

March 20, 2015

Cultural Property Advisory Committee
Cultural Heritage Center
U.S. Department of State
Washington, DC 20522

My name is Judith Mann, I am Curator of European Art to 1800 at the St. Louis Art Museum.

Introduction

I present to the committee on behalf of the St. Louis Art Museum and my colleagues in the Association of Art Museum Directors (AAMD), many of whom have shared their views about the requested extension of the Italian MOU through the survey conducted by the AAMD.

As you will hear from others, and I can testify as well, U.S. art museums have a long and beneficial history of cultural exchanges with our Italian colleagues; and while the St. Louis Art Museum has not had loans of antiquities from Italy, we have had other loans and we have sent works from St. Louis to Italian museums.

From our experience in St. Louis and that of other colleagues, both those who have had loans of antiquities and those who have not, the issues are exactly the same and they are numerous and frustrating. You will hear from others about some aspects of the process of borrowing works from Italian museums. I will confine my comments to two issues: the unwieldy bureaucracy to obtain loans from Italian museums and the non-standard costs imposed by Italian museums on U.S. borrowing museums.

Bureaucracy

The approval process and ultimate responsibility is not transparent

The single most challenging issue regarding loan negotiations with Italy is almost universal across U.S. art museums; it is frustration with Italian bureaucracy. Even while giving very wide latitude to the Italians, for whom American art museum staff have great affection and admiration, and recognizing a different cultural approach to process and deadlines, the issue for American museums remains serious.

A sampling of the survey responses:

- “Delays on approvals, or changes to the terms of a loan that come very late in the planning process, are a regular and frustrating occurrence.”
- “Last minute unilateral changes to loan agreements by Italian authorities have caused serious problems that jeopardize exhibitions, even after signed agreements have been received.”
- “For loans from Italy, loan negotiations are protracted. There are many layers of bureaucracy. Change in government can drastically alter plans. Final approval of loans often happens very late in the process. Information regarding shipment, couriers, and the schedule in general are provided at the very last minute.”
- “Change in government can drastically alter and delay plans.”

All good will and the best of intentions on the part of museum staff from both countries, engaged in months and sometimes years of negotiations, can be undone by the machinations of the bureaucracy. There appears to be no uniform process from province to province and even within provinces. Who makes decisions is often unclear or changes mid way through negotiations or, worse yet, changes at the last minute. More than one loan has been derailed by this unwieldy bureaucracy.

For exchanges to be successful, it is imperative that there be a greater commitment to review and communicate decisions on loan requests in a timely fashion, to respond to inquiries and communications efficiently, and to abide by signed loan documents.

Excessive Fees and Costs

Courier fees exceed accepted rates, and sometimes additional and unnecessary couriers are included

Not only do loan fees vary considerably, but more vexing are the costs of travel and accommodations for couriers and others coming from Italy to U.S. museums showing Italian-borrowed art in an exhibition. The frustration with the cost of business class travel for couriers, not accompanying the art, was universal; from the survey:

- “Courier fees are among the highest in the world”
- “The expectations for per diems and other associate costs for couriers are higher than their peers internationally and above generally accepted ... standards.”
- “... [T]here is often a request for multiple Italian couriers and the per diems are about double the usual rate”
- “We have been asked to cover travel expenses for personnel from the office of the Soprintendenza, including per diem charges, as part of “courier fees” although the people in question arrived after the works were already installed on the walls.”

As evidenced by the survey quotes above, there was concern not just about the costs themselves, but also about the number of couriers and others, including family members of couriers and additional personnel from museums, for whom U.S. museums were obliged to furnish travel and accommodations. Mounting international exhibitions is important to American art museums and we welcome the opportunity to bring the cultures of the world to our museums and our public. Cultural exchanges, by their very nature, are expensive and are made more so when lending museums add unreasonable costs on top of what are normally accepted standards.

Proposed Changes to Article II of MOU

On behalf of American art museums, I urge the committee to recommend strongly that the extension of the MOU include the following:

- Provide that Italy will establish and publish a uniform outbound loan and exhibition approval process across all of its provinces and autonomous regions; and adhere to a prompt review of proposed outbound loans and exhibitions.
- Make a greater commitment to review and communicate decisions on loan requests in a timely fashion, to respond to inquiries and communications efficiently, and to abide by signed loan documents.
- Provide guidelines to all Italian lending institutions that are in keeping with generally accepted European standards for business travel and per diem, when negotiating with American art museums for loans to U.S. exhibitions.