

Fact sheet

As at: 20 November 2017

The German Lost Art Foundation (*Deutsches Zentrum Kulturgutverluste*) is the central national and international point of contact for questions concerning the unlawful confiscation of cultural property in Germany during the 20th century. The main focus of the Foundation's activities is on cultural property confiscated as a result of Nazi persecution, especially property owned by Jewish citizens (known as "Nazi-confiscated art"). Its work in this area is based on the 1998 [Washington Principles](#), which Germany pledged in 1999 to implement as part of its historical and moral commitment ([Common Statement](#)). The Foundation's areas of activities also cover War-displaced cultural property (known as "looted art") and cultural property lost in the Soviet-occupied zone and in the GDR. The Foundation promotes provenance research via financial donations and records lost works of art as search and found reports in its openly accessible Lost Art Internet Database. In doing so it is continuing the work of the Coordination Office for Lost Cultural Assets in Magdeburg (*Koordinierungsstelle Magdeburg*) and of the Bureau for Provenance Research (*Arbeitsstelle für Provenienzforschung*). The Foundation supports the independent Advisory Commission and other key actors in the field of provenance research, and is the project executing agency of the "Gurlitt Provenance Research" project. For further details, see the [Foundation's Statutes](#) and resolutions of the foundation board. The German Lost Art Foundation was founded by the Federal Government, the *Länder* (federal states) and the three national associations of local authorities on 1 January 2015 as a foundation under civil law; its registered office is in Magdeburg.

Tasks

Strengthening and expanding provenance research

By providing independent funding for research projects, the Foundation enables research to be carried out into

- the history of works of art and other objects in museums, books and archival materials
- the fates of victims
- the roles of all other actors

It is committed to

- establishing the conditions to enable basic research to be carried out
- building collaborations with the university and non-university research landscape
- instituting training for provenance researchers as an integral part of university education
- continued training for employees in museums, archives and libraries

Creating transparency at national and international level

- Documenting search and found reports in the Lost Art Internet Database submitted by German and foreign nationals
- Documenting research results
- Producing academic publications
- Organizing conferences and events
- Public relations work

Advising and networking

- Advising and supporting public and private institutions and individuals in order to achieve a “just and fair solution”
- Forwarding and referring requests to the relevant offices at Federal, Länder and municipal level
- Cooperating with not-for-profit associations of provenance researchers in Germany
- Acting as office of the independent Advisory Commission on the return of cultural property seized as a result of Nazi persecution

Structure

The German Lost Art Foundation is a foundation under civil law. It is managed and represented by the executive board. Its highest decision-making body is the [>> foundation board](#), which is chaired by the Minister of State for Culture, Prof Monika Grütters. The Foundation Board comprises 15 of the organization’s founders. The chair of the foundation board is assumed, in rotation every three years, by a representative of the Federal Government Commissioner for Culture and the Media or a representative of the Länder. An international [>> Board of Trustees](#) advises and supports the work of the executive board and that of the Foundation Board. The [>> funding committee](#) chaired by Dr Hermann Simon, former Director of the New Synagogue Berlin – Centrum Judaicum Foundation, makes recommendations on granting research projects which have been applied for.

Executive board

Rüdiger Hütte, former State Secretary
Prof Dr Gilbert Lupfer (since 1 April 2017)

Departments

- Department for General and Administrative Matters (headed by Dr Michael Franz)
- Department for Provenance Research (headed by Dr Uwe Hartmann)
- Department for Lost Art and Documentation (t.b.a.)
- Department for Communication and Public Relations (headed by Freya Paschen)

For further details, please see the Foundation’s [organization chart](#).

Staff

The Foundation has available 23 staff posts; 23 posts were filled as at 1 November 2017.

Funding

In the financial year 2017 the Foundation has been allocated funding from the Federal Government (Federal Government Commissioner for Culture and the Media) totalling 5,33 million euros and a restricted grant amounting 47,000 euros by the Land Saxony Anhalt. Its endowments total 50,000 euros.

Chronology

- 1994** The Coordination Office of the *Länder* for the Return of Cultural Property (*Koordinierungsstelle der Länder für die Rückführung von Kulturgütern*) is established in Bremen (funded by Berlin, Brandenburg, Bremen, Hamburg, Mecklenburg-Western Pomerania, Lower Saxony, Saxony, Saxony-Anhalt, Schleswig-Holstein and Thuringia)
- 1998** The Coordination Office relocates to Magdeburg and becomes Germany’s central service facility for lost art; from 2001 it is funded equally by the Federation and all the *Länder*

(attached to the Ministry of Education and Cultural Affairs of Saxony); adoption of the Washington Principles

- 1999** Adoption of the Common Statement by the Federal Government, the *Länder* and the national associations of local authorities regarding the tracing and return of Nazi-looted art, especially Jewish property (Common Statement)
- 2000** Launch of the Lost Art Internet Database (www.lostart.de)
- 2003** The independent Advisory Commission on the return of cultural property seized as a result of Nazi persecution, especially Jewish property (known as the “Limbach Commission”) is established
- 2008** The Coordination Office for Provenance Research at the Institute for Museum Research of the Berlin State Museums, Prussian Cultural Heritage Foundation, is established, primarily for the purpose of awarding funding to support provenance research; the Scientific Advisory Board at the Coordination Office for Provenance Research headed by Prof Dr Uwe M. Schneede is established
- 2010** The Coordination Office for Lost Cultural Assets in Magdeburg takes on the technical administration of the www.kulturgutschutz-deutschland.de website and of the Database of Cultural Property of National Significance
- 2015** The German Lost Art Foundation (*Deutsches Zentrum Kulturgutverluste*) is founded on 1 January as a foundation under civil law; its registered office is in Magdeburg
- 2016** The German Lost Art Foundation is responsible for overseeing the “Gurlitt Provenance Research” project

Provenance research

The German Lost Art Foundation makes available funding with the aim of expanding and further strengthening decentralized provenance research. Applications may be submitted by public institutions and, since 2015, by individuals and privately funded institutions in Germany who follow the Washington Principles and the Common Statement in their own search for Nazi-confiscated art and for just and fair solutions.

Between 2008 and 1 April 2017 a **total of 256 (173 long-term and 83 short-term) projects** were awarded funding totalling more than **22,15 million euros**. The individual project executing agencies in addition make available funding from their own resources.

Since 2008 those projects receiving funding have investigated more than **113,000** objects in museums – primarily paintings, sculptures, drawings and graphic art. The provenance of items of furniture, porcelain pieces, ceramics, other handicraft items, applied art works, coins and ethnographic objects as well as the circumstances surrounding their acquisition were also investigated. Those projects which were conducted in libraries looked into more than **785,000** books and historical prints.

Lost Art Internet Database

The Lost Art Internet Database which the German Lost Art Foundation operates serves to record cultural property which was taken, transferred or confiscated due to persecution (especially of Jewish citizens) as a result of the National Socialist dictatorship and the events of the Second World War. The database currently contains **approx. 169,000 detailed and several million summary descriptions of objects** which take the form of search and found reports submitted by more than 1,950 German and foreign institutions and individuals.

The Federal Administrative Court's decision of 19 February 2015 in the case of Diemen vs. Saxony-Anhalt (BVerwG 1 C 13.14) is of fundamental importance as regards the entry and deletion of reports in the Lost Art Internet Database (www.lostart.de). In this decision regarding the retention of a search report in the internet database on account of the suspicion of the art having been looted, the Federal Administrative Court held, amongst other things, that such a search report has not already fulfilled its purpose when the registered work of art has been located, unless agreement has been reached between the parties involved as regards its subsequent fate. The purpose of the database goes beyond merely supporting pre-War owners and their heirs in their search for works of art which have gone missing as a result of Nazi persecution, since such a restriction of the determination of its purpose is incompatible with the Washington Principles. According to those Principles pre-War owners and their heirs are to be encouraged to come forward and register their claims and, once a work of art has been found, are also to receive support when it comes to achieving a just and fair solution. Against this backdrop the Federal Administrative Court rejected a claim for deletion without the consent of all the applicants.

The website registers approx. 140.000 page views and a total of some 14,000 longer page views.

“Gurlitt Provenance Research” project

After authorities discovered a hoard of artworks in the Munich apartment of Cornelius Gurlitt, the special taskforce “Schwabinger Kunstfund” was formed in order to clarify their origin, as well as that of other works later found in Salzburg. Its primary task was to investigate whether any of the works in Gurlitt's possession were illegally confiscated from their owners by the National Socialist regime between 1933 and 1945. The work of the taskforce, for which the German Lost Art Foundation assumed responsibility on 1 April 2015, concluded on 31 December 2015 as planned.

In January 2016, the German Lost Art Foundation launched a new project titled “Gurlitt Provenance Research” which will continue the investigation of the Gurlitt art collection. Research efforts will focus on determining the provenance of works which have not yet been conclusively clarified. Of primary interest are works for which there is a suspicion that they went missing as a result of Nazi persecution or for which such claims have been made.

The project team is headed by Dr. Andrea Baresel-Brand, who is responsible for controlling, administrating and coordinating tasks, and supported by researchers who will conduct provenance research on specific works. A panel of distinguished international experts will review the project's research findings with regard to their credibility and the appropriate use of scientific methodology. The project will draw on the personal expertise and familiarity with the Gurlitt art collection gained over the past two years. The research findings will be published in German and English following their evaluation by the review experts.

The project is financed by the Federal Government Commissioner for Culture and the Media.

Advisory Commission

The “Advisory Commission on the return of cultural property seized as a result of Nazi persecution, especially Jewish property” was formed in 2003 on the basis of an agreement between the German federal government, the federal states and the leading municipal associations. The Commission's activities are based on the Washington Conference Principles of 1998 and the 1999 Joint Declaration of

the German federal government, the federal states and the leading municipal associations to locate and return cultural assets confiscated as a result of Nazi persecution.

The Commission originally consisted of eight members. Since the agreement between the German federal government, the federal states and the municipalities was revised at the end of 2016, it may now include up to ten members. Independent persons with legal, ethical, cultural or historical expertise who do not hold prominent political office may be appointed to the Commission. The members of the Commission act in a voluntary capacity. They are appointed by the Federal Government Commissioner for Culture and the Media in agreement with the Standing Conference of Ministers of Education and Cultural Affairs (KMK) and the leading municipal associations. Initially, members were appointed for an unlimited period, but new appointments made since 2016 are now limited to a maximum period of ten years.

The Commission may be called upon in the event of disputes concerning the return of cultural assets seized from their owners as a result of Nazi persecution during the National Socialist regime from 30 January 1933 to 8 May 1945, in particular from Jewish victims of Nazi oppression. The request for intervention may be lodged by the former owner or their heirs, or by institutions or persons currently in possession of the cultural asset. The holders of the cultural asset are public institutions to which the Washington Principles and the Joint Declaration directly apply, as well as private institutions holding cultural property in Germany who are bound by these Principles. Furthermore, private individuals who hold cultural property may also lodge a request with the Commission provided they also make a binding declaration in line with the Washington Principles and the Joint Declaration. The prerequisite for intervention by the Commission is the agreement of both sides to enter into mediation with the Commission which, where appropriate, results in a recommendation by the Commission, and to act on this.

At every stage of the process, the Commission works towards an amicable settlement between the parties. It may make recommendations to settle disputes. When issuing advice and recommendations, the Commission takes into account in particular the circumstances leading to the loss of ownership of the cultural property and the circumstances in which the cultural property was acquired by the present owner, as well as any investigations undertaken into the provenance of the cultural property. The parties receive a written version of the Commission's recommendation and the reasons supporting it. Both of these are also published on the German Lost Art Foundation's website.

In 2003, the following persons were appointed to the Commission: former Federal President Dr. Richard von Weizsäcker, former president of the German Bundestag Prof. Rita Süßmuth, former president of the Federal Constitutional Court Prof. Jutta Limbach, art historian Prof. Thomas Gaethgens, philosopher Prof. Günter Patzig, law and social philosopher Prof. Dietmar von der Pfordten, historian Prof. Reinhard Rürup and philosopher Prof. Ursula Wolf. In 2008, the art historian Prof. Wolf Tegethoff was appointed as Prof. Gaethgens' successor; in 2011, the diplomat and former Minister of Justice Dr. Hans-Otto Bräutigam was appointed as the successor of Prof. Patzig and at the beginning of 2016 the former president of the Federal Constitutional Court, Prof. Hans-Jürgen Papier, was appointed as the successor of Dr. von Weizsäcker. At the end of 2016, Marion Eckertz-Höfer, former president of the Federal Administrative Court, was appointed as Prof. Limbach's successor. Historian Prof. Raphael Gross and the former director of the American Academy Berlin, Dr. Gary Smith, were appointed as new members.

Prof. Limbach was the elected chairwoman of the Commission from 2003 until her death in September 2016. Prof. Gaethgens was deputy chairman until 2008; he was then succeeded in the post in 2008 by Prof. Rürup, who has acted as chairman since the end of 2015 due to the illness and death of Prof. Limbach. On November, 9th, 2017, Prof. Papier has been elected as new chairman; Prof. Tegethoff has been elected as deputy chairman.

The German Lost Art Foundation carries out organizational and administrative tasks to support the Advisory Commission. The head of the Department for General and Administrative Matters, Dr. Michael Franz, is responsible for the preparation, implementation and follow-up of Commission meetings. He is also the contact person for claimants.

To date the Advisory Commission has issued **15** such **recommendations**.

Protection of cultural assets

In accordance with § 4 Kulturgutschutzgesetz (Act to Protect German Cultural Property against Removal), the German Lost Art Foundation provides editorial support in the maintenance of the online portal www.kulturgutschutz-deutschland.de.

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