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## [The Vasarely Affair: position of the artist's grandson](#)

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### **Art Media Agency (AMA): How did the affair begin, back in 1990?**

**Pierre Vasarely (P.V):** The Vasarely affair, or more precisely the Charles Debbasch affair, began in November 1990 with the death of Claire Vasarely, wife of Victor Vasarely and cofounder of the Vasarely Foundation (Didactic museum of Gordes 1970 – 1996 and Architectonic Centre of Aix-en-Provence 1976).

At the opening of inheritance procedures for my grandmother, the family realised that Charles Debbasch, renowned academic of the University of Aix-en-Provence, former Councillor of the French Republic and president of the Foundation since 1981, had multiplied his functions during these last years: president of the institution, legal and financial advisor to Claire and Victor Vasarely, art dealer, etc.

Michele-Sonia Taburno, the second wife of my father, Jean-Pierre Vasarely (also known as Yvaral), until then “persona non grata” for my grandparents since 1969 in Annet-sur-Marne and at Gordes (their principal et secondary residences respectively), then reappeared to take charge of my grandfather's daily affairs and the management of his studio.

The period from 1991 to 1994 was dedicated to proving the guilt of the “frivolous” academic [...]. This ongoing procedure finally ended with the definitive condemnation of Charles Debbasch in 2005.

### **AMA: What part did you play in the arbitration that deprived the foundation of the entire collection of works? Did you oppose it?**

**P.V:** Following political science studies in Aix-en-Provence, I was hired in December 1985 on behalf of my grandparents as counsellor to the president of the foundation. I was, however, fired by Debbasch in 1992. Later rehired as personal assistant in 1994 by the president of the time, Gerard Cas — also an Academic from the University of Aix-en-Provence —, I was again fired, this time in January 1997 by Michèle-Sonia Taburno, the then president of the foundation.

Between 1995 and 1997, I had no power to act given my status as a simple employee of the institution and by no means a member of the board of administration, which had decided to resort to arbitration, resulting in the deprivation of the foundation's entire collection. At this point, my grandfather was under the care of my father.

The board of administration (illegally formed during the presidency of Mrs Taburno between 1995 and 1997) decided to constitute an arbitral tribunal to judge the claims of André and Jean-Pierre Vasarely concerning the infringement of their rights to the inheritance of their mother, Claire, due to the donations of works to the foundation. Under the guise of the arbitral tribunal, it was in reality Michèle-Sonia Taburno, counselled by Parisian lawyer Yann Streiff, my father and my uncle André, who signed this arbitration agreement. Whereas the purpose of the arbitration was to make a fair evaluation of the donations made by Claire and Victor Vasarely, it had in fact stripped the institution of its entire collection. The crass judicial set-up subsequently indebted the foundation with colossal sums owed to the two sons.

The foundation not having the funds to pay the enormous compensation, Mrs Taburno did not hesitate to make the foundation part with its alienable and inalienable works at the Didactic museum of Gordes and the Architectonic centre of Aix-en-Provence in order to repay its debt. These works were then distributed between herself, the two Vasarely sons and Mr Streiff. The only entity that could have questioned the arbitration was the board of administration (then under the influence of Mrs Taburno). They, however, did nothing.

[...] From 1993 to 2002, Maitre Streiff became counsellor to Mrs Taburno and acted as committee secretary during all board meetings under her presidency. He stood in for the arbitral tribunal, supposedly independent of all parties, to handle the arbitration. He then received, at the behest of Mrs Taburno, 87 original works from the museum of Gordes as a reward for his assistance in the affair.

**AMA: How was inheritance carried out upon the death of Victor Vasarely, in 1997, two years after the arbitration was signed?**

**P.V:** The award was enforced in January 1997, nearly two years after the decision and two months before the death of Victor Vasarely. The settlement of Victor's inheritance, as well as that of his wife, was entrusted to Mr Pierre Dubreuil, the notary of Annet-sur-Marne, who also happened to be a qualified administrator of the Vasarely foundation and president of the arbitral tribunal. It is he who, in the seventies, received the donation deeds to the foundation for alienable and inalienable works, which constituted the property of the institution allowing it to be recognised as a "public utility" (state approved) in September 1971.

Through the arbitral award, he dismantled these donations. At the express request of Mrs Taburno, Mr Dubreuil put aside my grandfather's will, dated 11 April 1993. This led me to take legal action against my father and my uncle in January 1998, which ended in the recognition of myself as sole beneficiary to Victor (judgment of the Tribunal de Grande Instance de Paris in 2003, confirmed by decision of the Court of Appeals of Paris in 2005).

I have since taken legal action against Mr Pierre Dubreuil, which is pending in the Tribunal de Grande Instance (TGI) of Meaux.

**AMA: In 2008, Michèle Taburno-Vasarely encountered problems with the American justice and an art dealer. What ties you to this person?**

**P.V:** Since her arrival in Chicago in 2004, where she leads a somewhat luxurious lifestyle, Mrs Taburno had business dealings with Thomas Monahan. It was in his facilities that Mrs Taburno stored a large part of the works removed from both the foundation and the three inheritances, which remain to this day non-liquidated: Claire Vasarely (1909 – 1990), Victor Vasarely (1906 – 1997) and Jean-Pierre Vasarely (1934 – 2002).

These works arrived illegally in the United States, without export authorization, nor insurance. This could easily explain why they were stored through a third party and not in Mrs Taburno's own property.

Mr Monahan first contacted me in 2007 to certify the works of my grandfather. He also asked me, for reassurance, for precisions pertaining to the origins and ownership of 200 Vasarely paintings, as well as 70 by my father and thousands of silkscreen prints located on the premises. I told him that out of the 200 original paintings, today impounded by the American justice, approximately 50 belonged to the foundation. I also notified him of procedures undertaken in France by Mr Xavier Huertas, provisional administrator of the Vasarely foundation (October 2007 to July 2009), against the arbitration's signatories, most notably Mrs Taburno from whom the return of the works had been demanded, as well as €5 million in damages.

I equally told him how Mrs Taburno had "conveniently" left French territory in July 2004 for the USA, exactly at the time when the first judicial decision of 2003 had been voted in my favour. Unable to pay for legal defence on my own, Mr Monahan offered to help me in 2008, which is perfectly legal in the United States. I was thus able defend my rights on American soil with a lawyer independent from Mr Monahan's. Since 2010 I have not had any dealings with Mr Monahan. Nonetheless, legal action is still pending in the court of Chicago and a different lawyer is defending my interests. The Vasarely foundation, represented by Mr Huertas — ad hoc administrator designated by the TGI of Aix-en-Provence — should also soon be hiring a lawyer to defend its rights.

I would finally like to add that, less than a year ago, Mrs Taburno was battling Luis Rojas, her former partner, over the sum of 40 million dollars. Settling outside the courtroom, Mr Rojas was attributed half of the amount, which was largely earned over the course of ten years by selling works by Victor Vasarely.

**AMA: Also in 2008, Maitre Huertas, then administrator of the foundation, underwent legal action to dispute the arbitration of 1995. As President of the foundation can you tell us what the current situation is regarding this legal action?**

**P.V:** Since his designation in 2007 by the TGI of Aix-en-Provence, Mr Huertas has made a point of putting the establishment back on its tracks after having suffered greatly at the hands of its administrators, the accomplices of Mrs Taburno, who were quite ready to declare a French foundation bankrupt: an event unheard of in this country!

By reconstructing the timeline of the arbitration, Mr Huertas discovered new evidence and realised he was dealing with a vast fraud scheme and that the foundation's interests were not defended properly against the statutory heirs.

It was at this point that he filed a legal complaint to the TGI of Aix in 2008, underlining that:

- Mrs Taburno, the most interested party in the arbitration, was President of the Vasarely Foundation and wife of Jean-Pierre Vasarely,
- Jean-Pierre and André Vasarely were ex-officio members of the Foundation and statutory heirs,
- the family's notary, Maitre Pierre Dubreuil, was one of the three arbitrators,
- there was an agreement predating the arbitral award between Mme Taburno, the two sons, and Henriette Gravini, wife of André.

The TGI of Aix denied jurisdiction in 2009 on the grounds that the exequatur of the arbitration had been declared in Paris. This legal claim is thus still pending in the court of appeals of Paris.

In my position as sole beneficiary, as holder of the moral rights of Victor Vasarely and as president of the institution, I have complete faith in the justice system to order the return of the works to the foundation. Moreover, my uncle has sided with me since 2007.

I would also like to add that Mrs Anne Lahumière, former president of the Art gallery committee and qualified administrator of the foundation from 1995 to 2007, purchased from Maître Streiff, in the early 2000s, part of Victor Vasarely's works gained from the arbitration. These original works (1930 – 1970), previously inalienable, had been exposed at the Didactic museum of Gordes from 1970 to 1996.

**AMA: In 2009 and subsequently in 2011, the French justice system supported your case by naming you sole holder of Victor Vasarely's moral rights. Michèle Taburno-Vasarely stated that she would file an appeal to a higher court, what are her chances of winning?**

**P.V:** On 5 November 2009 two judgments were simultaneously rendered:

- The first invalidates all board meetings from 2002 to 2006 on the grounds that they were held in violation of the statutes under the presidencies of François Hers, Renaud Belnet and the continuing vice-presidency of Mrs Taburno.
- The second, which has just been confirmed (in 2011), reinstates my rights on Victor Vasarely's moral rights.

The decision of the Court of appeals on 6 September 2011 was taken on sound basis and I trust it will withstand an appeal to the higher court. To this day, Mrs Taburno has still not taken any concrete steps to that end. Furthermore, the ruling of the court of appeals in Aix is binding and Mrs Taburno will have to comply if she wishes her appeal to be considered.

I do however believe that Mrs Taburno, who has lost a fifteen year-long battle, will now try to rewrite history and the entire legal case through articles in the press and hate mail.

**AMA: You have organised an association to defend and promote your grandfather's works. What steps has the association taken towards these goals?**

**P.V:** I created this organization in 2004 to defend and promote the generous ideas of my grandfather, at the time when the foundation was inactive. In 2006 we celebrated his 100<sup>th</sup> birthday in a dignified manner, reuniting all former collaborators and friends of the artist through a conference. This association became, as I acceded to the presidency of the foundation, the "Association des Amis de la Fondation Vasarely".

Its activity mainly consists in setting up colloquiums and conferences: Laurent Le Bon (Centre Pompidou Metz), Marie-Paul Vial (L'Orangerie), Antoine de Galbert (La Maison Rouge) have already participated. On 29 September, Bernar Venet will evoke the subject of monumental sculpture and modern architecture.

The association organised trips to Pécs and Budapest, where two museums are devoted to Victor Vasarely's works. Jean-Noël Bret, a former associated professor at Luminy University (Marseille) is now its president.

**AMA: You are also preparing a catalogue raisonné of the artist's works. What is the status of this project?**

**P.V:** The catalogue is backed by a scientific committee that I created. It is presided by Serge Lemoine and Denise René, as well as a number of specialists of Vasarely's works.

It is a historic and undisputable work that will be published under the aegis of the Vasarely Foundation.

**AMA: Do you have any other projects for the promotion of the artist's works?**

**P.V:** The promotion of the works is inevitably tied to his foundation. The Institution has yet to recover:

- the works that were misappropriated by unscrupulous people quite removed from the social aspirations of an "art for all", so dear to Victor Vasarely. André Vasarely has recently returned 10 original paintings, seven Aubusson Tapestries as well as hundreds of silkscreen prints to the institution. I have not given up hope that Mrs Taburno will also do the same.
- the purpose that had been entrusted to it by its founders.

At present, a vast restoration plan of the building is underway.

Restoration works are scheduled to begin in 2012 and a first segment should be completed by March 2013, in parallel with the opening of Marseille — Provence 2013 European Capital of Culture.

The foundation will celebrate, starting at the end of September, its 40 years of state approval with a series of conferences and exhibitions. Recognised as part of the patrimony since 2003, it is now, since September 2010, an integral part of the Plan Musées 2011 – 2013, marking the acknowledgement of its work over the past two years.

Great museums and foundations throughout the world are soliciting us to present the complete works of one of the major artists from the second half of the 20<sup>th</sup> century. With help from the two Hungarian museums of Pécs and Budapest, we should be excellent representatives. In 2013, Jean-Paul Ameline, curator of the Centre Pompidou, also member of the foundation's scientific committee will present "Vasarely: de l'œuvre peinte à l'œuvre architecturée" (Vasarely: from painted to architectural works) at the foundation.

**AMA: In the foreseeable future, how would you like the foundation to evolve?**

**P.V:** The foundation must keep working in full transparency as it has since 21 July 2009, thanks to the new board composed of qualified and devoted individuals. The fact that the State, local authorities and businesses follow our activity proves that Victor Vasarely's fabulous project for a "Polychromatic city of bliss" ("Cité polychrome du bonheur") is still relevant today. Victor was a visionary and several graphic artists today acknowledge his works as the basis for their own research.

While continuing to make Vasarely's didactic and architectonic work known, the institution must carry on playing an important role in bringing together town planners, architects, colourists, academics, graphic artists, students, musicians etc.

This scientific and cultural project is written and developed in the foundation's statutes, composed in 1971 — 40 years ago. It is only by respecting the will of its founder and by abiding by its statutes that the foundation may pursue its development in the future.

*Comments gathered from Pierre Vasarely.*