

# Fact sheet

Date: April 1, 2019

The German Lost Art Foundation is the central point of contact, nationally and internationally, for all matters pertaining to cultural goods which were unlawfully seized in the 19th and 20th centuries and which are now located in the collections of German cultural heritage institutions. The Foundation's primary focus is on cultural assets seized as a result of persecution during the National Socialist era, especially property owned by Jewish citizens ("Nazi-confiscated property"). Its work in this area is based on the Washington Principles adopted in 1998, which Germany pledged in 1999 to implement as part of its historical and moral commitment (>> Joint Declaration). The Foundation's areas of activity also cover cultural property displaced as a result of war ("looted property") and cultural assets lost in the Soviet Occupation Zone and the GDR. As of April 2018, the Foundation is also active in the field of cultural goods from colonial contexts. It supports provenance research by providing research grants and registers search requests and found reports for cultural assets in its publicly accessible Lost Art Database. In doing so, it is continuing the work of the Magdeburg Coordination Office (Koordinierungsstelle Magdeburg) and the Bureau for Provenance Research (Arbeitsstelle für Provenienzforschung). The Foundation provides organizational support to the independent Advisory Commission by performing administrative tasks and works with key stakeholders in the field of provenance research. It is also the body responsible for undertaking tasks relating to the Gurlitt art trove. The work of the Foundation is regulated by the >> Foundation's statute and resolutions of the Foundation Board. The German Lost Art Foundation was established by the German federal government, the federal states and the three leading municipal associations on January 1, 2015 as a foundation with legal capacity under civil law. Its registered office is in Magdeburg.

## Specific 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 museum objects, books and archive records
- the fates of victims
- the roles of all other stakeholders

It is committed to

- creating conditions under which basic research can be carried out
- promoting cooperation with the university and non-university research landscape
- establishing training for provenance researchers as an integral part of university education
- ensuring further training for employees in museums, libraries and archives

### **Creating transparency at national and international level**

- Documenting search requests and found reports submitted by reporting parties from Germany and abroad via the Lost Art Database
- Documenting research results
- Publishing academic works
- Organizing conferences and events
- Press and public relations activities

### **Advising and networking**

- Advising and supporting public and private institutions and individuals in order to reach fair and just solutions
- Forwarding and referring inquiries to the relevant federal, state and municipal authorities
- Cooperating with non-profit provenance researcher associations in Germany
- Serving as the office for 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 with legal capacity under civil law. It is managed and represented externally by the Executive Board. The most senior decision-making body is the >> Foundation Board chaired by the Federal Government Commissioner for Culture and the Media, Prof. Monika Grütters. The Foundation Board has 15 members who are representatives of the founders. Since 2018, the position of Chair of the Foundation Board has been held on a long-term basis by a representative of the Federal Government Commissioner for Culture and the Media. An international >> Board of Trustees advises and supports the Executive Board and the Foundation Board in their duties. The >> funding committees make recommendations on granting funding for research projects.

### **Executive Board**

Former State Secretary Rüdiger Hütte (since May 15, 2015)

Prof. Gilbert Lupfer (since April 1, 2017)

### **Departments**

- General and Administrative Matters (head: Dr. Michael Franz)
- Provenance Research (head: Dr. Uwe Hartmann)
- Lost Art Database, Documentation (head: Dr. Andrea Baresel-Brand)
- Communication and Public Relations (head: Freya Paschen)
- Cultural Goods from Colonial Contexts (head: Dr. Larissa Förster)

For further details, please see the Foundation’s >> organization chart

### **Staff members**

The Foundation has 32 staff posts; 27 of these were filled as at April 1 2019.

### **Funding**

In the 2019 financial year, the Foundation will receive funding, in accordance with its budget, of EUR 8.027 million from the German federal government (Federal Government Commissioner for Culture and the Media) and a restricted grant of EUR 61,000 from Saxony-Anhalt. The Foundation’s assets total EUR 50,000.

## 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 German federal government and all the federal states (it is located at the Saxony-Anhalt Ministry of Education and Cultural Affairs); adoption of the *Washington Principles*
- 1999** Adoption of the *Joint Declaration* ("Declaration of the German Federal Government, German states and leading municipal associations to locate and return cultural assets confiscated through Nazi persecution, especially those of Jewish ownership")
- 2000** Launch of the Lost Art Database [www.lostart.de](http://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 Bureau for Provenance Research at the Institute for Museum Research of the Staatliche Museen zu Berlin, Prussian Cultural Heritage Foundation, is established, primarily for the purpose of awarding funding to support provenance research; the Scientific Advisory Board at the Bureau for Provenance Research is established and is chaired by Prof. Uwe M. Schneede
- 2010** The Magdeburg Coordination Office takes on the technical administration of the [www.kulturgutschutz-deutschland.de](http://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 January 1 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 (project end date: December 31, 2017)
- 2017** Succeeding Prof. Dr. Uwe M. Schneede, Prof. Dr. Gilbert Lupfer is appointed as the new honorary executive board; The Foundation initiates cooperation partnerships for basic research into the confiscation of cultural assets in the Soviet Occupation Zone and the GDR
- 2018** The Foundation establishes a further area of research and funding focusing on cultural goods from colonial contexts

## Provenance research

The German Lost Art Foundation provides annual funding of around EUR 5 million for the expansion and further consolidation of local provenance research.

In the Nazi-confiscated art funding area, applications may be submitted by public institutions and, since 2015, by individuals or privately funded institutions in Germany who comply with the Washington Principles and the Joint Declaration in their own search for Nazi-confiscated property and for just and fair solutions.

Between 2008 and February 2019, **a total of 298 projects** (of which **206** were long-term and **92** short-term) were supported with funding totaling approximately **EUR 24.5 million**. In addition, the individual bodies responsible for the projects make available funding from their own resources. The German Lost Art Foundation provides access via an online portal to the findings of the supported provenance

research projects. These are made accessible and searchable especially for the provenance research work.

Since 2008, the projects receiving funding have examined more than 113,000 objects in museums – primarily paintings, sculptures, drawings and graphic art. Items of furniture, porcelain, ceramics, other handcrafted items, applied art objects, coins and ethnological objects have also been investigated with the aim of determining their provenance and the circumstances of their acquisition. The projects conducted in libraries examined over 785,000 books and historical printed works.

Since the guideline on provenance research funding, which took effect on February 6, 2017, was extended to private applicants, the Foundation has been funding projects involving systematic inventory checks in private collections since 2018. In addition to privately funded museums, the collections of two museum associations and a loan from a company are also being examined for Nazi-confiscated property for the first time. A further project led by a private individual to reconstruct a private collection that was seized and sold as a result of persecution under the National Socialist regime began in January 2019.

The German Lost Art Foundation has laid the foundations for the investigation of cultural goods confiscated in the Soviet Occupation Zone and the GDR with six cooperative partnerships to date since September 2017. The following important cooperation partners have been recruited in this field so far: the Hannah Arendt Institute for Research on Totalitarianism (HAIT) at TU Dresden, the Federal Commissioner for the Records of the State Security Service of the former German Democratic Republic (BStU), the Brandenburg Association of Museums, Kulturstiftung Sachsen-Anhalt, the Deutsches Historisches Museum Foundation (DHM) and the museum association Museumsverband in Mecklenburg-Vorpommern e.V.

The aim of the research partnerships is to identify structures of organized seizures of cultural goods in the Soviet Occupation Zone and the GDR, determine the source situation and help classify subsequent individual research cases. The work of the German Lost Art Foundation in this area is based on the resolutions of the foundation board. The Foundation is using the findings from these partnerships to develop a medium- and long-term funding concept for research into cultural goods confiscated or lost as a result of persecution and arbitrary action in the Soviet Occupation Zone and the GDR.

Following a Foundation Board decision in April 2018, the German Lost Art Foundation has established an additional field of activity focusing on cultural goods from colonial contexts. With the entry into force of the funding guideline as of January 1, 2019, and the appointment of the members of the funding committee, the conditions for the financial support of provenance research projects on collections from colonial contexts have been met. Currently, applications may be submitted by publicly owned institutions based in Germany that collect or hold these cultural goods and institutions that carry out research in this field.

Training and development in the field of provenance research is supported by the German Lost Art Foundation in the form of certificate programs organized in conjunction with the Weiterbildungszentrum (further education center) at the Freie Universität (FU) Berlin and the Landesstelle für die nichtstaatlichen Museen in Bayern. Other professional development events, such as workshops for scientific volunteers at museums, are also carried out.

## **Lost Art Database**

The Lost Art Database operated by the German Lost Art Foundation serves to record details of cultural assets that were seized from their owners as a result of Nazi persecution, or which were removed or relocated due to the events of the Second World War. The database also records the details of cultural property for which such a history of loss cannot be ruled out. The database currently contains **approx. 166,000 detailed descriptions and several million summaries of objects**. These are in the form of search requests and found reports submitted by more than **1,950** German and foreign institutions and individuals.

The Federal Administrative Court's decision of February 19, 2015 in the case of van Diemen vs. Saxony-Anhalt (BVerwG 1 C 13.14) is of fundamental importance with regard to the entry and deletion of reports in the Lost Art Database ([www.lostart.de](http://www.lostart.de)). In this decision regarding the retention of a search request in the database due to the suspicion of the artwork having been looted, the Federal Administrative Court held, amongst other things, that the purpose of such a search request would not already have been achieved when the registered work of art had been located, unless agreement had been reached between the parties involved regarding its subsequent fate. The Court ruled that the purpose of the database went beyond merely supporting pre-war owners and their heirs in their search for works of art which had gone missing as a result of Nazi persecution, since such a restriction of the determination of its purpose would run counter to the Washington Principles. The Principles stipulated that pre-war owners and their heirs were to be encouraged to come forward and make known their claims and, once a work of art had been found, were also to receive support in their efforts to reach 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 [www.lostart.de](http://www.lostart.de) registers approx. 160,000 page views and a total of some 14,000 visits on average per month.

## **Gurlitt Provenance Research project**

Following the discovery of a hoard of artworks in the Munich apartment of Cornelius Gurlitt, the Schwabing Art Trove Taskforce was formed in November 2013. Its mission was to clarify the origin of the artworks found in the apartment and of other works found later in Salzburg. In particular, the Taskforce focused on investigating whether any of the works had been unlawfully confiscated from their owners between 1933 and 1945 as a result of persecution during the unjust National Socialist regime. The work of the Taskforce, for which the German Lost Art Foundation took over responsibility on April 1, 2015, was concluded as planned as of December 31, 2015.

The Gurlitt Provenance Research project was subsequently launched in January 2016 to continue the research into the Gurlitt art trove. The German Lost Art Foundation was the body responsible for the project, which was funded exclusively from the budget of the Federal Government Commissioner for Culture and the Media. The project ended in December 2017. The research focused on those works that had not been conclusively examined by the Taskforce. Of primary interest were artworks suspected of having been lost as a result of Nazi persecution, or for which such claims had been asserted.

By the end of 2017, it was determined that six works from the Gurlitt art trove were highly likely or confirmed to be cultural assets seized as a result of Nazi persecution (known as Nazi-confiscated property).

The research work carried out as part of the Gurlitt Provenance Research project was concluded at the end of 2017. Any subsequent work that may be required, such as conducting outstanding review procedures, were carried out in 2018. Should further or new information emerge relating to the origin of particular works – for example, as a result of the “Gurlitt: Status Report” double exhibition held in Bonn and Bern – this will, of course, be followed up in the future.

### **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 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 January 30, 1933 to May 8, 1945, in particular from Jewish victims of Nazi oppression. 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.

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.

The members of the Advisory Commission and further information can be found [here](#). The Advisory Commission has issued **15 recommendations** to date.

### **Protection of cultural assets**

In accordance with Section 4 of the Kulturgutschutzgesetz (Cultural Property Protection Act), the German Lost Art Foundation provides editorial support for the maintenance of the online portal [www.kulturgutschutz-deutschland.de](http://www.kulturgutschutz-deutschland.de).

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