

## RIGHT OF REPLY

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### • • • InCoRM Remarks

Regarding Andréi Nakov's claims in his Right of Reply, he says that he has been a "university professor since 1970". Based on its research, InCoRM can assert that the university positions held by Andréi Nakov were the following:

- 1969. City College, New York, Teaching Assistant, 6 months approximately. Contract not renewed.
- 1970-71. University of Montreal, Visiting Lecturer, 1 year. Contract not renewed.
- In 1980s. Université de Paris VI, for 6 months, approx. Contract not renewed.

Regarding the "chair" he says he "recently obtained", Mr Nakov refused to supply to InCoRM details of the date of the appointment and the university. InCoRM learned directly from the Fondation Maison des Sciences de l'Homme that such a chair would be an invitation for one year to give lectures at a designated institution, funded by the Fondation Maison des Sciences de l'Homme, where no teaching takes place. An email letter from the Fondation de la Maison des Sciences de l'Homme of 23 May 2014 reads: "Je fais suite à votre appel à l'instant et vous confirme que M. Andréi Nakov n'a pas de chaire au Collège d'études mondiales de la FMSH." / "I follow up your telephone call and confirm that Mr Andréi Nakov does not have a chair at the College of World Studies at the FMSH."

InCoRM was unable to find any mention of Mr Nakov "on the website of University of Paris-Diderot".

According to information obtained by InCoRM, the ruling of "non lieu" / "dismissed" refers to a Geneva Court ruling of 1995. In a subsequent ruling of the Penal Chamber, Geneva, 27 April 2001, not mentioned by Andréi Nakov but implied by his reference to "14 years of proceedings", it is stated that an exhibition devoted to the Russian painter, Mikhail Larionov, was organised on the initiative of Andréi Boris Nakov and shown at the Museum of Art and History of the City of Geneva from 10 March to 24 April 1989. As of the date of 2001, the Court ruled that "183 works listed under consideration were falsely attributed to Mikhail Larionov", therefore "a stamp in indelible blue ink of 5.5 cm. x 4 cm." should be placed on the back of each of these works and should read as follows: "This work appeared in the exhibition, "Mikhail Larionov : La voie vers l'abstraction" in Frankfurt, Bologne and Geneva, 1987-1988, and was declared fake on the dates of 24, 28 and 29 March 2001 by the experts Stern, Von Wiese and Venturelli, named by the Penal Chamber of the Court of Justice of Geneva". Further, a website was ordered to be created on which 187 works were to be reproduced front and back with this statement shown on the backs of the works and the penal procedures described. This website has not been published to date. The court "condemns" the "costs of the procedure, which comprises the costs of the expertise" to be paid by the defendants in the sum of 80,783 Swiss francs.

Stated in the ruling of 25 June 2013, the Court of Appeal in Paris withdrew the moral right from the Alexandra Exter Association due to the withholding of information from the judge and so having obtained the moral right over the work of Alexandra Exter "in a fraudulent manner". The "artist's archives" consist of less than 10 letters between Alexandra Exter and Simon Lissim, Y. Anziani and Simon Lissim, and Simon Lissim and Andréi Nakov, a copy of the last will and testament of Alexandra Exter, and transport documents of works shipped to Simon Lissim. This case is again in litigation.

In reference to Mr Nakov's last sentence, InCoRM asks: If he hadn't or didn't, how could Mr Nakov declare that there are "works falsely attributed with invented provenances and deceptive certificates" or, in Andréi Nakov's

own translation from his French text, “*Andréi Nakov, is not the author of all claims related to incorrectly attributed works, with false provenance, and misleading certificates.*”

Admin., 19 June / 22 July 2014

On the InCoRM Forum, “German Raids of June 2013” was published on 31 January 2014. Mentioned was Andrei Boris Nakov who, through his lawyer, presented the following as his Right of Reply. It is published here in full. The English translation of his Reply in all its details is provided by Andréi Nakov.

“Monsieur Nakov entend utiliser son droit de réponse:

“Monsieur Andréi Nakov entend répondre aux allégations le concernant relayées sur le Forum de INCORM association fondée en 2008.

“Andréi Nakov est bien professeur d’université et ce, depuis 1970. Il a obtenu récemment une chaire à la Fondation Maison des Sciences de l’Homme dont il est membre associé.

“Monsieur Nakov n’a jamais été condamné par les Cours Européennes, sa probité est intact. Après 14 années de procédure, les oeuvres attribuées à Larionov ont été restituées à leurs propriétaire, tandis que lui-même a obtenu un jugement de non lieu. En revanche Monsieur Nakov a fait condamner le journal qui l’avait accusé d’avoir organisé une exposition de faux Larionov.

“Monsieur Nakov déplore qu’une association d’experts telle que l’INCORM diffuse une information tronquée sur cette affaire.

“L’Association Alexandra Exter, fondée et présidée par Andréi Nakov, existe depuis 2000. C’est l’Association Alexandra Exter qui est désignée par la Justice pour défendre le droit moral de l’artiste Alexandra Exter depuis 2012. Son mandat a été renouvelé en 2013 et encore en 2014. Monsieur Nakov agit à ses côtés car il détient toutes les archives de l’artiste Alexandra Exter.

“L’arrêt rendu par la Cour d’Appel de Paris le 25 juin 2013 a fait l’objet d’un pourvoi devant la Cour de Cassation, l’INCORM a omis de le mentionner. En dépit de l’arrêt rendu le 25 juin 2013, l’Association a vu son mandat renouvelé le 7 janvier 2014 et l’action conduite contre le mandat obtenu en 2013, rejetée le 16 janvier 2014 par décision du Tribunal de Grande Instance de Paris.

“L’action de l’Association Alexandra Exter perdue.

“Si l’Association Alexandra Exter suit scrupuleusement le marché des oeuvres attribuées à Alexandra Exter, son Président, Monsieur Andréi Nakov n’est pas, pour autant, à l’initiative de toutes les saisies ou plaintes concernant les oeuvres faussement attribuées, avec des provenances inventées et des certificats trompeurs.”

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“Mr Nakov intends to use his right of reply.

“Mr Andréi Nakov intends to respond to the allegations about him, related to the Forum of InCoRM, association founded in 2008.

“Andréi Nakov is an university professor since 1970. He recently received a professorship at the Fondation Maison des Sciences de l’Homme, University Paris-Diderot to which he belongs as stated on the website of this school.

“Mr Nakov has never been condemned by any European Court, his integrity is unspoiled. After 14 years of litigation, the works attributed to Larionov were returned to their owners, the case has been dismissed. However, Mr. Nakov did condemn the newspaper which had accused him for organizing an exhibition of fake Larionovs.

“Mr Nakov regrets that INCORM association of experts continues to diffuse false information about this case.

“Alexandra Exter Association, founded and chaired by Andréi Nakov exists since 2000. In 2012 the Alexandra Exter Association was designated by the French Court to defend the moral rights of the artist Alexandra Exter. This mandate was renewed on 2013 and in 2014. Mr Nakov acts within the moral rights because he is entrusted with custody of the artist’s archives.

“INCORM failed to mention that the judgment of the Paris Court of Appeal of June 25, 2013 was subject to an appeal before the Court of Cassation which was dully filed. Despite the judgment of June 25, 2013, the Association’s mandate has been renewed by the Court of Paris on January 7, 2014 and the action against the madate obtained in 2013, has been dismissed on January 16, 2014 by a decision of the Tribunal de Grande Instance of Paris.

“The Alexandra Exter Association’s action continues.

“Whereas the Alexandra Exter Association strictly follows the market of works attributed to Alexandra Exter, its President, Andréi Nakov, is not the author of all claims related to incorrectly attributed works, with false provenance, and misleading certificates.”

19 June 2014

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