

## Is arbitration the answer to settling disputes in the art world?

23 APRIL 2018

Eleni Polycarpou

PARTNER | UK

**CATEGORY:**  
ARTICLE



Privacy has long been of utmost importance in the art world. But in the context of the recent global move towards transparency in business and finance, the art market has increasingly been the subject of criticism for its perceived opacity. A great deal of publicity has been generated by exceptional cases in which criminal investigations have been launched against people alleged to have laundered money through art transactions: take, for example, an embezzlement case being investigated by the US Department of Justice in which Christie's appears to have been used by the Malaysian sovereign wealth fund 1MDB to purchase art worth millions of dollars.

However, most collectors, dealers and galleries wish to preserve their privacy not because their behaviour is untoward, but because individuals' collections are personal and part of their private affairs. Sometimes collectors are compelled to sell artworks due to financial problems that they wish to keep secret; in other cases, privacy can add to the allure of artworks that have been held in an exclusive collection. Obviously, businesses operating in the art market always need to remain vigilant, and be mindful that they do not become vehicles to facilitate money laundering or any other criminal or fraudulent activity; it is only if they are vigilant from within, by keeping strict checks and balances in place and reporting anything that looks wrong, that the market may be able to maintain and preserve the level of privacy at which it often prefers to operate.


The full article was originally posted [here](#) by *Apollo Magazine*.


# Authors

Eleni Polycarpou

PARTNER | LONDON

Litigation and arbitration

 +44 20 7597 6157

 [eleni.polycarpou@withersworldwide.com](mailto:eleni.polycarpou@withersworldwide.com)