

## Guest Editor's Note

### Marc-André Renold\*

It is a great honor for the Art-Law Centre at the University of Geneva and its UNESCO Chair in the International Law of the Protection of Cultural Heritage to be able to publish in the present issue of the International Journal of Cultural Property the proceedings of the conference we organized in Geneva in June 2014. For two days Geneva was, for cultural heritage law, the “capital of the world,” which explains the illustration on the cover-page of this special edition. The reproduced dish celebrated the creation in Geneva of the League of Nations on April 28, 1919 by qualifying the city of Geneva as “*la capitale du monde*.”

The “All Art and Cultural Heritage Law Conference,” the first of its kind, aimed to bring together most, if not all, the specialists active in the field of art and cultural heritage law. More specifically, the conference was based on the participation of scholars who run teaching programs and research projects, on the one hand, and practitioners who work in museums, law firms, and art trade as well as advisory companies, on the other. Its objective was to address themes of importance in the field of cultural heritage law with a view to identifying and defining solutions and common grounds.

The conference also sought to lay the foundations of a long-lasting synergy between academia and practice, which more often than not is underestimated by those active in the field. As both a researcher/teacher and a practitioner, the undersigned can confirm how important it is that both fields interact: the practitioners of art and cultural heritage law need the inspiring and sometimes provocative thoughts of the academics, and the latter, in exchange, must feed their reflections on the sometimes frustrating limitations of the “real world.”

The present volume contains some of the presentations made at the Geneva Conference. It follows mainly two themes: (I) The Evolution and Limits of Property Concepts in Cultural Heritage Law and (II) Due Diligence in Fighting Illicit Trafficking in Cultural Property. Both these themes raise some of the most acute and difficult issues in contemporary cultural heritage law and we are proud to present today some of the most competent and thought-provoking research on those issues.

---

\*Director of the Art-Law Centre and holder of the UNESCO Chair in the International Law of the Protection of Cultural Heritage, University of Geneva; Email: marc-andre.renold@unige.ch

The “All Art and Cultural Heritage Law Conference” was also successful in that it was the first time that the Geneva Art-Law Centre and the International Cultural Property Society cooperated in a specific art and cultural heritage law conference. In that respect the active participation at the conference of three of the members of the ICPS board was more than appreciated: Derek Gillman (its President at the time), Stephen Urice (its President today), and Lawrence Rosen (Member of the board). This cooperation culminates today in the publication of the papers of the conference in the present special edition of the *International Journal of Cultural Property*.

Finally, I would like to add a grateful word of thanks to the members of the Art-Law Centre’s team, Alessandro Chechi, Anne Laure Bandle and Ece Velioğlu-Yıldızci, who acted very diligently in getting this special edition into existence, as well as to the editor of the *Journal*, Alex Bauer, whose energy and pro-activeness is always very much appreciated.

Two persons, now no longer with us, should be mentioned here: Professor John Henry Merryman, of Stanford University, and Professor Pierre Lalive, of the University of Geneva. John Merryman died only a few weeks ago in early August 2015, at the age of 95, while this special edition was in press, while Pierre Lalive left us last year in March 2014, at the age of 91. There would be many reasons to mention their memory here, but I would simply wish to point out that these two “giants” of comparative, international and cultural heritage law met almost exactly 30 years ago in Geneva in April 1985 when the University of Geneva organized, under the auspices of Pierre Lalive, the first European conference on “International Sales of Works of Art/*La vente internationale d’oeuvres d’art*” to which John contributed with a paper summarizing his thoughts on the international trade in art from the U.S. perspective. With their vision and foresight, John and Pierre were both in their own way instrumental in the establishment of the International Cultural Property Society (1990) on the one side of the Atlantic and the Art-Law Centre (1991) on the other. In other words, without them and their inspiration of several younger scholars, the two institutions cooperating today in publishing this special edition would most probably not exist.

Geneva, August 2015