dorée at Fontainebleau has been discovered. Jonathan Marsden/Jane Bassett, *The Burlington Magazine*, August 2003.

## AUGUST 2003

The Czech circuit court of Budweis declined to return confiscated property of the Schwarzenberg family to the daughter of the former owner. The Czech Republic has

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not yet succeeded in restoring property nationalized under the Benes decrees of 1945. Karl-Peter Schwarz, "Nach böhmischem Brauch," *Frankfurter Allgemeine Zeitung*, 4 September 2003, p. 7.

## AUGUST 2003

Russian icons stolen in the 1960s and 70s and sold to purchasers in Italy have been returned to Russia under the 1970 UNESCO Convention and shall now be given back by the Russian government to the Orthodox Church. *Neue Zürcher Zeitng. Internationale Ausgabe*, 29 August 2003, p. 35.

## 2 SEPTEMBER 2003

The U.S. returns to Honduras 279 pre-Columbian artifacts that had been smuggled into the United States for sale. Two men plead guilty to charges of smuggling the figurines, bowls, and pottery out of Honduras in 1998 and making false statements to Customs agents. They had declared on Customs forms that the items were worth $37. Honduran law prohibits the ownership, sale, and export of pre-Columbian items. VOA News, 2 September 2003.

## 3 SEPTEMBER 2003

The Dahesh Museum of Art opened the doors of its new three-story premises in the IBM Building at 56$^{th}$ Street and Madison Avenue in New York City. The Dahesh Museum of Art is the only museum in the United States devoted to 19$^{th}$- and early-20$^{th}$-century European academic art. Kelly Devine Thomas, *ARTnews*, October 2003, pp. 114–120.

## 4 SEPTEMBER 2003

Extension for three years of the 1999 emergency import restrictions imposed on Byzantine ecclesiastical and ritual ethnological material from Cyprus. Absent an export permit or satisfactory evidence of export prior to the date of designation, importing designated materials into the United States is illegal. 19 Code of Federal Regulations § 12.104g (2004).

## 6 SEPTEMBER 2003

Two persons put to death in China for plundering three tombs on land belonging to the Guo national museum in central Hunan province. http://www.news.com.au/

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## 7 SEPTEMBER 2003

The Aboriginal and Torres Strait Islander Commission criticizes a Dutch confectionery company, Australian Homemade, for depicting indigenous designs on its products without permission. In response, the company claims the designs were not Aboriginal art but designs by a Dutch artist inspired by indigenous art. http://www.smh.com.au/

## 10 SEPTEMBER 2003

An Egyptian lawyer is planning to sue the world's Jews for plundering gold during the Exodus from Paranoiac Egypt thousands of years ago. Reference is made to Exodus 12 verses 35 and 36 in the New Revised Standard Version of the Bible: "The Israelites … asked the Egyptians for jewellery of silver and gold…. And so they plundered the Egyptians." Of course, the Jews should ask for compensation for over 400 years of slavery. Information submitted by Ms. Amalyah Keshet, Jerusalem.

## 10/11 SEPTEMBER 2003

Unknown persons in Copenhagen/Denmark pushed the "Little Mermaid," a statue of Edvard Eriksen at the sea shore of Copenhagen harbor, into the water. *Frankfurter Allgemeine Zeitung*, 12 September 2003, p. 7.

## 10–14 SEPTEMBER 2003

The WTO's Fifth Ministerial Meeting in Cancún, Mexico, where the European Union presented a list of 41 "Geographical Indicators" of traditional food products, in order to prevent the use of such names outside their regions of origin. These include many terms for wines and spirits, such as "Bordeaux" and "Marsala," as well as other foods such as "Feta" cheese and "Mortadella Bologna." *The Globe and Mail*, 29 August, 2003.

## 11 SEPTEMBER 2003

Heavy rains destroy at least 180 ancient mud buildings in the UNESCO-designated World Heritage city of Timbuktu. Some mud buildings, such as the Jingereber mosque, date back more than 600 years, from the time when the city was an important Islamic center. BBC News, 11 September 2003.

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## 14 SEPTEMBER 2003

Agreement signed by Japan and Afghanistan for Japanese experts to begin an underground survey of the archaeological remains in Afghanistan's Bamyan Valley and train Afghans on restoring and preserving the remains. Kyodo News Service, 14 September 2003.

## 14/17 SEPTEMBER 2003

The British Committee for the Preservation of Venice at the Churchill College in Cambridge convened an international meeting of scientists discussing the flooding of Venice and its possible prevention by the barriers to be completed by 2012 at a cost of €2.5 billion. *The Art Newspaper*, October 2003, p. 7.

## 16 SEPTEMBER 2003

The looted Warka sculpted head, known as the "Mona Lisa of Mesopotamia" and looted from the displays at Baghdad's National Museum, has been recovered in Iraq. It was found buried near a farmer's house at Khalis, 40 miles north of Baghdad. *The Art Newspaper*, October 2003, p. 5; *ARTnews*, November 2003, p. 66; *Minerva* 14 (6): 3.

## 16 SEPTEMBER 2003

The Association for the Return of the Magdala Ethiopian Treasures announces that it will return to Ethiopia a 300-year old handwritten copy of the Book of Psalms that British troops removed when they stormed the mountain fortress of Emperor Theodore II at Magdala in 1868. AFROMET news service, 16 September 2003. (http://www.afromet.org)

## 17 SEPTEMBER 2003

The French Cour de Cassation confirmed the judgment given in the case of the sale of Nicolas Poussin's "La Fuite en Égypte" (Cour d'appel de Paris 28 June 2001, *Gazette du Palais* 2002, Jur., 565). The sale of the painting sold as a work of Poussin's workshop for 1.6 million French Francs (€240.000) had been annulled. *La Semaine Juridique.Édition Générale* 2003, IV, 2714, p. 1894; *Gazette du Palais* 2004, Jur., 1049 (Pardo c. Baudry-Barbier de la Serre).

## 19 SEPTEMBER 2003

The United States and Cambodia signed a Memorandum of Understanding restricting the importation of designated categories of Khmer archaeological material into

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the United States. The agreement replaces emergency restrictions imposed by the United States in December 1999 on the import of Khmer stone sculpture. 19 Code of Federal Regulations § 12.104g (2004).

## 19 SEPTEMBER 2003

India's Minister for Human Resource Development called for the expansion of India's Traditional Knowledge Digital Library, begun in 2001, to include records of all forms of traditional knowledge for their proper preservation and use, including that related to science, technology, and indigenous medicine. *News Today*, 19 September 2003.

## 20 SEPTEMBER 2003

Lincoln University of Philadelphia voted to cede their majority control of the board of the Barnes Foundation by accepting a proposal from the Barnes Foundation that the board be enlarged from five to 15 members and that Lincoln University be responsible for appointing only five of them. This move clears the way for the Barnes Foundation, suffering from poor financial management, to attempt to overthrow restrictions placed on the Barnes Collection by its founder Albert C. Barnes (1872–1951). David D'Arcy, *The Art Newspaper*, October 2003, p. 13; Ernest Beck, *ARTnews*, September 2003, p. 48; Ernest Beck, *ARTnews*, November 2003, p. 53.

## 23 SEPTEMBER 2003

The 348-year-old Pratappur Temple, located within the premises of the Swayambhunath Stupa, one of the seven Monument Zones of the Kathmandu Valley World Heritage Site, collapses after having been gutted by a fire in the previous month. *Kathmandu Post*, 23 September 2003.

## 26 SEPTEMBER 2003

Establishment of the Cultural Emergency response (CER) as a joint initiative of the Prince Claus Fund and the International Committee of the Blue Shield in Museum Prisenhof, Delft, The Netherlands. The purpose of the CER is to provide emergency assistance in the event of damage to, or destruction of, cultural property arising from human-made or natural disaster. Visit info@princeclausfund.nl or www.princeclausfund.nl

## 29 SEPTEMBER-1 OCTOBER 2003

The AFRICOM Conference and 1st General Assembly on "Museums in Africa: Challenges for the 21st Century" in Nairobi, Kenya.

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## 30 SEPTEMBER 2003

The U.S. District Court for the District of Columbia issued its first opinion in the case *Pro-Football, Inc. v. Suzan Shown Harjo et al.* (Civil action No. 99–1385), overturning the previous ruling that use of the trademark for the "Washington Redskins" American football team was disparaging to Native Americans. The lawsuit, which began in 1992, asked the U.S. Patent and Trademark Office to cancel six trademarks which contained the word "redskin," based on a federal law prohibiting the registration of names that are "disparaging, scandalous, contemptuous or disreputable." Although the cancellation of the trademark would not have mandated that the team name be changed, the plaintiffs bringing the original suit hoped that losing the exclusive right to the name would lead the owner to pick a new one.

## SEPTEMBER 2003

The American Association of Museums launched a Nazi-Era Provenance Internet Portal (www.nepip.org), thus providing a general searchable registry of objects in U.S. museum collections that were or could have been in Continental Europe during the Nazi era (1933–1945). *The Art Newspaper*, October 2003, p. 12; *art*, November 2003, p. 119; *ARTnews*, November 2003, p. 60.

## SEPTEMBER 2003

The Springfield Library and Museum Association in Massachusetts is suing the New York art dealer Knoedler for loss of the $3 million painting "Spring sowing" by Jacopo da Ponte, known as Il Bassano (ca.1517–1592), returned by the museum to Italy as war loot. The work had disappeared during World War II from the Italian Embassy in Warsaw while on loan from the Uffizi gallery in Florence. Knoedler had sold the painting to the museum in 1955 for $5000. Martha Lufkin, *The Art Newspaper*, October 2003, p. 12.

## SEPTEMBER 2003

In a letter to the Austrian insurance company Uniqa, unknown persons under the cover name "Sara" asked for 5 Mill. € as ransom for Cellini's "Saliera" stolen on 11 May 2003 from the Kunsthistorische Museum in Vienna. *art* December 2003, p. 115; S.Flescher, *IFAR Journal* 6 (3) (2003): 8.

## SEPTEMBER 2003

Officials at the U.S. Bureau of Immigration and Customs Enforcement returned 279 pre-Columbian artefacts to Honduras. An Ohio shopkeeper bought these objects

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in Honduras and smuggled them to the United States in 1998. He was convicted of conspiring to illegally import items, receiving illegally imported items, and submitting false paperwork to U.S. border inspectors. Daniel W. Eck and Patty Gerstenblith, *The International Lawyer* 38 (2004): 474ff.

## SEPTEMBER 2003

The painting "Tarquinius and Lucretia" by Peter Paul Rubens (1577–1640) stolen in 1945 from Schloss Sanssouci in Potsdam (Germany) was delivered by private persons to the state attorney in Moscow. Whether it will be returned to Germany is still open. *Frankfurter Allgemeine Zeitung*, 29 September 2003, p. 33, and 1 October 2003, p. 39; "Schröder and Putin discuss fate of Goebbels' Rubens," *The Art Newspaper*, November 2003, p. 9; *ARTnews*, November 2003, p. 70; S. Flescher, *IFAR Journal* 6 (3) (2003): 4.

## SEPTEMBER 2003

In Geneva, Switzerland more than 200 Egyptian antiquities were seized by the police when Egypt asked for international legal assistance for the recovery of stolen and smuggled art objects. *Neue Zürcher Zeitung, Internationale Ausgabe*, 12 September 2003, p. 8.

## SEPTEMBER 2003

The World Monuments Fund announces its 2004 list of the World's 100 Most Endangered Sites. For the first time, the list covers every continent, including its first Antarctica nomination, Shackleton's Hut, and also features for the first time sites in Australia, Ecuador, Finland, the Palestinian Territories, Paraguay, Slovenia, South Africa, Taiwan, and Trinidad and Tobago. Also of interest this year are multinational nominations such as the Jesuit Guaraní Missions submitted by Argentina, Brazil, and Paraguay; and industrial sites of cultural value such as the company towns of Chile's nineteenth-century saltpeter industry. *Archaeology Magazine*, September 2003. (http://www.archaeology.org/magazine.php?page=online/news/wm≡4/index)

## SEPTEMBER 2003

The Chaco Digital Initiative, a collaborative effort to create an electronic archive integrating information on the history of the Pueblo inhabitants of Chaco Canyon in northwestern New Mexico, launched at http://www.chacoarchive.org.

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## SEPTEMBER 2003

Storm waters of Hurricane Isabel sweep through the National Park Service Visitor Center at Jamestown, Virginia flooding 300 artifact cabinets and potentially damaging more than 900,000 artifacts, photographs, and pages of field notes from archaeological excavations of the settlement founded in 1607. *The Daily Press*, 11 October 2003.

## 1 OCTOBER 2003

The United States of America rejoined UNESCO as one of its 190 members. In 1984 the United States had left UNESCO. *Frankfurter Allgemeine Zeitung*, 14 October 2003, p. 12; *The Art Newspaper*, November 2003, p. 1.

## 3 OCTOBER 2003

Switzerland ratified the UNESCO Convention of 14 November 1970 on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property. The Swiss statute implementing the Convention, the Swiss Federal Act of 20 June 2003 on the International Transfer of Cultural Property, will enter into force on May 1, 2005.

## 3 OCTOBER 2003

Egypt's police arrest 15 Egyptians and one Lebanese as members of a 28-person ring smuggling antiquities from the pharaonic, Islamic, and Coptic Christian periods to Switzerland and France. As part of the investigation, Swiss authorities informed Egypt they will return to Egypt some 300 artifacts, including statues, masks, and two mummies they found in a warehouse in the free zone at Geneva Airport. See news.com.au.

## 5 OCTOBER 2003

Egypt and the Antikenmuseum Ludwig in Basel (Switzerland) signed an agreement according to which Egypt is prepared to provide 120 valuable Egyptian pieces of cultural property for an exhibition in Basel to be opened in April 2004. This loan of precious grave goods is part of a compensation for the massacre of Luxor in 1997, in which 36 Swiss tourists were killed. *Neue Zürcher Zeitung*, 7 October 2003, p. 2.

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## 5 OCTOBER 2003

Egyptian police arrest a farmer for setting fire to a small mud-brick pharaonic museum in Essna on the Nile river near the temple city of Luxor so that he could grow grass for his cattle. Agence France-Presse, 5 October 2003.

## 7 OCTOBER 2003

The Dutch mission currently administering the southern Iraqi province of al-Muthanna delivered a report to the Dutch Ministry of Defense. The mission includes specialists from the unique unit known as CIMIC (Civil Military Cooperation), a NATO project launched in 1997. One of the five areas for which CIMIC is deployed is in cultural affairs, including the ruins of the ancient Sumerian city of Uruk. CIMIC officers surveyed the site in August and made recommendations to the Ministry. Gary Schwartz, "Dutch help Bedouins guard the Sumerian site of Uruk," *The Art Newspaper*, November 2003, p. 10.

## 8 OCTOBER 2003

The Libyan Leader Muammar Qadhafi asked Italy to return antique cultural property removed from Libya during the occupation of Libya by Italy 1912–1947. *Neue Zürcher Zeitung*, 9 October 2003, p. 2.

## 9 OCTOBER 2003

A Hannover art gallery sold a painting with an expertise that it is of Henri Matisse for 1.1 million DM in 2000. The buyer turned to the "Archives Matisse" in Paris and was told that the painting is not by Matisse. The buyer brought an action against the art gallery and asked for the return of the price paid. A German expert confirmed that the painting is a fake. The Court of Appeal (Oberlandesgericht) at Celle as the final court in this matter decided that the art gallery has to pay back the price paid by the plaintiff. Press release of the court, 16 October 2003.

## 13 OCTOBER 2003

David Rankin, a descendant of Nga Puhi chief Hone Heke, asks New Zealand's Auckland War Memorial Museum to remove two taiaha from its collection within 28 days so that thay could be displayed in an exhibition entitled "Outlawed" at the National Museum of Australia in Canberra. Claiming to speak for Nga Puhi and Heke's descendants as Heke's "senior descendant" because he is the guardian of Heke's mere, Mr Rankin was angry the museum had refused to release the taiaha for the exhibition, and called the museum's Maori advisory committee, or taumata-o-iwi, "a dictatorship" for refusing other iwi access to their own taonga and the right to tell their own

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stories. He wanted Nga Puhi's history shared more widely and said the Auckland museum had no right to censor them. Other Heke descendants, who claimed they were more senior, did not want the taonga sent to Australia because they did not want Heke, the first chief to sign the Treaty of Waitangi, to be labeled an outlaw or associated with others in the exhibition. *The New Zealand Herald*, 13 October 2003.

## 14 OCTOBER 2003

Cracks appear from the top to the middle of the Ashoka Pillar in Delhi, India, which was erected by King Ashoka in 249 B.C., and whose engravings attest to Buddha's birth in Lumbini. The cracks, probably caused by lightening, have endangered the engraved record. The Lumbini Development Trust has scaffolded the pillar from two sides with iron belts. *The Himalayan Times*, 14 October 2003.

## 15 OCTOBER 2003

The Tribunale di Bolzano (Italy, Alto Adige) decided that a German couple named Simon who in 1991 discovered the "Ötzi" (corpse of an ancient inhabitant of the Ötztaler Alps) deserve a reward as finders. The "Ötzi" is now exhibited in Bolzano. *Frankfurter Allgemeine Zeitung*, 14 November 2003, p. 9.

## 17 OCTOBER 2003

The General Conference of UNESCO at its 32$^{nd}$ session proclaimed the Declaration Concerning the Intentional Destruction of Cultural Heritage (inspired by the destruction of the Buddhas in Bamiyan in March 2001) and adopted the International Convention on the Preservation of the Intangible Cultural Heritage, covering languages, performing arts, social practices and rituals, practices concerning nature, and traditional craftsmanship. Press release by UNESCO on 17 October 2003; *The Art Newspaper*, December 2003, p. 22; Blake, *Art Antiquity and Law* 8 (2003): 381–411.

## 18 OCTOBER 2003

The Japanese property developer Minoru Mori opened the Mori Art Museum in Roppongi Hills in central Tokyo. The Mori Art Museum occupies the top two floors of the 54-story Mori Tower. Fiona Wilson, *The Art Newspaper*, October 2003, p.18.

## 21 OCTOBER 2003

New Haven businessman Robert Matthews filed suit concerning a handwritten copy of the Bill of Rights sent to North Carolina by George Washington in 1791 and stolen in 1865 by a soldier of the Northern States in the Civil War. Matthew alleges that he

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bought the document for $200,000 in 2000 and got clear title. *Frankfurter Allgemeine Zeitung*, 14 August 2003, p. 36.

## 22 OCTOBER 2003

At Sotheby's "Contemporary Sales" auction the photo "Pantheon, Rome" of 1990 by Thomas Struth sold for £252,000. *Neue Zürcher Zeitung*, 25/26 October 2003, p. 45.

## 23 OCTOBER 2003

Opening of the Walt Disney Concert Hall, the new auditorium of the Los Angeles Philharmonic, designed by Frank Gehry. *The New York Review of Books*, 23 October 2003, p. 55.

## 23 OCTOBER 2003

The British National Art Collections Fund celebrated the centenary of its foundation in 1903. Then the Fund has financed the acquisition of art objects for national collections. *Neue Zürcher Zeitung, Internationale Ausgabe*,19 November 2003, p. 35; Matin Bailey, "Keeping art in the UK," *The Art Newspaper*, November 2003, p. 5.

## 23 OCTOBER 2003

The German "Koordinierungsstelle für Kulturgutverluste" (Coordinating Agency for Lost Cultural Objects) in Magdeburg opened a new version of its data base www.lostart.de. The modern version comprises about 2700 objects of looted art and will facilitate the search for former owners and for lost works of art. *Press Release of the Koordinierungsstelle* of 23 October 2003.

## 24 OCTOBER 2003

Christie's of London was criticized for failing to publicize the Nazi provenance of Jacob Duck's (1600–1660) painting "Merry Company with a Woman Playing a Lute," consigned to it by a German collector to whom it was subsequently returned. The auction house denied any obligation to contact former owners without the vendor's permission. *The Art Newspaper*, December 2003, p. 4.

## 24 OCTOBER 2003

The Michael C. Carlos Museum at Emory University in Atlanta transferred a mummy of the New Kingdom era (1570–1070 BC) to the Egyptian Government. The mummy had left Egypt in the 1860s. It is believed to be the pharaoh Rameses I. When the Michael C. Carlos Museum bought the mummy in 1999 from the Niagara Falls

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Museum, it pledged to send the mummy home if it proved to be royal. *The Art Newspaper*, December 2003, p. 4: Lacovara, *Minerva* 15 (1) (2004): 6.

## 24 OCTOBER 2003

The Austrian Government returns to Nepal a 400-year-old bronze and copper mask of Buddha that had disappeared two years ago from an office in the Lalitpur district south of Kathmandu. Officials said a German citizen had tried to sell the mask to an Austrian ethnography museum for $200,000. Three other small statues that were taken with the mask have not yet been found. BBC News, 24 October 2003.

## 27 OCTOBER 2003

A new Picasso Museum opened in Malaga, Spain, the capital of Andalusia and native city of Pablo Picasso (1881–1973). The museum displays over 200 works of Picasso donated by his family. Roberta Rosen, *The Art Newspaper*, October 2003, p. 16; Paul Ingendaay, *Frankfurter Allgemeine Zeitung*, 28 October 2003, p. 33.

## 27 OCTOBER 2003

Beginning of the sale of books of the late antiquarian book dealer Hans P. Kraus (1907–1988) of Vienna, later New York. *The Art Newspaper*, September 2003, p. 43; Claudia Herstatt, *Die Zeit*, 11 December 2003, p. 49.

## 28 OCTOBER 2003

The Mole Lake Sokaogon Chippewa and Forest County Potowatomi Tribes in Wisconsin purchase rights to the proposed Crandon Mine, a zinc mine that would have destroyed a cultural landscape of cultural significance to both tribes for $16.5 million. The Mushgigagamongsebe Historic District, documented as eligible for the U.S. National Register of Historic Places in a study sponsored by the Mole Lake Tribe as part of a U.S. Army Corps of Engineers environmental assessment of the proposed mine, is the heartland of traditional Sokaogon culture, an important hunting and fishing area, and the source of pure water necessary to Sokaogon religious practices and the wild rice that is a central part of the traditional diet. The purchase effectively ends the threat posed by the mine. http://www.jsonline.com/news/state/oct03/180885.asp

## 29 OCTOBER 2003

The Peruvian National Institute of Culture announces plans to limit the daily number of visitors to the Inca citadel Machu Picchu to 500—half the present number—as UNESCO's Peruvian representative said the government had to produce a concrete

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plan to curb tourism damage and uncontrolled development in the world heritage site. The Associated Press, 29 October 2003.

## 29 OCTOBER-2 NOVEMBER 2003

UNESCO Sub-regional Workshop on the Illicit Traffic of Cultural Property, organized by the Beijing Office of UNESCO, in Ulan Bator, Mongolia.

## 30 OCTOBER 2003

Duke Franz of Bavaria received the 2003 Duncan Phillips Award in Washington, D.C. This award honors the Duke's commitment to modern art, collecting modern art, and engaging in the creation of the Pinakothek der Moderne in Munich.Press release of the Phillips Collection of 8 October 2003; *Frankfurter Allgemeine Zeitung*, 4 November 2003, p. 33.

## 30 OCTOBER 2003

Royal assent to the English Dealing in Cultural Objects (Offences) Act 2003 (c. 27). This Act provides for an offence of acquiring, disposing of, importing, or exporting tainted cultural objects, or agreeing or arranging to do so. Tainted is every cultural object excavated or removed from a building, monument, or structure of historical, architectural, or archaeological interest where the object has at any time formed part of the building or structure if the excavation or removal is an offence under the law of the United Kingdom or any other country. *Justice of the Peace* 167 (2003): 899ff.; *Art Antiquity and Law* 8 (2003): 343, 347–355.

## 31 OCTOBER 2003

A senior Egyptian official and six fellow Agriculture Ministry employees arrested by Egyptian police for trying to sell a mummy to an undercover officer posing as an antiquities dealer. The seven are believed to have illegally excavated the mummy in Beni Suef, 75 miles south of Cairo. *The Los Angeles Times*, 1 November 2003.

## OCTOBER 2003

The Cour d'appel de Paris confirmed the judgment against François Pinault, owner of Christie's, for payment of the statue of Sesostris III which he bought at auction in November 1988 at the Drouot in Paris. Pinault declined to pay the purchase price because experts said the statue was a fake made in modern times. *Frankfurter Allgemeine Zeitung*, 18 October 2003, p. 49.

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## OCTOBER 2003

The French Cour de Cassation rejected Wildenstein's complaint (cp. this Journal 1999, p. 597, and 2000, p. 382) that Hector Feliciano had libeled the Wildensteins in his book *Le Musée disparu*. *The Art Newspaper*, December 2003, p. 4.

## OCTOBER 2003

The Fondation Beyeler in Riehen, Basel, Switzerland has financial problems and therefore has to save money in order to continue exhibiting pieces of modern art. *NZZ am Sonntag*, 26 October 2003, p. 1 and 49; *art*, November 2003, p. 123

## OCTOBER 2003

The Saint Louis Art Museum opened the exhibition "German Art Now." The Saint Louis Art Museum holds the biggest collection of German art in the United States. *Frankfurter Allgemeine Zeitung*, 31 October 2003, p. 33.

## OCTOBER 2003

The Association of Art Museum Directors questioned whether the Solomon R. Guggenheim Foundation violated the association's code of ethics when it sold nearly $15 million worth of artworks in 1999 and 2000 and deposited most of the proceeds, $10.1 million, in a restricted fund in its endowment in 2001. Kelly Devine Thomas, *ARTnews*, January 2004, p. 45.

## OCTOBER 2003

At the Hermitage in St. Peterburg the exhibition "The Stroganovs: Patrons and Collectors" opened. Exhibited are works of art formerly owned by the Stroganov family and appropriated by Bolsheviks in 1918. Since the 1920s the family filed lawsuits as soon as pieces of their collection turned up on the market outside of Russia. These lawsuits were not successful. See Stroganoff-Scherbatoff v. Weldon, 420 F.Supp. 18 (S.D.N.Y. 1976). Having visited the exhibition Baroness Helene de Ludinghausen (-Stroganova) said: "I am not asking for anything back, but having seen everything my family used to own, I wouldn't be against the idea, if offered." John Varoli, "When is theft not theft?" *The Art Newspaper*, November 2003, p. 8.

## OCTOBER 2003

The Boston Museum of Fine Arts received a Nazi-era spoliation claim for Joachim Wtewael's (1566–1638) painting "Actaeon Watching Diana and Her Nymphs Bathing" formerly owned by Curt Glaser (1879–1943), director of the Staatliche Kunst-

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bibliothek in Berlin until discharged by the Nazis in 1933. Also the Samuel Courtauld Trust is facing a claim for eight drawings once owned by Curt Glaser. *The Art Newspaper*, November 2003, p. 18.

## OCTOBER 2003

Egypt is banning all new digs by foreign archaeologists along the Nile River. For the next ten years new permits will only be available for excavations in the Nile Delta and the desert in order to save hidden treasures from the danger of rising water and urban sprawl. *The Art Newspaper*, November 2003, p. 23.

## 3–5 NOVEMBER 2003

An African regional Workshop on UNESCO Conventions Protecting Cultural Property in Abuja, Nigeria from 3–5 November 2003, attended by legal experts and police, customs and cultural officials from several countries of the region. They discussed the difficulties they are facing in controlling illicit traffic and how to improve their legal protection of cultural property.

## 4 NOVEMBER 2003

Fernand Léger's painting "La femme en rouge et vert" formerly owned by the art dealer Léonce Rosenberg of Paris and confiscated during the German occupation of France in Word War II was sold by Christie's of New York for $22.4 million. *Neue Zürcher Zeitung, Internationale Ausgabe*, 8/9 November 2003, p. 37 ; *The Art Newspaper*, December 2003, p. 40.

## 5 NOVEMBER 2003

Gustav Klimt's painting "Landhaus am Attersee" looted by the Nazis and returned to the heirs of the former owner Jenny Steiner in 1999/2000 sold at Sotheby's in New York for $29.1 million *Neue Zürcher Zeitung, Internationale Ausgabe*, 8/9 November 2003, p. 37. Another painting of Klimt "Häuser am Meer" of the Steiner estate and part of the Leopold Collection in Vienna is still waiting to be returned. *Frankfurter Allgemeine Zeitung*, 15 November 2003, p. 47; *The Art Newspaper*, December 2003, p. 40.

## 5 NOVEMBER 2003

French police arrest three suspects and recover 258 stolen paintings, including one by Pablo Picasso, two by Raoul Dufy, and one by Kees van Dongen, ending their investigation into a May 2002 burglary at a collector's home. Police also seized 2kg of cocaine and several firearms at the scene. *The Australian*, 5 November 2003.

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## 7 NOVEMBER 2003

UNESCO announces Second Proclamation of Masterpieces of the Oral and Intangible Heritage of Humanity, adding 28 new expressions to the first 19 proclaimed in 2001. The new entries include a thousand-year-old Chinese musical idiom that is mastered by a mere 50 people, the know-how of itinerant doctors in South America who are familiar with the properties of almost 1,000 plant species, and a communication system among different language communities in Vanuatu using finger drawings in sand. See www.unesco.org

## 8 NOVEMBER 2003

Denmark's Evangelical Lutheran Church, which has authority over religious recognition in Danish law, decides to legally recognize communities that worship Thor, Odin, Freya, and other traditional Norse gods as practicing an indigenous religion of Denmark. The Associated Press, 8 November 2003.

## 8 NOVEMBER 2003

Italy to return the Axum obelisk, taken as booty by the Italian army in 1937, to Ethiopia. Workers in Rome started to put the obelisk down for transportation to Ethiopia. *Die Zeit*, 6 November 2003, p. 31; *Neue Zürcher Zeitung, Internationale Ausgabe*, 11 November 2003, p. 43; *The Art Newspaper*, November 2003, p. 9.

## 9 NOVEMBER 2003

Aube Breton-Elléouët, daughter of the Surrealist poet and artist André Breton, returns a tribal headdress from her father's collection to the Kwakwaka'wakws, a people indigenous to Western Canada. http://www.theartnewspaper.com/news/article.asp?idart=11395

## 11 NOVEMBER 2003

820 art objects plundered in Baghdad were returned to the National Museum of Baghdad in a ceremony. *Frankfurter Allgemeine Zeitung*, 17 November 2003, p. 35.

## 12/13 NOVEMBER 2003

The British National Art Collections Fund held an international conference in London to discuss the validity of continuing to save works of art for the nation. *The Art Newspaper*, December 2003, p. 23–26.

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## 14 NOVEMBER 2003

The English Working Group on Human Remains, set up in 2001, published a report to the Arts Minister recommending that museums in England adopt a more liberal approach to dealing with requests for the repatriation of human remains. Some museums disagree. Martin Bailey. *The Art Newspaper*, December 2003, p. 13.

## 16 NOVEMBER 2003

Jordanian authorities confiscate around 200 original relics and 300 pieces of various historic artwork and documents smuggled from Iraq. United Press International, 16 November 2003.

## 17 NOVEMBER 2003

The Estonian Minister of Cultural Affairs and the German ambassador in Estonia signed an agreement in Tallinn that the Dürer painting "Johannes der Täufer," taken to Russia after Word War II and discovered in Estonia, will be given back to the Kunsthalle Bremen. *Frankfurter Allgemeine Zeitung*, 15 November 2003, p. 35.

## 18-20 NOVEMBER 2003

Asia-Pacific Conference on the Protection of the Underwater Cultural Heritage, organized by the Bangkok Office of UNESCO, in Hong Kong SAR, China.

## 21 NOVEMBER 2003

The British Museum opened an exhibition "Buried Treasure: Finding our Past" celebrating amateur archaeologists. The Treasure Act of 1997, revised in 2002, compensates the honest finder declaring the find within 14 days from the date of discovery. Samson Spanier, "Worth their weight in gold," *The Art Newspaper*, November 2003, p. 22; Paitin, *Art Antiquity and Law* 8 (2003): 413–418; Clayton, *Minerva* 15 (2004): 8–10.

## 21 NOVEMBER 2003

The Musée Bodmer in Cologny (suburb of Geneva/Switzerland) opened its new building for the exhibition of treasures of world literature. The new underground building has been designed by the Swiss architect Mario Botta. *Frankfurter Allgemeine Zeitung*, 3 December 2003, p. 36; *The Art Newspaper*, November 2003, p. 19

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## 22 NOVEMBER 2003

Opening of the exhibition "Vincent van Gogh: Lost and Found" at the Breda museum in the Netherlands. Among the displays are paintings and drawings which were sold at a flea market in a small Dutch town in 1902. Martin Bailey, "Are these the lost Van Goghs?" *The Art Newspaper*, November 2003, p. 6.

## 23 NOVEMBER 2003

The practice of "longwall" mining in the eastern United States documented as causing extensive destruction of historic buildings, structures, and landscapes. The mining—removing six- to eight-foot thick coal seams 300 to 800 feet underground—causes surface subsidence that in turn causes brick walls to crumble, timber structures to twist and come apart, and landscape features like roads and stone walls to contort and collapse. Several lawsuits have been filed charging violation of federal and state historic preservation laws, but the destruction continues. http://www.post-gazette.com/pg/03327/242932.stm

## 26 NOVEMBER 2003

The United States and Cambodia announce the extension of a 1999 agreement that imposed import restrictions on ancient stone artifacts from Cambodia to include metal and ceramic objects. BBC News, 26 November 2003.

## 27 NOVEMBER 2003

London's Metropolitan Police return a 900-year-old tombstone, or funerary mihrab, with a Kufic inscription commemorating the death of Abdullah in 533AH (1138AD), which was taken from a mosque in Yazd, north of Teheran, and shipped via Dubai for sale in the U.K. BBC News, 27 November 2003.

## 28 NOVEMBER 2003

Sweden agrees to repatriate the skeletal remains of 13 Aborigines taken from Australia almost 100 years ago, and held at the National Museum of Ethnography in Stockholm. http://www.theage.com.au/

## NOVEMBER 2003

A hanged man dead since one year has been taken by art students and workers in Budapest as an art object hanging in the garden house of the university. *Frankfurter Allgemeine Zeitung*, 17 November 2003, p. 9.

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## NOVEMBER 2003

The Los Angeles County Museum of Art obtained the withdrawal of the lawsuit by André-Marc Delocque-Fourcaud attempting to prevent the display of twenty-five works of artists such as van Gogh and Matisse from the State Pushkin Museum in Moscow. Cp, supra at 15 July 2003: Daniel W. Eck and Patty Gerstenblith, *The International Lawyer* 38 (2004): 473ff.

## NOVEMBER 2003

After meeting with native communities from America and Australia, the Aveda division of Estée Lauder decides to discontinue its "Indigenous" line of bodycare products in a show of support and respect for indigenous groups worldwide. *Cosmetics International Cosmetic Products Report* 18 (226) (2003): 8.

## 4 DECEMBER 2003

Preliminary hearing in a Rome court in order to determine whether to proceed with legal action against Marion True, curator of antiquities at the J. Paul Getty Museum in Los Angeles until 1998, for having bought around 30 artifacts knowing that they had been illegally excavated in Italy. *The Art Newspaper*, November 2003, p. 4.

## 13 DECEMBER 2003

The German town Wuppertal decided that three paintings of the Van-der-Heydt-Museum in Wuppertal will be returned to the heirs of the former Jewish owner Sommerguth. Otto Scholderer's (1834–1902) "Felsige Flußlandschaft" and Hans von Marées' (1837–1887) "Tartar mit Pferd" had been bought in 1939 and 1948. The work of Adolf von Menzel (1815–1905) "Erinnerung vom Dampfboot auf der Donau" is a gift of the Wuppertal banker Eduard von der Heydt made in 1956. *Frankfurter Allgemeine Zeitung*, 17 December 2003, p. 35.

## 14 DECEMBER 2003

The Teatro La Fenice in Venice which burned down on the evening of 29 January 1996, reopened with a gala concert. The stage season will start on 12 November 2004 with Verdi's *La Traviata*. *International Herald Tribune* 9 December 2003, p. 20; *The Art Newspaper*, December 2003, p. 6.

## 26 DECEMBER 2003

An earthquake destroyes three quarters of the historic city of Bam, Iran, a UNESCO World Heritage site, including its 2,000 year old Arg-e-Bam citadel, which had been

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the largest and oldest mud-brick structure still standing on earth. Agence France-Presse and the Associated Press, 27 December 2003.

## DECEMBER 2003

The French enterprise LVMH owned by Bernard Arnault sold its shares in the Paris auction house Tajan to the American firm Rodart owned by Stuart, a collector of East European origin. LVMH already sold the auction house Phillips, de Pury & Luxembourg last year and no longer participates in the art trade. *Frankfurter Allgemeine Zeitung*, 17 January 2004, p. 47.

## DECEMBER 2003

The former French minister of foreign affairs Roland Dumas, executor of the estate of Annette Giacometti (widow ot the Swiss artist Alberto Giacometti), and the art auctioneer Jacques Tajan face a criminal trial because of breach of confidence and abuse of fiduciary obligations with respect to art objects belonging to the Fondation Alberto et Annette Giacometti. *Frankfurter Allgemeine Zeitung*, 27 December 2003, p. 30.

## DECEMBER 2003

Spain exibited in the Prado three paintings by Francisco de Goya (1746–1828): "The Holy Family," "Tobias and the Angel" and "John the Baptist as Child in the Desert." These paintings were accepted by the Kingdom of Spain in lieu of taxes. The Spanish Ministry of Finances revealed on this occasion that since 1996 €150 million in taxes have been paid by the *datio* of cultural objects. *Frankfurter Allgemeine Zeitung*, 2 January 2004, p. 37.

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