

Guideline for the Funding of Provenance Research Projects on Collections from Colonial Contexts

(Date: January 1, 2021)

Preamble

In accordance with its statute, the German Lost Art Foundation (hereinafter: the funding provider) is responsible for supporting art, culture, science and research with regard to lost cultural goods and for providing corresponding support for international exchange, tolerance and understanding between peoples. In its decision of April 23, 2018, the Foundation Board tasked the Foundation with extending its funding activities to include projects that review the provenance of cultural goods from colonial contexts in public institutions (museums and publicly owned collections) in Germany or which involve basic research in this field.

Cultural goods from colonial contexts are found in many different kinds of museums and collections (ethnographic, natural history, (cultural) history, and archeological collections, collections of antiques, art, and technology, as well as collections of decorative or East Asian art). This is an independent and complex field of research that is scientifically, legally, politically and ethically sensitive. It is constantly evolving, which means that the funding guideline will be modified to take account of the respective latest findings. This guideline is partly based on the "Guidelines for the Care of Collections from Colonial Contexts" published by the German Museums Association and on the Framework Principles for dealing with collections from colonial contexts agreed on March 13, 2019, by the Federal Government Commissioner for Culture and the Media, the Federal Foreign Office Minister of State for International Cultural Policy, the Cultural Affairs Ministers of the Länder and the municipal umbrella associations.

In accordance with this guideline, the funding is intended to enable German museums and collections to carry out projects locally to review objects from colonial contexts in their holdings and ensure transparency. It is hoped that new ways of researching these cultural goods will be found, particularly in cooperation with the countries and communities of origin. In addition, the funding will allow the research findings to be documented, pooled and shared within networks.

I. Funding Objectives

Project funding may be used for

- systematically and sustainably reviewing the provenance of cultural goods from colonial contexts in public museums and collections, including libraries and archives, in Germany;
- researching and addressing fundamental general questions regarding cultural goods from colonial contexts in public museums and collections, including libraries and archives, in Germany (basic research);
- documenting the research results in order to make them publicly accessible, particularly in digital form.

In addition, the aims are to

- raise and increase awareness of the importance of provenance research relating to cultural goods from colonial contexts, especially in institutions that have no or very little experience of this subject;
- support the development of specific documentation and publication standards for cultural goods from colonial contexts;
- promote the transfer of knowledge between the institutions that collect goods and support the development and strengthening of national and international research networks that include the countries and communities of origin;
- encourage the sharing of findings and experiences from the projects as part of education and training activities.

II. Framework Conditions

- (1) The grant is provided as project funding by way of a grant agreement governed by private law. This is based on the specifications of the Federal Budget Code (BHO), the applicable administrative regulations in force and the General Auxiliary Conditions for Grants for the Promotion of Projects (AN Best-P).
- (2) Funding is provided subject to the availability of financial resources. There is no legal entitlement to the provision of a grant.
- (3) Funding is awarded solely for individual projects; institutional or permanent funding is not provided.

III. Entitlement to Apply

Applications for projects in accordance with point IV (1) of this funding guideline may be submitted by publicly funded institutions based in Germany that collect or hold cultural goods from colonial contexts and institutions that carry out research in this field.

In addition, applications for projects in accordance with IV (1) 1. and 3. may be submitted by private legal entities based in Germany that collect, hold or research cultural goods from colonial contexts and which are recognized as serving public-benefit purposes under Section 59 in conjunction with Section 52 of the German Fiscal Code.

Joint applications from several institutions are also permitted and encouraged, especially if they concern collection holdings or contexts that are closely linked historically.

IV. Object of Funding

- (1) Funding may be granted for:
 1. Projects involving the systematic investigation of collections and holdings as well as individual research into actual or suspected collections from colonial contexts, including the documentation and digitization of the project findings,
 2. Projects researching the historical context in relation to collections according to section 1, provided that the question is of fundamental importance beyond the individual case,
 3. Short-term projects for the purpose of a cursory examination of suspicious circumstances in institutions that collect or hold cultural goods, but which themselves do not have the necessary staff capacity for the examination (Initial Check).
- (2) Preference will be given to projects that take into account the German Museums Association's "Recommendations on Care of Collections from Colonial Contexts" with regard to prioritizing certain collection holdings, in particular:
 - Human remains
 - Culturally sensitive objects/types of object
 - Objects from former German colonies
 - Objects associated with a violent colonial context
 - Types of object for which claims have already been articulated in Germany or in other countries or to which particular importance is attached in their countries and communities of origin

- Significant/exhibited objects
 - Objects related to local figures and local history at the applicant's location
 - Objects in respect of which close contact has already been established with experts and representatives from the countries and communities of origin
- (3) The funding provider does not support doctoral projects or award scholarships. Lawyer's fees and mediation costs will not be funded.

V. Grant Conditions

- (1) The funding of projects in accordance with IV (1) 1. assumes that at least one of the applicants is the owner or the holder of the right of disposal of the items under examination. Alternatively, project funding is permitted if the owner or the holder of the right of disposal agrees in writing to the project funding and the applicant's resulting obligations.
- (2) The involvement of institutions, communities, and experts as natural or legal persons from the countries and communities of origin must be considered during the planning and delivery of the project. This can be done in various ways, e.g. by inviting experts and guest academics, by cooperating with institutions, by working together on site in the country of origin or by enabling access to objects, data and documents. The project application must show whether and in what way the relevant parties are to be involved.
- (3) Funding may be granted only when total financing has been secured. Applicants are obliged to contribute and provide evidence of third-party funding or the appropriate amount of their own funds proportional to the financial resources of the institution. Own funds within the meaning of this guideline are funds that are needed solely for carrying out the project and will be used for this purpose. Support of the project using in-house resources (staff, material resources, infrastructure) does not count as own funds but must be described in the application for information purposes and will be taken into account when assessing whether the applicant's own contribution is appropriate.
- (4) When carrying out the proposed project, the applicant agrees to ensure compliance with the rules on good scientific practice and assuring the quality of research results in accordance with the principles of the Deutsche Forschungsgemeinschaft's "Good Scientific Practice" document.
- (5) The funding requires a project consultation to have been carried out by the funding provider prior to submission of the application.
- (6) The funding provider may ask the applicant to provide evidence satisfying the requirements in paragraphs 1 and 2.

VI. Type, Scope and Amount of the Grant

- (1) The grant is awarded as project funding to cover expenditure incurred by the applicant for individual, defined projects.
- (2) The grant is awarded as partial financing where there is a shortfall in funding.
- (3) The funding provider supports short-term projects of particular urgency outside the regular application period on an individual research basis up to a maximum amount of €25,000 for projects lasting up to six months. The grant is conferred in exceptional circumstances by fixed-sum financing.
- (4) The funding is provided initially for a maximum period of 24 months. The applicant can apply to extend the project to a maximum of 36 months in total. The applicant must justify the need for the extension. Funding must not exceed the sum of €300,000 in total.

VII. Application Procedure

- (1) Applications must be submitted electronically as PDF documents using the form provided by the funding provider on its website. A signed paper version of the application (not stapled or bound) which corresponds to the electronically submitted document must also be submitted. This also applies for extension applications.
- (2) Applications for funding must be submitted by January 1 or June 1 of each year (cut-off date). Receipt of the electronic copy by the funding provider is sufficient for compliance with the deadline. When the application has been received, the applicant will be sent a confirmation of receipt.
- (3) Applications must generally be submitted in German. An application may be submitted in English with the agreement of the Department for Cultural Goods and Collections from Colonial Contexts if it serves to involve institutions, communities and experts as natural or legal persons from the countries and communities of origin in the delivery of the funding objective in accordance with V (2). It is imperative that a summary of the application and the cost and financing plan are submitted in German. If the project description is submitted in English only, a grant may be awarded for the cost of translating the project description into German in the event that the project is funded.
- (4) Applications received by the deadline will be presented to the Funding Committee for Cultural Goods from Colonial Contexts for advice and recommendation. The Executive Board decides on these applications after the recommendation has been made¹.
- (5) The applicant receives written notification of the funding decision. This is for information only and does not entitle the applicant to funding. Entitlement to funding is set out exclusively in the funding contract. If an application is rejected or postponed, the main reasons for this will be explained.

¹ The Executive Board of the German Lost Art Foundation decides on projects up to €300,000. The Foundation Board decides on grants exceeding €300,000 in justified individual cases.

VIII. Project Implementation

- (1) A funding contract between the funding provider and the applicant is concluded for the implementation of the project. The project may not begin before the date stated in the funding contract. A project is deemed to have begun when the funding recipient has concluded contracts relating to the implementation of the approved project. Starting a project ahead of schedule requires prior written agreement from the funding provider.
- (2) Within four weeks of the start of the project, the funding recipient must send an informative short description of the project in German and English for publication on the funding provider's website.
- (3) Funding recipients must submit an interim report in German and, where applicable, in English 12 months after the start of the project. If an extension request is submitted, reference can be made to the interim report in the application form. For projects lasting up to 12 months, the final report replaces the interim report.

IX. Proof of Use

- (1) With regard to proof of use, Section 44 of the Federal Budget Code (BHO), the administration regulations in Section 44 of the BHO and the General Auxiliary Conditions for Grants for the Promotion of Projects (AN Best-P) apply accordingly.
- (2) Within three months of the end of the funding period, proof of use must be submitted to the funding provider (numerical evidence, report, explanations) along with the final report in German and, where applicable, in English (see information sheet on preparing interim and final reports). The final report is particularly important for evaluating the project and communicating the results for continued support and cross-linking provenance research findings.
- (3) The report must contain a review of performance measured against the success criteria for the project stated in the funding contract.
- (4) An informative short description of the main research findings in German and English must be sent together with the final report; this will be published on the funding provider's website.

X. Other Obligations of the Funding Recipient

- (1) At the end of the project, the funding recipient is obliged to forward the research results in German and, where applicable, in English to the funding provider in a suitable form for inclusion in the funding provider's research database (e.g. Proveana).
- (2) The funding recipient is obliged to document the research results in their own inventories, academic publications and exhibitions (e.g. gallery texts, catalogs, media guides) and make them publicly accessible.
- (3) When publishing the research results, the funding recipient is obliged to make reference to the funding granted by the funding provider. The funding provider is to be given at least one specimen copy of all printed publications. For online publications, the relevant link must be provided.
- (4) The funding recipient is obliged to coordinate all press and public relations work relating to the funded project with the funding provider.
- (5) The obligations of the funding recipient are specified in detail in the funding contract.

XI. The Funding Provider's Usage Rights

The funding recipient grants the funding provider a non-exclusive, indefinite and unlimited usage right for the reproduction and publication of the final report and the research results. In addition, the funding recipient permits the funding provider to evaluate and make use of the research findings in their research database and to link to the funding recipient's digital publications.

XII. Repayment of the Grant

- (1) The grant will be reclaimed if the funding recipient has entered false information in the application and this was crucial for the conclusion of the funding contract or the grant will not be used straight away, or is no longer being used, for the purpose stated in the funding contract.
- (2) The grant may be wholly or partially reclaimed if the funding recipient has violated their obligations in this guideline or in the funding contract, especially if the funding recipient does not forward the research results to the funding provider or grant the necessary usage rights to the funding provider.
- (3) If the grant is reclaimed, the amount to be repaid is to include interest of five percentage points above the basic rate of interest in accordance with Section 247 of the German Civil Code (BGB).
- (4) In the event of a violation of obligations in this guideline or the funding contract, the funding recipient shall be barred from obtaining further funding for as long as the violation continues.

XIII. Data Protection

Personal data will be handled according to the provisions of the General Data Protection Regulation and the Federal Data Protection Act. The authority responsible for the processing of data is the funding provider.

XIV. Entry Into Force

This funding guideline comes into force as of January 1, 2021, following the Foundation Board's decision of December 1, 2020.