

[unofficial translation]

Pursuant to Section 3 of the Federal Law of 4 December 1998, Federal Legal Gazette (BGBl.) I 181, at its meeting of 27 April 2004 the Advisory Board adopted the following

## DECISION

It is recommended to the Federal Minister for Education, Science and Culture that the 170 print items, 10 photographs and various autographs and manuscripts listed in the attached dossier "Dr. Norbert Jokl" be restituted from the Austrian National Library to the heirs of Dr. Norbert Jokl.

## Grounds

The material object of this report are the print items, photographs, autographs and manuscripts that were acquired by the state from the library of the late Dr. Norbert Jokl. These print items are listed in the attached dossier "Dr. Norbert Jokl" established by the Commission for Provenance Research. The Advisory Board assumes that this dossier is correct and complete.

Dr. Norbert Jokl was persecuted by the National Socialist regime on account of his origins and murdered in 1942. The library of this renowned philologist, who specialized in Baltic, Slavic and Albanian languages, was seized and transferred, at least in part, to the National Library in Vienna. In the course of provenance research, 170 printed items as well as photographs, autographs and manuscripts were identified through the provenance comment "P(olizei) 38" and through dedications and owner's marks.

The seizure by the National Socialist regime is an invalid legal act in the meaning of the Section 1.2 of the Art Restitution Act. Because restitution claims were not made within the legislative framework, the Republic of Austria then originally acquired title. Under the Art Restitution Act, the aforementioned objects were thus to be restituted to the legal successors of the original owner.

Although the Federal Law of 4 December 1998, BGBl. I 181, refers explicitly to "art objects" only, in a wider interpretation of this term the Advisory Board also considered the objects under consideration to be covered by it.

Vienna, 27 April 2004

Chairperson: Dr. Brigitte Böck, section head

Members:

Deputy chairperson Dr. Manfred Kremser, Finance Procurator's Office

Ministerialrat Dr. Peter Parenzan, Federal Ministry of Economic Affairs and Labour

Univ.-Prof. Dr. Artur Rosenauer, University of Vienna

Mag. Christoph Hatschek, Museum of Military History

Generalanwalt Dr. Peter Zetter, Federal Ministry of Justice

Univ.-Prof. Dr. Ernst Bruckmüller, University of Vienna

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