

Mediation Workshop in Art and Cultural Heritage

Acquiring techniques and developing specific knowledge in the field of Art and Cultural Heritage Mediation.

Mediation Workshop in Art and Cultural Heritage

New York, Thursday and Friday, 7 - 8 February 2013

This Workshop provides a two-day Mediation training on the new Art and Cultural Heritage Mediation Program developed by the International Council of Museums (ICOM) and the World Intellectual Property Organization (WIPO) Arbitration and Mediation Center. How can conflicts in art and cultural heritage be resolved through mediation? How does the mediator position himself as a neutral, independent and impartial intermediary between the parties? What are the specific mediation techniques in art and cultural heritage disputes? How does the mediator help the parties reach an acceptable and satisfactory agreement?

Themes

- Disputes relating to art and cultural heritage: return and restitution, loan and deposit, acquisition, intellectual property, etc.
- Parties: States, local governments, museums, individuals, indigenous communities, etc.
- ICOM-WIPO Mediation Rules
- Mediator's expertise, impartiality and independence
- Mediator's role, techniques and methods
- ICOM Code of Ethics for Museums
- Mediation meetings
- Exploring the interests of the parties
- Conclusion of the mediation
- Drafting of mediation contract clauses and submission agreements
- Other alternative dispute resolution procedures

Tools

- Theoretical materials on mediation
- ICOM-WIPO Mediation Rules, contract clauses and submission agreements
- Fictitious case scenario

Who Should Attend?

Art and cultural heritage experts, museum professionals, local communities, government officials, permanent delegations, auctions houses, art galleries, and other art sector stakeholders.

Participants will be expected to have a basic understanding and experience of cultural and intellectual property issues that may arise in disputes referred to ICOM-WIPO Mediation. Proficiency in English is essential for participation.

Overview

The Mediation Workshop in Art and Cultural Heritage is an intensive training course in the techniques of mediation, emphasizing effective communication and increased understanding.

The Workshop will include a general presentation of the ICOM-WIPO Mediation model, as well as interactive sessions about the different steps in mediation and the mediator's techniques. A case scenario on cultural heritage and intellectual property issues will provide the basics for simulated mediation acted in small groups of participants.

Faculty



Mr. Lawrence M. KAYE
Lawyer

Lawrence M. Kaye is a member of the law firm of Herrick, Feinstein, LLP and is Co-Chair of the Firm's Art Law Group. Mr. Kaye is engaged in the practice of all facets of art law and represents a wide range of domestic and international clients.

He handles all types of art litigation and alternate forms of dispute resolution. His litigation practice is broad-based, ranging from basic contract disputes to complex domestic and international actions, and he is, among other things, recognized as a leader in the art recovery area, having successfully resolved recovery claims on behalf of foreign governments, museums, the heirs of Holocaust victims, and other claimants. Mr. Kaye and his colleagues also regularly counsel museums, art galleries, auction houses, dealers, artists, collectors, owners and other clients on a variety of art-related issues. He served two terms as a member of the Association of the Bar of the City of New York's Art Law Committee and was the Program Chairman for their Cultural Property Roundtable in November 1996. Mr. Kaye is currently a member of the Legal Affairs Committee of the International Council of Museums.



Mr. Jon LANG
Independent Commercial Mediator

Jon Lang is one of the most experienced mediators in the UK. CEDR accredited, Mr. Lang became a full-time mediator in May 2005, having spent almost twenty years as a solicitor in private practice, the last six as a partner in the disputes group of White & Case in London. Mr. Lang has acted as an expert in mediation and is a panel member of the Court of Appeal mediation scheme. He is the immediate past Chair of the Mediation Committee of the International Bar Association, a former Vice-Chair of the American Bar Association's International Mediation Committee and a member of CPR's Panel of Distinguished Neutrals. Mr. Lang is also the author of the book, 'A Practical Guide to Mediation in Intellectual Property, Technology & Related Disputes' published by Sweet & Maxwell in 2006. Mr. Lang is listed in the first tier of mediator rankings of both the Chambers & Partners and Legal 500 directories (and in The International Who's Who of commercial mediators).

PRACTICAL INFORMATION

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Program Information

The Workshop will be held in English over the course of two (2) days:

Thursday February 7, 2013 from 9:30 am to 6 pm

Friday February 8, 2013 from 9:30 am to 5 pm

Location

The Workshop will take place at the **Herrick, Feinstein LLP** offices (<http://herrick.com>)

2 Park Avenue, New York, New York 10016, USA

By Public Transit

Nearest Transit Station:

33 St (4, 6, 6X)

28 St (4, 6, 6X)

28 St (N, R)

Registration

An online registration form is available at:

<https://docs.google.com/spreadsheets/viewform?formkey=dFg2eVIOa1RZV2gyWFhuRXdSTUtxV3c6MQ>

Fees

The registration fee is EUR 600 per person (covering training materials, coffee and lunches).

Participation is limited to the number of places available and considered definitive after payment of registration fees.

Payment methods

Payment must be made by wire transfer payable to ICOM via the following codes :

IBAN FR76 3000 3016 7800 0500 0762 443

SWIFT SOGEFRPP

Société Générale

6, rue de Sèvres 75006 Paris - France

Certificate of Participation

All participants who complete the Workshop will be awarded a certificate of participation.

For any questions, please contact Ms. Samia SLIMANI, Chief of ICOM Legal Unit: samia.slimani@icom.museum.

Art & Cultural Heritage

Mediation



ICOM • International Council of Museums • <http://icom.museum>
WIPO Arbitration and Mediation Center • <http://www.wipo.int/amc>

