Autumn
2026

N° 23

Network of

EUROPEAN RESTITUTION

Committees on
Nazi-Looted
Art



Newsletter

Network of European Restitution Committees on Nazi-Looted Art

Autumn 2026 | N° 23

Austria

France

Germany

The Netherlands

United Kingdom

Switzerland

Content

4 **Editorial**

6 **Conference ”Challenges in provenance research and art restitution today and tomorrow.“**

11 **News**

Austria 11 Five Cases before the Austrian Art Restitution Advisory Board

Switzerland 13 Switzerland’s Commission for Historically Problematic Cultural Heritage (CPCH)

Germany 17 Proceedings before the Court of Arbitration for Nazi-looted Cultural Property

France 25 Franco-German cooperation

28 In Le Chambon-sur-Lignon, the CIVS is taking part in the opening of a unique exhibition on the art market during the Occupation

The Netherlands 29 Dutch Restitutions Committee Recommends Return of Van Goyen Painting to the Heirs of Jacques Goudstikker

30 Dutch Restitutions Committee Recommends Return of Objects to Heirs of Jewish Art Dealers

United Kingdom 31 Refreshing the Spoliation Advisory Panel

31 Ukraine symposium at the V&A

32 **Case Studies**

Austria 32 A Lost Connection, a Rediscovered History: The Carl Otto Czeschka Figurines of the Waerndorfer Family at the MAK

38 Numerical puzzles in provenance research: the case of Jean Engel

42 Restitution Eduard Epstein

45 **Projects**

Austria 45 Advancing Cooperative Provenance Research on Looted Cultural Assets

France 47 *Spolivres:* launch in France of a database dedicated to tracing books looted and plundered during the Occupation

United Kingdom 48 New webpage and spoliation research by the Natural History Museum

Editorial

For some time now, provenance research and art restitution have been undergoing a period of noticeable institutional and substantive renewal. For decades, in many countries, efforts to address cultural property lost as a result of Nazi persecution, as well as objects acquired in colonial contexts, were largely based on voluntary and non-binding procedures. This is now beginning to change, with a discernible shift towards more legally robust structures. At the same time, there is growing debate about the use — and increasing application — of digital tools in provenance research.

With the establishment of the new Schiedsgerichtsbarkeit NS-Raubgut (Arbitration Court for Nazi-Looted Property), which has replaced the former Advisory Commission, a major structural change has taken place in Germany. Switzerland has also renewed its institutional framework: On 1 March 2026, the newly established Commission for Historically Burdened Cultural Heritage began its work. In this newsletter, the Commission introduces itself for the first time as a new member of the network.

The Netherlands have likewise further strengthened the research dimension of their restitution framework, notably through the involvement of experts from NIOD, thereby raising the scholarly basis of case assessment to an even higher level.

The United Kingdom's Spoliation Advisory Panel, established in February 2000, is likewise undergoing further development. A broader pool of experts is being created in order to diversify specialist expertise, expand the panel's advisory capacity and strengthen its international profile.

The growing emphasis on provenance research goes hand in hand with the creation and use of digital research infrastructures, databases and research tools. In April 2026, for example, the French Ministry of Culture's task force on looted cultural property from the period 1933–1945 launched the publicly accessible database Spolivres, which maps books looted during the occupation and their provenance marks.

Austria, this year's chair of the European Network, can look back on more than a quarter of a century of art restitution and provenance research and has recently also given institutional form to the search for lawful successors in restitution cases. Against the background of Austria's particular historical responsibility, the Bureau of the Commission for Provenance Research assists heirs throughout the administrative process, up to and including the physical handover of restituted objects.

These examples point to the future tasks, opportunities and challenges facing provenance research and art restitution. They inform both the motto of this year's chairmanship and the focus of the conference to be held at the end of the year.

Editorial

Accordingly, alongside numerous country-specific contributions in the sections “News”, “Case Studies” and “Projects”, this newsletter also includes the programme of the high-level academic conference Challenges in Provenance Research and Art Restitution Today and Tomorrow, which is to be held in Vienna in December 2026 and organised by the Commission for Provenance Research and the KHM-Museumsverband Wien.

PS: The network continues to grow, with more ideas, activities, and initiatives. That’s why our logo now has six parts — even though we are of course more than just the sum of our parts.

Pia Schölnberger

Head of the Commission for Provenance Research

Sabine Loitfellner

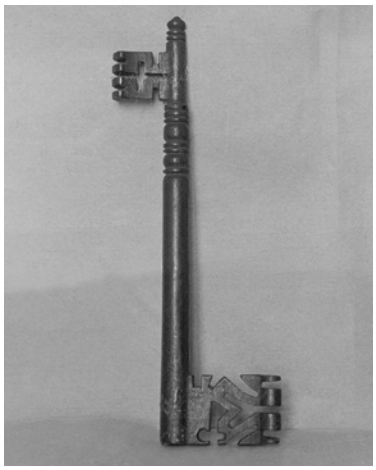
Bureau of the Commission for Provenance Research

Lisa Frank

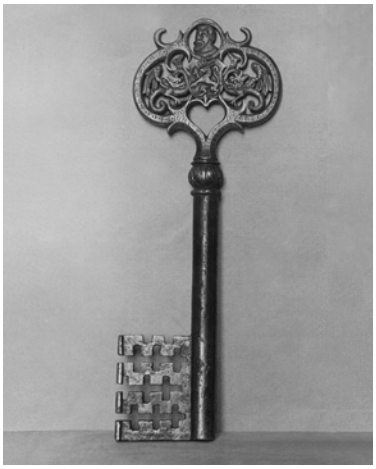
Bureau of the Commission for Provenance Research

art restitution today and tomorrow

Challenges in provenance research and







Dealing with Nazi-era loss and spoliation of cultural assets in the second quarter of the 21st century

1–2 December 2026, Forum Weltmuseum Wien, Heldenplatz 1, 1010 Wien

Bundesministerium Wohnen, Kunst, Kultur, Medien und Sport
Kommission für Provenienzforschung

welt museum wien

KUNST HISTORISCHES MUSEUM

THEATER MUSEUM

Challenges in provenance research and art restitution today and tomorrow

DAY 1 – Tuesday, 1 December 2026

8:30–9:00 a.m. **Arrival/Registration**

9:00–9:15 a.m. **Welcome and Opening Remarks**

9:15–10:45 a.m. **PANEL 1: Law, Norms, Ethics, and the Limits of Restitution**

Chair: ***Franz-Philipp Sutter*** (Art Restitution Advisory Board/Austrian Supreme Administrative Court/WU Vienna)

Manon Zeidler (Armenian General Benevolent Union, Paris)
Restitution as a Symptom: On the Limits of International Cultural Heritage Law

Emma Waring (University of York)
Beyond the Washington Principles: Time, Moral Force, and the Limits of English Spoliation Law

Corinne Hershkovitch (Cabinet Corinne Hershkovitch)/
Amnon Lehavi (Reichman University, Herzliya)
France's Cour de Cassation Annuls the 1942 Dorville Auction: Implications for "Hard Law" Restitution of Nazi-Era Spoliated Art

Sebastian Schlegel (Berlin Museum)
Beyond Legal Remedies? Ethical Questions and Responsibilities for Public Collections Concerning Cultural Property Expropriations in the Soviet Occupation Zone and the GDR (1945–1990)

Charlotte Woodhead (University of Warwick)
Property, care and justice: restitution committees reflecting legal approaches

10:45–11:15 a.m. **Morning Break**

11:15–12:15 p.m. **PANEL 2: From Expropriation to Restitution: Transnational Legacies of the Nazi Era**

Chair: ***Birgit Kirchmayr*** (Art Restitution Advisory Board/Scientific Coordination, Commission for Provenance Research, Vienna/University of Linz)

Mary-Ann Middelkoop (University of Cambridge)
Nazi-Era Provenance, Temporality and the Historian's Craft

Katharina Hüls-Valenti (German Historical Institute, Rome)
Contextualizing Italy within Nazi-era Provenance Research: the dispersal of the Pollitzer art collection under German occupation in Trieste and its traces across borders

Julia Unterweger (Federal Ministry for Housing, Arts, Culture, Media and Sport/Commission for Provenance Research, Vienna)
The Austrian Republic's 50th Anniversary in 1995, or How the Mauerbach Benefit Sale of 1996 Came About

12:15–1:45 p.m. **Lunch Break**

Challenges in provenance research and art restitution today and tomorrow

DAY 1 – Tuesday, 1 December 2026

1:45–3:00 p.m. **PANEL 3: Producing Value. Markets, Knowledge, and Canon Formation in Provenance Research**

Chair: ***Christian Huemer*** (Belvedere Research Center, Vienna)

Gabriella Corey-Moretti (University of Maastricht)
Behind the block: provenance research, restitution practices, and the auction house

Janine Kersten (German Historical Museum, Berlin)
Art Exports Without Borders: The Transnational Trading Network of Kunst und Antiquitäten GmbH

Liza Weber (Sotheby's Institute of Art, London)
The Price of Provenance: Ascertaining the Value of Nazi-Era Restitutions on the Art Market

Tamara Loitfellner (Commission for Provenance Research, Vienna)
Why have there been no great women artists in provenance research?

3:00–3:30 p.m. **Afternoon Break**

3:30–4:45 p.m. **PANEL 4: Knowledge with Reservations: Uncertainty, Gaps, and Epistemic Challenges**

Chair: ***Johannes Feichtinger*** (Institute of Culture Studies, Austrian Academy of Science, Vienna)

Nicole-Melanie Goll (Leopold Museum-Privatstiftung, Commission for Provenance Research, Vienna)/***Anneliese Schallmeiner*** (Commission for Provenance Research, Vienna)
The "Habsburg Jewels" or the question: what can provenance research still achieve?

Leticia Machado Haertel (Geneva Graduate Institute, Geneva)
From Gaps to Accountability: Toward a Duty to Declare Provenance in Paleontology

Katharina Garbers-von Boehm (onto Partners, Berlin)/***Nikola Doll*** (German Lost Art Foundation, Magdeburg)
The broader context: addressing gaps, uncertain knowledge and conflicting evidence requirements

Jelena Todorovic (University of Arts, Belgrade)
Saving from Oblivion – How provenance research can help historians and save collections from scholarly oblivion – the case of the State Art Collection Belgrade, Yugoslavia

4:45–5:00 p.m. **Transition Break**

5:00–6:30 p.m. **ROUNDTABLE with members of the Network of European Restitution Committees on Nazi-looted Art**

6:30–9:00 p.m. **Reception**

Challenges in provenance research and art restitution today and tomorrow

DAY 2 – Wednesday, 2 December 2026

8:30–9:00 a.m. **Arrival/Registration**

9:00–10:15 a.m. **PANEL 5: Entangled Histories – De-/Colonial Perspectives and Collections**

Chair: ***Bernadette Biedermann*** (University of Graz)

Reilly Clark (University of California, Santa Barbara)
Imperial Boomerang: African and Oceanic Art in Occupied Paris, 1940–1944

Daniel Hendrikse (Institute for War, Holocaust, and Genocide Studies, Amsterdam)/***Wiebe Reints*** (Independent Researcher, the Netherlands)
The Dutch NK Collection: Contexts of Injustice beyond the Second World War

Elisabeth Pereira / Alexandra Marques / Maria Figueira (Nova University of Lisbon/University of Évora)
Exhibitions as Living Documents: Participatory Decolonisation of Colonial Collections

Oliwia Pordzik (University of Vienna)
From "Objects" to "Belongings": Rethinking Collections Stewardship and Restitution as a Relational Process in Alaskan Museums

10:15–10:45 a.m. **Morning Break**

10:45 a.m.–12:15 p.m. **PANEL 6: Institutional Responsibilities and Practices – Historical Continuities**

Chair: ***Jochen Böhler*** (Museum of Military History, Vienna)

Bartłomiej Sierzputowski / Agata Modzolewska (Ministry of Culture and National Heritage, Poland)
A "New" Chapter in Polish Restitution Policy: Procedure for the Return of Cultural Objects Moved from the Territory of a Foreign Country from the Territory of the Republic of Poland

Borbála Klacsmann (ELTE, Budapest)/***Katalin Andreides*** (Andreides Law, Budapest/Rome)
Provenance and restitution in Hungary – Challenges and Developments

Zuzana Löbling (Charles University, Prague)
From Post-Socialist Restitution to Holocaust Restitution: Legal Continuities and Institutional Ruptures in Czech Museum Collections

Karlo Ruzicic-Kessler (University of Fribourg)
Switzerland's Compensation Policy for Victims of Nazi Persecution

Eléonore Thole (Open Universiteit/RKD, Amsterdam)
Compensatory Restitution versus "Just and Fair Solutions": Russian Trophy Art and the Fragmentation of Post-Holocaust Restitution Norms

12:15–1:45 p.m. **Lunch Break**

Challenges in provenance research and art restitution today and tomorrow

DAY 2 – Wednesday, 2 December 2026

1:45–2:45 p.m. **PANEL 7: Methods, Data and Infrastructures**

Chair: ***Hanna Schneck*** (KHM-Museumsverband, Vienna)

Mirna Mederal (Mimara Museum, Zagreb)
O, knowledge, where art thou? Data Retrieval Issues in Art Research Digital Repositories

Meike Hopp (German Lost Art Foundation/University of Cologne)
Measuring Provenance Research? On Evaluation, Criteria, and the Limits of Metrics

Alexander Nagel (State University, New York)
Archives as Archaeological Sites: South Arabian Objects, Archival Networks, and Institutional Histories between Yemen, Lyon, Berlin, New York City and Washington, D.C.

2:45–3:15 p.m. **Afternoon Break**

3:15–4:45 p.m. **PANEL 8: From Provenance Research to Public Accountability: Restitution, Transparency, and Museum Practice**

Chair: ***Claudia Banz*** (Weltmuseum Vienna/KHM-Museumsverband)

Paula Chmielowska / Kamil Zeidler (University of Gdańsk)
Arguing Restitution: Hard Cases, Justifications, and the Limits of Consensus

Tamar Barbakadze (Independent Researcher, Georgia)
From Archive to Audience: Provenance Research, Narrative Power, and the Politics of Visibility

Ute Strimmer / Sonia Buchroithner (Tyrolean State Museum, Innsbruck)
From Archival Research to Public Dialogue: The First Provenance Exhibition of the Tiroler Landesmuseen as a Catalyst for Research, Education, and Sustainability

Lucie Němečková (Documentation Centre of Property Transfer of the Cultural Assets of WW2 Victims, Prague)
Richard Morawetz Collection. Double injustice finally repaired?

Emilia Krellmann (Technical University Dresden)
Showing What Was Returned: Nazi-Era Provenance Research and Collection Gaps in "Inventarnummer 1938" at the Technisches Museum Wien

4:45–5:15 p.m. **Closing Remarks and Outlook**

Birgit Kirchmayr (Art Restitution Advisory Board/Scientific Coordination, Commission for Provenance Research, Vienna/University of Linz)

Five Cases before the Austrian Art Restitution Advisory Board

At its 109th meeting, held in Vienna on 12 May 2026, the Austrian Art Restitution Advisory Board considered five cases concerning objects held by the Österreichische Galerie Belvedere, the Kunsthistorisches Museum, the Albertina and the Main Library of the University of Vienna. In four of these cases, the Board adopted recommendations under the Austrian Art Restitution Act. The deliberations were based on research conducted by the Austrian Commission for Provenance Research and, in one case, by the Vienna University Library.

The first case concerned a portrait of a woman by François-Xavier Fabre in the collection of the Österreichische Galerie Belvedere. (See Case Study p. 18)
The Board also considered the provenance of a 1926 portrait of Louise Eisner, later Princess Odescalchi, by the American portrait painter John Quincy Adams, now held by the Belvedere, together with works in the Kunsthistorisches Museum and the Albertina that entered the federal collections following Louise Odescalchi's death in 1963.

Her former husband, Paul Jakob Eisner, a German industrialist of Jewish origin, had fled Nazi persecution, first to Prague and Paris and later to Argentina. His property in Berlin was seized, and the goods stored for his intended move abroad were sold at auction in 1942. The works considered by the Advisory Board, however, were not among the objects included in that sale. Renewed research by the Commission for Provenance Research did not produce sufficient evidence that the works had been the subject of a loss resulting from Nazi persecution. The Board therefore did not recommend restitution.

A further case concerned a book in the Main Library of the University of Vienna that had originally belonged to the Collegium Canisianum in Innsbruck. The Jesuit college was closed following the "Anschluss" of Austria in 1938; numerous members of the order were forced to flee, while parts of its library were removed or lost. The volume in question appears to have been transferred to the Zentralbibliothek der Hohen Schule der NSDAP (Central Library of the NSDAP "Hohe Schule") in Berlin. After the war, it formed part of the so-called "Tanzenberg Collection" and subsequently reached the University Library of Vienna via the post-war book sorting centre (Büchersortierungsstelle). On the basis of the historical circumstances and the reconstructed provenance, the Advisory Board recommended that the volume be transferred to the Collegium Canisianum.

The Advisory Board also examined several drawings by Johann Evangelist Scheffer von Leonhartshoff in the Albertina that were connected to Helene Heymann and Ilsa Poschacher. Research established that the works, originating from the collection of August Heymann, who died in 1936,

had already been consigned for sale by his heirs before the "Anschluss". The Board found no evidence of a loss resulting from Nazi persecution and therefore did not recommend their transfer to the legal successors of Helene Heymann and Ilsa Poschacher.

Finally, at the request of the Association of Friends of the Österreichische Galerie Belvedere, the Advisory Board considered a painting by Ferdinand Georg Waldmüller that had formerly belonged to Eveline Egger-Möllwald and is currently on permanent loan from the Association to the Belvedere. Eveline Egger-Möllwald, who came from a Jewish industrialist family, was married to the diplomat Lothar Egger-Möllwald; both were art collectors. Following the "Anschluss" of Austria, Eveline Egger-Möllwald was persecuted by the Nazi regime. Her assets were seized and subsequently expropriated for the benefit of the German Reich. The office operating under the designation "Vugesta II", which cleared the apartments of so-called Reichsflüchtige (Reich refugees) and utilised their contents for the benefit of the German Reich, appears to have been involved in these measures. The painting in question was also taken in this context. As the painting is owned by the Association of Friends of the Österreichische Galerie Belvedere and not by the Federal Government, it falls outside the scope of the Austrian Art Restitution Act. Therefore the Advisory Board stated that it would support restitution to the legal successors of Eveline Egger-Möllwald if the painting were federal property.

* * *

Taken together, the five cases illustrate the range of questions addressed by the Austrian Art Restitution Advisory Board: from objects demonstrably seized and utilised as a consequence of Nazi persecution to cases in which renewed provenance research does not establish a persecution-related loss, as well as the restitution of books dispersed following the persecution and dissolution of institutions. The Egger-Möllwald case also demonstrates the limits of the Austrian Art Restitution Act when it comes to objects which are not federally owned.

The four recommendations adopted under the Austrian Art Restitution Act have been submitted to the responsible federal ministers for decision. Further information on the work of the Austrian Commission for Provenance Research is available at provenienzforschung.gv.at.

Switzerland's Commission for Historically Problematic Cultural Heritage (CPCH)

History and Purpose of the Commission

Nearly three decades after Switzerland endorsed the 1998 Washington Principles, it took a further step in 2026 by establishing an independent expert commission dedicated to contested cultural heritage. The Commission for Historically Problematic Cultural Heritage (CPCH) marks an important milestone in Switzerland's ongoing efforts to address cultural property with a problematic provenance or history of acquisition.

Established by the Swiss Federal Government in response to a parliamentary mandate, the CPCH began its work in March 2026, following the appointment of its members in January. The Commission's members bring together a broad range of expertise, including law, history, art history, provenance research, museology and ethnology. As an independent extra-parliamentary body, it carries out its mandate autonomously, reaching its decisions free from any particular interests.

The CPCH's remit covers two areas: cultural property affected by the National Socialist era and cultural property originating from colonial contexts. This dual mandate places the CPCH in a distinctive position within the international landscape of institutions addressing historically problematic cultural heritage.

Within this framework, the Commission advises the Swiss Federal Government and the federal administration on matters relating to historically problematic cultural heritage, including cultural property in the possession of the Swiss Confederation. It also provides a mechanism for addressing individual cases, issuing non-binding recommendations upon request. These may concern cultural property from the National Socialist or colonial context, whether held in public or private collections.

The following conditions apply to requests for a recommendation: In cases involving cultural property connected to National Socialism and held by publicly funded museums or collections, a request may be submitted by a single party. In all other cases – including those involving colonial-context cultural property or privately held collections – the agreement of all affected parties is required.

Since beginning its work in March 2026, the CPCH has focused on establishing the institutional and procedural framework for its activities. At its second meeting in June 2026, the Commission adopted its internal rules, governing its organisation and general operations. At its third meeting in September 2026, it adopted its procedural rules, setting out the framework for the submission and examination of requests in individual cases. The main provisions of the procedural rules are outlined below.

In fulfilling its advisory mandate, the Commission has also begun examining broader questions concerning the handling of historically problematic cultural heritage. It is currently developing an

overview of cultural property owned by the Swiss Confederation and examining how such property is dealt with where its acquisition or transfer of ownership raises questions of historical provenance. To this end, the Commission has held hearings with the Swiss Federal Office of Culture and other institutions responsible for managing such property.

Alongside this work, the Commission has launched two projects. The first concerns human remains in Swiss collections, some of which originate from the colonial period or other contexts of injustice. The Commission has identified a need for a systematic inventory and an examination of their acquisition histories, and is exploring how this work could be carried out. The second involves a dialogue with museums and other stakeholders, aimed at identifying the main practical challenges in dealing with historically problematic cultural heritage and determining where further action may be needed.

With its interdisciplinary composition, the CPCH provides an independent forum for examining complex historical, legal and ethical questions. By bringing together different areas of expertise and issuing recommendations, the Commission seeks to support dialogue and contribute to just and fair solutions in cases involving historically problematic cultural heritage.

The Commission's dual mandate, covering both National Socialist and colonial contexts, presents a particular challenge, but also an opportunity. As the first institution of its kind, the CPCH can consider different forms of historical injustice not in isolation, but in light of both their commonalities and differences.

At the same time, cases concerning Switzerland have a particular feature that is relevant to the Commission's work: state involvement was rather indirect. There were no instances of direct state dispossession in Switzerland in either the National Socialist or colonial context. These particular circumstances require the Commission to examine each case carefully on its own facts, in line with international standards governing the identification of state involvement or responsibility.

Members of the CPCH

The CPCH currently consists of ten members appointed by the Swiss Federal Government, who exercise their mandate independently and in a personal capacity.

The Commission is chaired by Simonetta Sommaruga, former President of the Swiss Confederation, with Felix Uhlmann, Professor of Constitutional and Administrative Law at the University of Zurich, as Vice-President. Other members include Nikola Doll, Head of Department at the German Lost Art Foundation; Noémie Etienne, Professor of Art History at the University of Vienna; Esther Tisa Francini, Head of Provenance Research and Archives at the Rietberg Museum; Hanno Loewy, former Director of the Jewish Museum Hohenems; Regula Ludi, Professor of History at the University of Fribourg; Marc-André Renold, attorney and expert in art and cultural property law; Fabio Rossinelli, historian and researcher at the Universities of Lausanne and Geneva; and Henri-Michel Yéré, historian and lecturer at the University of Basel.

The Commission is complemented by a General Secretariat, which provides both substantive and administrative assistance in fulfilling its mandate.

Description of the Procedural Rules

In September 2026, the Commission adopted its Procedural Rules, marking its readiness to receive and examine individual requests.

The Commission offers an avenue for addressing individual cases where previous efforts by the parties to clarify the provenance of the cultural property and reach an amicable settlement have not led to a resolution. The Procedural Rules leave it to the Commission to determine, in light of the circumstances of each case, whether these efforts were sufficient.

For a case to be considered by the Commission, there must also be a sufficient connection to Switzerland. This may arise, for example, where the cultural property is located in Switzerland or a relevant transfer of ownership took place there. In addition, the case must not already have been the subject of a substantive decision.

Proceedings are initiated upon request. The Presidency decides whether a case will be admitted and, if so, whether it should first be referred to mediation — which does not result in a formal recommendation — or proceed directly to an adversarial procedure with a view to formulating a recommendation for a just and fair solution.

Mediation may take place at the outset or at a later stage of the proceedings. It gives the parties an opportunity to seek an amicable solution, particularly where their dispute has not yet become entrenched. At this stage, the Commission's role is to act as an intermediary between the parties. Where mediation is not appropriate or does not lead to an agreement, the case proceeds to the adversarial procedure.

In adversarial proceedings, both parties are invited to present their views. The examination also includes an oral hearing, allowing the Commission to clarify any outstanding questions directly with the parties and giving them a chance to explain their positions in person.

The Commission's recommendations draw on international standards relevant to the context of each case. In cases concerning the National Socialist period, these include the Washington Principles (1998) and the Terezín Declaration (2009), as well as subsequent declarations and statements endorsed by Switzerland. In cases concerning the colonial context, relevant standards include the UN Declaration on the Rights of Indigenous Peoples (2007), as well as Article E.9 of the ICOM Code of Ethics for Museums (2026).

Within this framework, the Commission's recommendations may take into account the specific context of each case and are not limited to restitution. Depending on the particularities of the case, they may also propose other forms of just and fair solutions, such as a joint sale or compensation to the applicant. As a matter of transparency, the Commission's recommendations are generally published together with the reasons on which they are based.

As it begins its work, the CPCH is pleased to join the Network of European Restitution Commissions. It looks forward to exchanging experiences and perspectives with other commissions and to contributing to the continuing international dialogue in this important field.



Members of the Swiss Commission for Historically Problematic Cultural Heritage and the secretariat management, from left to right: Nikola Doll, Henry-Michel Yéré, Regula Ludi, Felix Uhlmann, Simonetta Sommaruga, Marc-André Renold, Noémie Etienne, Hanno Loewy, Esther Tisa Francini, Fabio Rossinelli und Vijitha Fernandes. © karinscheidegger.ch

Contact Details

Secretariat - Commission for Historically Problematic Cultural Heritage
Monbijoustrasse 72–74, 3007 Bern - Switzerland; Phone:+41 58 461 02 78
Email: info@khbk.admin.ch
Website: https://www.khbk.admin.ch/en

Proceedings before the Court of Arbitration for Nazi-looted Cultural Property



© Heidi Scherm Fotografie

This text is an excerpt from the forthcoming publication “Die Schiedsgerichtsbarkeit NS-Raubgut”, for the journal Konfliktdynamik (2026) authored by Julia Albrecht (Head of the Service Desk to the Court of Arbitration for Nazi-looted Cultural Property) and Leokadia Melchior (Legal Advisor at the Service Desk to the Court of Arbitration for Nazi-looted Cultural Property)

Introduction

The Court of Arbitration for Nazi-looted Cultural Property commenced its work on 1 December 2025. It is competent for resolving disputes concerning the return of cultural property seized as a result of Nazi persecution. The Court of Arbitration for Nazi-looted Cultural Property succeeded the Advisory Commission on the return of cultural property seized as a result of Nazi persecution, especially Jewish property (Advisory Commission), which operated from 2003 to 2025.

The Court of Arbitration for Nazi-looted Cultural Property may be called upon to resolve disputes in which a person persecuted under the Nazi regime claims the loss of cultural property as the result of persecution and seeks its return. Generally, the proceedings are initiated by the person persecuted under the Nazi regime or their heirs, while the other party is the public institution holding the cultural property in dispute. Nevertheless, private individuals may also agree to have the dispute resolved by arbitration.

The Court of Arbitration for Nazi-looted Cultural Property comprises the Executive Committee, the arbitrators and the Service Desk. Presidents of the Executive Committee are DDr. Elisabeth Steiner, former judge at the European Court of Human Rights, and Peter Müller, former Justice of the Federal Constitutional Court. The Executive Committee represents the Court of Arbitration, consults with the other arbitrators on fundamen-

tal questions and, together with the Service Desk, determines how to proceed in atypical procedural situations.

The list of arbitrators comprises 36 individuals. Two thirds of the arbitrators have legal expertise, while one third have expertise in history/art history. Half of the arbitrators were nominated by the Federal Government, the *Länder* and the national associations of local authorities, and the other half by the Jewish Claims Conference and the Central Council of Jews in Germany. The list of arbitrators is a closed list; arbitrators for individual proceedings may be appointed only from this list. A separate arbitration panel is constituted for each arbitration proceeding before the Court of Arbitration for Nazi-looted Cultural Property. Each arbitration panel consists of five arbitrators drawn from the different disciplines.

The Service Desk administers the proceedings submitted to the Court of Arbitration for Nazi-looted Cultural Property. It acts as the parties' point of contact until an arbitration panel has been constituted, supporting the initiation of proceedings and administering the appointment of arbitrators. In certain procedural situations, the Service Desk consults the Executive Committee, for example where it is not readily apparent whether the requirements for initiating proceedings are met or where more than one party entitled to apply for arbitration initiates a claim concerning the same disputed cultural property. Once an arbitration panel has been constituted, the Service Desk provides both administrative and substantive support. At the request of an arbitration panel, the Service Desk may provide academic research support for the proceedings.

Proceedings before the Court of Arbitration and the decisions of the individual arbitration panels are governed by the "Court of Arbitration for Nazi-looted Cultural Property Rules of Arbitration" (Rules of Arbitration). The substantive assessment of claims is based on the "Assessment Framework for examining and deciding on the treatment of Nazi-looted cultural property" (Assessment Framework). These instruments do not have the status of legislation but were drawn up at administrative level by the Federal Government, the *Länder* and the national associations of local authorities. Their applicability to proceedings before the Court of Arbitration for Nazi-looted Cultural Property was agreed in the "Administrative Agreement Establishing Joint Arbitration for Disputes Concerning the Return of Nazi-looted Cultural Property" (see Sections 2(6) and (7) of the Administrative Agreement and Annexes 1 and 2 thereto). In addition, the "Rules of Procedure of the Court of Arbitration for Nazi-looted Cultural Property" (Rules of Procedure) set out in greater detail how the Executive Committee, the arbitration panels and the Service Desk operate.

Possibility of Unilateral Application

A major criticism of the predecessor body, the Advisory Commission, was that applicants were unable to initiate proceedings before the Advisory Commission unilaterally (see Papier 2024, p. 50). The Commission could act only if the institution holding the cultural property also agreed to the proceedings. This form of access – or rather lack of access – reflected the fact that the Advisory

had been established as a mediation body, inherently requiring the willingness of both parties to participate. Since proceedings could not be initiated unilaterally, persons persecuted under the Nazi regime and their heirs were in many cases unable to pursue potential claims where the institution holding the cultural property was unwilling to agree to proceedings before the Advisory Commission. This position adopted by some public institutions was surprising, given that the Advisory Commission itself had been conceived, established and appointed by decision of the Federal Government, the *Länder* and the national associations of local authorities. One case that attracted considerable public attention in recent years concerned Picasso's *Madame Soler:* the Advisory Commission was unable to consider this case because the Free State of Bavaria refused to participate. While the Mendelssohn-Bartholdy heirs wished to have the case reviewed by the Commission, the Bavaria declined to submit the matter to the body (see Häntzschel 2021).

In response to the criticism of the requirement that proceedings could only be initiated if both parties agreed to it, the Federal Government, the *Länder* and the national associations of local authorities adopted a different approach when they established the new arbitration procedure. By concluding the Administrative Agreement, the Federal Government and the *Länder* undertook to make what are known as "standing offers" (see Section 3 of the Administrative Agreement). By means of such standing offers, they issue a "declaration of consent to enter into an arbitration agreement within the meaning of Section 1029 of the German Code of Civil Procedure (ZPO)", thereby giving their binding, general and prior consent to all parties entitled to apply for arbitration to bring proceedings before the Court of Arbitration for Nazi-looted Cultural Property in disputes concerning the return of cultural property seized as a result of Nazi persecution. The parties entitled to apply for arbitration may then accept this offer unilaterally in relation to a specific case by concluding and signing the arbitration agreement (Section 8(1) of the Rules of Arbitration). Local authorities and all autonomous public institutions are likewise encouraged to make standing offers, though this has only been implemented in part to date (all bodies that have made a standing offer are listed on the website of the Court of Arbitration for Nazi-looted Cultural Property).

A further criticism of the Advisory Commission was that its recommendations had no legally binding effect and were therefore not enforceable (see Stötzel 2024, p. 64). With the introduction of arbitration proceedings, arbitration awards may now be issued which have the same effect as a final court judgment between the parties and are therefore enforceable (cf. Section 27(4) of the Rules of Arbitration).

The Procedure in Detail

Proceedings before the Court of Arbitration for Nazi-looted Cultural Property go through a number of stages. The initiation of proceedings is followed by the appointment of the arbitrators and the constitution of the arbitration panel. Once the arbitration panel has been constituted, the arbitration proceedings begin with one or more oral hearings. Generally, the proceedings conclude with an arbitration award.

Initiation of Proceedings

Proceedings before the Court of Arbitration for Nazi-looted Cultural Property may be initiated where it is claimed that cultural property was lost between 30 January 1933 and 8 May 1945 as the result of persecution under the Nazi regime on racist, political, religious or ideological grounds or as a victim on grounds of sexual orientation (Section 1 of the Rules of Arbitration). Applications are usually initiated by the party entitled to apply for arbitration, namely the person persecuted under the Nazi regime or their heirs, either in person or through counsel, by submitting an application to the Service Desk. The specific requirements for initiating proceedings are set out in Section 9(1) of the Rules of Arbitration: In addition to providing information on the parties, the application must include a specific claim (such as the return of the cultural property), the facts and circumstances on which the claim may be based – including information about the persecution, the original title and the circumstances of loss during the period of persecution – and a description of the unsuccessful previous procedure. The party entitled to apply for arbitration must also submit a signed arbitration agreement. The application also is to be accompanied by documents and other information which may substantiate the claim (Section 9(2) of the Rules of Arbitration).

The purpose of the previous procedure is to give the public institution holding cultural property an opportunity to reach an amicable solution before arbitration proceedings are initiated. A previous has achieved no result if, within 20 months of the first time the institution holding the cultural property was contacted, it has not made a decision concerning the application, the parties have not reached an amicable settlement, or the institution has denied the application (Section 7(1) of the Rules of Arbitration). A previous procedure has further no result if the institution holding the cultural property has not responded within three months of being contacted, has apparently not taken or announced any action within six months to examine the application (Section 7(2)), or has chosen to forgo the previous procedure (Section 7(3) of the Rules of Arbitration).

The parties entitled to apply for arbitration must submit a signed arbitration agreement. The model arbitration agreement has likewise been prescribed by the Federal Government, the *Länder* and the national associations of local authorities. Among other things, details of the parties and of the specific object of dispute, namely the item of cultural property concerned, need to be included. With the arbitration agreement the parties also stipulate that the proceedings before the Court of Arbitration for Nazi-looted Cultural Property are to be conducted in accordance with the Rules of Arbitration and based on the Assessment Framework, and without recourse to legal proceedings. Section 8(1) of the Rules of Arbitration provides that the arbitration agreement must be signed. As the parties entitled to apply for arbitration may usually be consumers, the formal requirements of Section 1031(5) of the German Code of Civil Procedure (*ZPO*) apply, meaning that the arbitration agreement must be signed by both parties. In practice, this should not present any difficulty, since institutions will usually already have declared their willingness to conclude an arbitration agreement by making a standing offer. Hence, signing the arbitration agreement for the case in question should amount to little more than a formality. At the same time, the require-

ment for the other party to sign the arbitration agreement is somewhat straining the principle of a unilateral initiation of proceedings before the Court of Arbitration for Nazi-looted Cultural. Once a complete application has been submitted, the Service Desk forwards it to the other party (Section 9(4) of the Rules of Arbitration).

Constitution of the Arbitration Panel

Once proceedings have been started, the Service Desk administers the appointment of arbitrators (Section 12 of the Rules of Arbitration). It asks each party to appoint two arbitrators each within a deadline four weeks. The arbitrators must be selected from the list of arbitrators. Each party appoints one arbitrator with legal expertise and one with expertise in history/art history. The Service Desk is notified of the appointed arbitrators. In turn, it informs the arbitrators of their appointment and requests them, within a deadline, to declare whether they accept the office of arbitrator. Upon accepting the appointment, the arbitrators must disclose all facts and circumstances which, when viewed objectively, could cause reasonable doubt on the part of the parties as to their impartiality or independence (Section 11(2) of the Rules of Arbitration). If one of the appointed arbitrators is unable or unwilling to accept the appointment, the relevant party is requested to appoint a different arbitrator.

If the parties fail to appoint arbitrators within the specified deadline, the head of the Service Desk selects the arbitrators by drawing lots (Section 12(2) of the Rules of Arbitration).

Once all four party-appointed arbitrators have been appointed, the Service Desk requests them to chose, within a period of 21 days, a chairperson, who should ideally be a judge or, alternatively, a jurist qualified to hold judicial office in Germany (Section 12(3) of the Rules of Arbitration). Once the chairperson has accepted the appointment and made the required disclosures, the arbitration panel is constituted. Following notification that the arbitration panel has been constituted, the parties have 14 days to apply for the rejection of individual arbitrators (Section 13 of the Rules of Arbitration). If the arbitrator concerned does not resign, the remaining members of the constituted arbitration panel decide on the rejection by simple majority.

The Proceedings

Once constituted, the arbitration panel should hold a case management conference within 21 days, attended by the arbitrators, the parties and their counsel (Section 19 of the Rules of Arbitration). Several case management conferences may be held during the course of the proceedings. The timetable and procedural planning for the arbitration are discussed at the case management conference. Requirements for the written pleadings, the date of the hearing for oral argument and the question of whether expert should be consulted may be discussed (Section 19 of the Rules of Arbitration and Section 11(2) of the Rules of Procedure). In the course of the subsequent proceedings, written pleadings are exchanged between the parties. In addition, the arbitration panel is authorised to investigate the underlying facts of the case and may appoint one or more experts (Section 20 of the Rules of Arbitration). The arbitration panel may also request the Service Desk to conduct independent and objective academic research and analysis on legal and (art-)

historical matters (Section 4(1) of the Rules of Procedure).

Unless the parties agree otherwise, the arbitration panel considers the matter at a hearing for oral argument (Section 21 of the Rules of Arbitration), which forms the basis of the panel's decision. If the parties agree and explicitly so desire, the hearing may be open to the public (Section 21(2) of the Rules of Arbitration).

At every stage of the proceedings, the arbitration panel should seek to encourage an amicable settlement of the dispute (Section 18(1) of the Rules of Arbitration). The arbitration proceedings end either with the final arbitration award or by way of a decision to end the proceedings (Section 28 of the Rules of Arbitration). An arbitration award has the same effect on the parties as a final court judgment and is therefore enforceable. The arbitration panel reaches its decision with a majority of votes of all its members (Section 22(2) of the Rules of Arbitration). The proceedings may also end with a settlement reached by the parties (Section 26 of the Rules of Arbitration). Upon application, the settlement may be recorded in the form of an arbitration award. The decision is provided to the parties and is also made available to the public on the website of the Court of Arbitration for Nazi-looted Cultural Property in both German and English (Section 29 of the Rules of Arbitration). Apart from the costs of their own legal representation, the parties incur no costs, as the proceedings are free of charge (Section 31 of the Rules of Arbitration). There is no appeal against an arbitration award. In the event of particularly serious procedural defects or violations of *ordre public*, an arbitration award may, subject to strict conditions, be set aside pursuant to Section 1059 *ZPO*.

The Assessment Framework – the Substantive Basis of the Proceedings

Substantively decision in the arbitration proceedings are based on the Assessment Framework. It constitutes a detailed body of rules drawn up by the Federal Government, the *Länder* and the national associations of local authorities at the administrative level. The provisions are based principally on the Allied restitution laws and on the guidance provided by the Guidelines for implementing the Statement by the Federal Government, the *Länder* and the national associations of local authorities on the tracing and return of Nazi-confiscated art, especially Jewish property, of December 1999 (*Guidelines*, 2019 edition), which previously formed the basis for the recommendations issued by the Advisory Commission on the return of cultural property seized as a result of Nazi persecution, especially Jewish property.

The conditions for a claim seeking the return of cultural property are, first, that the property in question constitutes cultural property (Section 4.1 of the Assessment Framework) and, second, that it was lost as the result of persecution between 30 January 1933 and 8 May 1945. The term cultural property encompasses not only works of art in the traditional sense, but also books and archival material, as well as decorative arts, furniture, musical instruments and technical equipment. Parties entitled to apply for arbitration must establish persecution under the Nazi regime on racial, political, religious or ideological grounds or as victims on grounds of sexual orientation (Sections 1.1 and 3.1 of the Assessment Framework), as well as their original ownership

and the loss of the property during the period of persecution (Sections 5 and 8 of the Assessment Framework). The transfer of ownership may have taken place within the German Reich or territories occupied by the German Reich, but also outside those territories. The loss must have occurred as the result of action by government bodies or by private third parties or as the result of a legal transaction entered into by the person subjected to persecution (Sections 8, 8a, 8d and 9 of the Assessment Framework). In addition, the Assessment Framework requires there to be a sufficiently close connection between the loss and the persecution as a result of the Nazi regime. As a general rule, such a connection is presumed.

Where the conditions for a loss resulting from persecution under the Nazi regime are met, the return of the cultural property should take precedence as the solution to the dispute (Section 11.1 of the Assessment Framework). In certain circumstances, however, other solutions are possible, for example the sale of the cultural property and the division of the proceeds (Section 11.2 of the Assessment Framework).

The Assessment Framework establishes a number of presumptions in favour of parties entitled to apply for arbitration. These derive from presumptions which previously enabled restitution claims under the Allies' restitution laws and they reduce the burden of proof significantly. First, there is an assumption of persecution for certain groups: under Section 7.2 of the Assessment Framework, "persons who, under Nazi law, were persecuted as Jews or as 'half-breeds in the first degree' (*Mischling 1. Grades*) and members of the Sinti and Roma ethnic groups" are assumed to have been subjected to collective persecution during the period between 30 January 1933 and 8 May 1945. Of central importance is also the presumption of a sufficiently close connection between the loss and the persecution, which generally applies: pursuant to Section 8.2 of the Assessment Framework, in the case of legal transactions there is presumed to have been "a sufficiently close connection" between the loss and the persecution. In other words, it is generally presumed that the persecution was the cause of the loss. In certain cases, the Assessment Framework provides for limitations on these presumptions (cf. Sections 8.3 and 9 of the Assessment Framework), as well as detailed conditions under which the presumption of a sufficiently close connection may be disproved (Sections 8b ff. of the Assessment Framework). The burden of disproving the presumption of a sufficiently close connection between the loss of the cultural property and the persecution as a result of the Nazi regime rests with the other party.

Outlook

The establishment of the Court of Arbitration for Nazi-looted Cultural Property marks the beginning of a new chapter in the resolution of disputes concerning the return of Nazi-looted cultural property. While the substantive assessment framework is based on principles developed in the post-war period, the conduct of proceedings before arbitration panels issuing binding arbitration awards marks a departure from the "soft-law" and mediation-based approach of the Advisory Commission on Nazi-looted Cultural Property. Together with the Rules of Arbitration, the Assessment Framework and the models for the standing offer and arbitration agreement, the provisions governing the Court of Arbitration for Nazi-looted Cultural Property laid down in the

Administrative Agreement form an integrated framework under which disputes concerning Nazi-looted cultural property in Germany may be heard only on the basis of these rules and only before the Court of Arbitration for Nazi-looted Cultural Property.

In addition, a revised edition of the *Guidelines* was published in 2025 which in particular calls upon public institutions holding cultural property "to check their holdings and collections proactively and systematically for items of Nazi-looted cultural property and to return any such items to the rightful owners or their legal successors, or to find other just and fair solutions with those individuals" (*Guidelines*, 2025, p. 7). The *Guidelines* also make clear that "for public institutions holding cultural property", the Assessment Framework is "binding and must be consulted for all provenance assessments." (*Guidelines*, 2025, p. 25).

The first proceedings before the Court of Arbitration for Nazi-looted Cultural Property have now been initiated. In the years ahead, it will become clear whether the Court of Arbitration will be taken up by victims of Nazi persecution and their heirs and how its arbitration awards will contribute to achieving the stated aim of "improving the practice of restituting Nazi-looted cultural property" (*Guidelines*, 2025, p. 7) so as to "better fulfil the objectives of the Washington Principles" (Preamble, B, Administrative Agreement).

Pursuant to Section 8 of the Administrative Agreement, an evaluation will be carried out jointly with the Jewish Claims Conference and the Central Council of Jews in Germany after the Court of Arbitration for Nazi-looted Cultural Property has issued ten arbitration awards, or at the latest after three years.

Bibliography

Häntzschel, J. (2021), *Der Fehler liegt im System. Süddeutsche Zeitung* dated 9 June 2021. https://www.sueddeutsche.de/kultur/kunst-raubkunst-picasso-portrtae-der-mad-ame-soler-1.5317238 [last accessed 13 July 2026]

Papier, H.-J. (2024). "*Stärkung der Beratenden Kommission". Kunst und Recht* (2, 2024), pp. 50-52.

Stötzel, M. (2024). *Vom Versprechen zur Überraschung. Die umstrittene Auflösung der Beratenden Kommission NS-Raubgut. Kunst und Recht* (2, 2024), pp. 63-66.



7 books to be returned to the heirs of Marc Bloch © Monique Ulrich/ Ambassade de France en Allemagne

Franco-German cooperation

As part of Franco-German cooperation, seven books looted from Marc Bloch during the Occupation were returned to the heirs of the renowned historian and Resistance fighter on 28 May 2026 in Berlin.

By decision of the President of the French Republic, the historian and Resistance fighter Marc Bloch was interred in the Panthéon on 23 June 2026, alongside his wife Simonne Vidal, who contributed significantly to his academic career.

Before his arrest by the Gestapo and his assassination for acts of resistance, Marc Bloch had been stripped of his civil rights, ostracised from society and had his property looted by the Vichy government. As President of the Republic, Emmanuel Macron summarised during the ceremony marking Marc Bloch's induction into the Panthéon: *"What does this life of greatness and hard work matter? Those in the service of the French State saw Marc Bloch as nothing but a Jew. The malevolent, disastrous, harmful Jew. Guilty simply for being Jewish. To be excluded, persecuted and erased simply for being Jewish. From the end of 1940, Marc Bloch, like so many of our compatriots, suffered the consequences of this policy carried out in the name of France. And his family suffered alongside him. A hellish chain of events."*

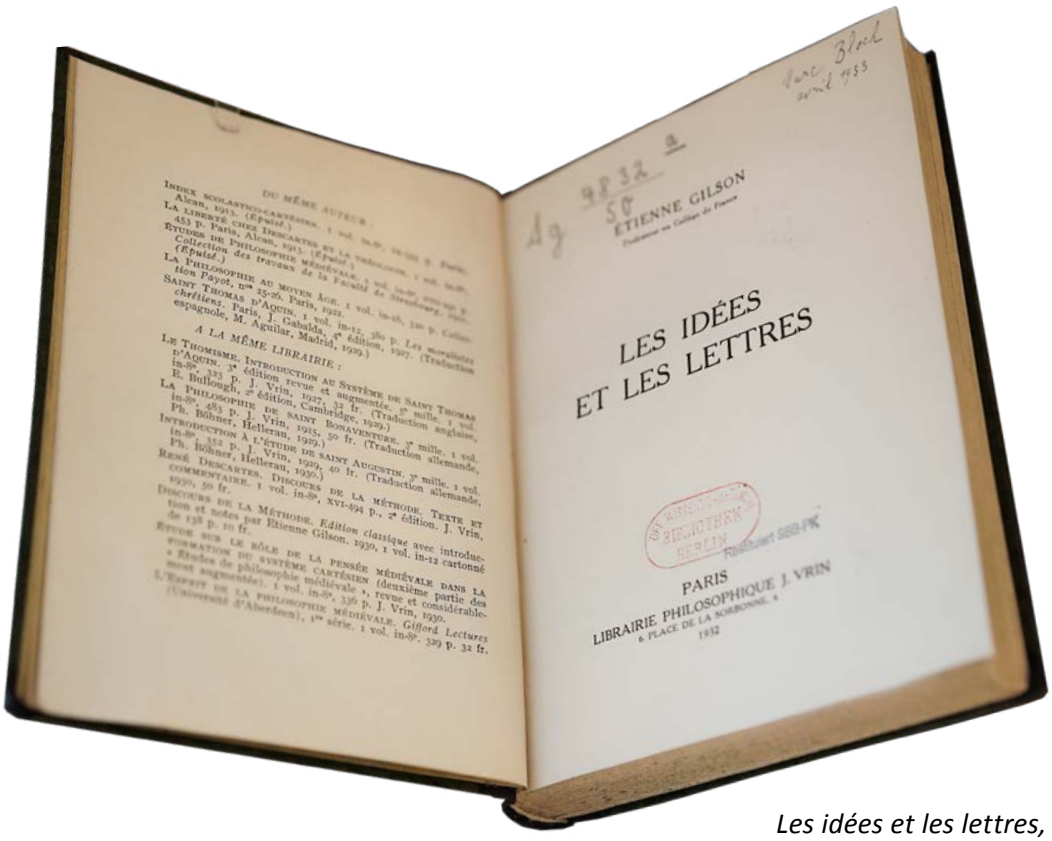
Affected by the anti-Semitic legislation enacted by the French government during the Occupation, Marc Bloch was persecuted, stripped of his possessions and forced to move to the Free Zone. Marc Bloch, his wife Simonne Vidal and their six children had been renting a flat at 17 Rue de Sèvres, in the 6th arrondissement of Paris, since 1929. On 23 December 1941, the flat of the 'Jewish professor Marc Bloch' was requisitioned by the occupying

forces. His library, comprising between 5,000 and 7,000 volumes, was seized in April 1942.

Emmanuel Macron thus emphasised at the Panthéon on 23 June that when Marc Bloch and his family faced grave threats under the Occupation, having lost their possessions, their rights and their status, the historian strove by every means to save what he considered his most precious possession: the thousands of books he had collected during his extraordinary career as an intellectual. *"Anti-Semitism robbed him of his profession, his flat and his money. It must also steal his books. These were sent to Germany, scattered to the four winds. And many were lost. In collaborationist France, eager to take its revenge for the Dreyfus affair, the case of Marc Bloch shows that whenever a Jew is to be targeted, there is always a prefect to requisition. A policeman to search. A judge to pass sentence. An academic to justify it. A journalist to endorse it. A neighbour to denounce him. And so many others to look the other way."*

Prior to his induction into the Panthéon, and thanks to the fruitful and lasting partnerships forged between France and Germany in the fields of provenance research, the search for rightful claimants and the restitution of cultural property looted between 1933 and 1945, certain works looted from Marc Bloch during the Occupation had already been returned to the descendants of the eminent medievalist.

On 28 May 2026, three German libraries in Berlin, Frankfurt am Main and Greiz thus returned to Marc Bloch's rightful heirs seven books that had



Les idées et les lettres, Etienne Gilson

© Monique Ulrich/ Ambassade de France en Allemagne



From left to right M. Florian Mazel University Professor Sorbonne Paris I, Konrad Schmidt-Werthern Secretary-General of the German Federal Ministry of Culture, Alexander Schulze Mayor of Greiz, Matis Bloch Great-grandson of Marc Bloch, Achim Bonte Director-General of the Berlin State Library – Prussian Cultural Heritage Foundation, His Excellency, François Delattre, the French Ambassador to Germany

© Monique Ulrich/ Ambassade de France en Allemagne

been looted from the French historian and Resistance fighter during the Occupation. Chaired by the French Ambassador to Germany, Mr François Delattre, the ceremony took place in the presence of some of the representatives of these rightful claimants.

At the ceremony, the CIVS was represented by its Vice-President, Mr Christophe Devys; its Director, Ms Johanna Barasz; the head of its research coordination department, Mr Vincent Tuchais; and the Commission's Berlin office. The French Ambassador to Germany hailed "a powerful gesture in support of Franco-German friendship", whilst Christophe Devys emphasised that it was the "responsibility of the French Republic to restore today, even symbolically, the principle of justice, where it was perverted during the Second World War". The Vice-President of the CIVS also highlighted the importance of tracing rightful claimants for the restitution of cultural property, and expressed the Commission's support for the Deutsches Zentrum Kulturgutverluste, its partner in Germany, in the face of rising revisionism and anti-democratic movements. Finally, Mr Devys reiterated that the work of the CIVS and its partners was aimed above all at restoring a part of their history to families and rightful claimants: "What matters, beyond the material value of the returned objects, are the stories, the biographies and the faces that we can make out in the shadows of the books, paintings or sculptures returned to their rightful owners. It is the suffering and injustices they endured, a tiny fraction of which we are making amends for. But whether it is an artistic masterpiece or a simple book with no particular market value, the State's departments act with the same commitment, the same consistency and the same determination to keep alive the memory of the victims of National Socialism and the Vichy regime."

In Le Chambon-sur-Lignon, the CIVS is taking part in the opening of a unique exhibition on the art market during the Occupation

The issue of art looted during the Occupation extends far beyond Parisian institutions. From 2 July to 28 November 2026, the Lieu de Mémoire, a museum located in the commune of Le Chambon-sur-Lignon (Haute-Loire), and managed since 2020 by the Mémorial de la Shoah, is hosting a major exhibition dedicated to the art market during the Occupation; it was curated by Emmanuelle Polack, a provenance researcher at the Louvre Museum.



© Mémorial de la Shoah



Auction at the Charpentier Gallery. Paris, June 1944.

© LAPI / Roger-Viollet / Mémorial de la Shoah

On 2 July 2026, the Chair and the Director of the CIVS attended the opening of the exhibition, which is accompanied by a series of events designed to raise public awareness of the issues of provenance research and the looting of art between 1933 and 1945.

The exhibition 'The Art Market under the Occupation' illustrates the growing interest amongst the general public in France in the issues addressed by the French Commission for Restitution and Compensation, as well as the Ministry of Culture's research and restitution mission.

Dutch Restitutions Committee Recommends Return of Van Goyen Painting to the Heirs of Jacques Goudstikker

The Dutch Restitutions Committee advised the Minister of Education, Culture and Science to return the painting Fishermen by the Lakeshore by Jan van Goyen to the legal heirs under inheritance law of the Jewish art dealer Jacques Goudstikker (1897-1940). The painting is currently part of the Dutch National Art Collection and is housed at the Mauritshuis in The Hague. Extensive provenance research revealed that the painting originally belonged to Jacques Goudstikker's art dealership in Amsterdam and that possession of the work was involuntarily lost during the Second World War as a result of circumstances directly connected to the Nazi regime.

Shortly after the German invasion of the Netherlands, Jacques Goudstikker fled to England by boat with his family. During the voyage, he died in an accident. His art dealership remained in Amsterdam with a large inventory of artworks that attracted considerable interest from German buyers. In the first months of the occupation, substantial parts of the collection were sold to the German businessman Alois Miedl and to leading Nazi official Hermann Göring. The Van Goyen painting became part of Göring's collection.

The loss of ownership is considered involuntary because Jacques Goudstikker's widow, who was the majority shareholder in the art dealership, did not consent to the transactions. Furthermore, the sales were only made possible through the appointment of a director who was sympathetic to the Nazi cause. The committee also notes that artworks were transferred to Germany before the formal purchase agreements were signed. This is consistent with a broader pattern of Nazi authorities looting artworks or forcing sales and subsequently creating an appearance of legal legitimacy.
In reaching its decision, the committee also took into account the complex history of previous restitution proceedings and claims relating to the Goudstikker collection.



Fishermen by the Lakeshore by Jan van Goyen

Photo:
Mauritshuis, Den Haag

Dutch Restitutions Committee Recommends Return of Objects to Heirs of Jewish Art Dealers

The Dutch Restitutions Committee issued two new recommendations concerning the restitution of objects from the Dutch National Art Collection (NK Collection) to the legal heirs under inheritance law of Jewish art dealers whose businesses were the subject of Nazi persecution during the German occupation of the Netherlands.

In the A. van Leeuwen II (RC 1.213) case, the Committee recommended the return of sixteen objects to the legal heirs under inheritance law of Abraham van Leeuwen and his son Alexander Isaäc van Leeuwen, owners of the Hague-based art and antiques businesses A. van Leeuwen and A. van Leeuwen & Zoon. The objects were sold during the occupation to the Münchener Kunsthandelsgesellschaft (the Aryanised art dealership Bernheimer) and the Museum für Kunsthandwerk in Frankfurt, both closely linked to the Nazi regime. Although the exact circumstances of some of the transactions could not be fully reconstructed, the Committee concluded that the sales took place within an environment shaped by anti-Jewish measures, economic exclusion and, ultimately, the appointment of a Verwalter to 'manage' the businesses.

In a separate case, J. Stodel art dealership (RC 1.211), the Committee recommended the restitution of nineteen objects (furniture, ceramics, glass and porcelain) to the legal heirs under inheritance law of brothers Salomon and Bernhard Stodel. Here too, the objects were sold in three wartime transactions to the Münchener Kunsthandelsgesellschaft and Museum für Kunsthandwerk in Frankfurt. The Committee found that the brothers were operating under mounting pressure from anti-Jewish legislation, including business registration requirements, the threat of expropriation and, from late 1941, the appointment of a Verwalter who assumed control of the firm and its finances.

A notable aspect of both recommendations is the Committee's emphasis on the broader context in which Jewish art dealers were forced to operate. In both cases, it found that the sales could not be viewed as ordinary commercial transactions, even when concluded before a Verwalter was formally installed. The Committee concluded that the increasingly oppressive anti-Jewish measures, combined with the involvement of Nazi-linked buyers, created circumstances in which the dealers could not freely conduct business or meaningfully refuse transactions.

The decisions underline the Committee's continuing recognition that involuntary loss of possession may result not only from direct confiscation or administration by a Verwalter, but also from the wider coercive conditions created by Nazi persecution of Jewish art dealers and entrepreneurs.

Refreshing the Spoliation Advisory Panel

The Spoliation Advisory Panel, a non-departmental public body under the Department for Digital, Culture, Media and Sport (DCMS), is the United Kingdom's instrument for advising the government on claims for cultural property looted during the Nazi era and now held in public collections - or, when both claimant and owner agree, private ownership. The Panel, designated by the Secretary of State, offers an independent recommendation to both parties on what would be an appropriate course of action to take, issuing this advice on the basis of written exchanges, as an alternative to litigation.

The Panel was first established in February 2000, and has produced 25 reports in response to 22 claims since then. The most substantial changes to the Panel's composition took place in 2015, following a review by Sir Paul Jenkins. One of the review's recommendations was that a second chair be added in case of multiple concurrent claims. This model is still followed today, where the Panel has ten members including two chairs and two vice-chairs.

Having recently reviewed the Panel's terms of reference and governance model, DCMS is undertaking another refresh of the Panel. A recent round of recruitment has aimed both to replace outgoing members and to develop the Panel into a wider pool of experts with specialisms covering a range of relevant areas and perspectives, and from which members can be called upon to advise on a case by case basis. The pool will diversify the specialist expertise available to the Secretary of State on matters relating to spoliation; increase the Panel's capacity to advise on cases; and support opportunities to raise the Panel's profile both at home and internationally. DCMS has also expanded the secretariat which supports the Panel in its work.

These changes reflect the ongoing importance which the UK Government places on addressing issues of spoliation, and will provide the Panel with greater capacity to ensure it remains best able to engage with its vital work.

Ukraine symposium at the V&A

On 15 September, the V&A museum hosted a one-day hybrid conference titled Ukrainian Cultural Heritage and UK Institutions: Shifting Perspectives and Practice. The event explored Ukrainian heritage in the UK through material culture, examining histories of identity, collection and interpretation. Bringing together UK and Ukrainian scholars, curators and practitioners, it reflected critically on past practices, current research, and future approaches amid ongoing global awareness of and engagement with threats to Ukrainian cultural heritage.

Across four thematic sessions, the programme considered the impact of conflict on cultural institutions, the histories of acquisition and displacement that shaped UK collections, and current efforts to reassess cataloguing, interpretation and display. Speakers also covered topics of provenance and the complex, often problematic, histories of collections' movements out of Ukraine and into museums in the West. The conference also highlighted the role of international collaboration, digital initiatives, and diaspora communities in shaping how Ukrainian culture is understood and presented.

A Lost Connection, a Rediscovered History: The Carl Otto Czeschka Figurines of the Waerndorfer Family at the MAK

Introduction

Since 1934, Carl Otto Czeschka's two monumental figurines depicting Richard Wagner's Tristan und Isolde and Die Walküre have been held at the MAK as permanent loans. What at first glance appears to be a routine museum arrangement reveals, upon closer examination of archival records, a dramatic story about the biographical, financial and social fate of the Waerndorfer family. Their circumstances reflect the sociocultural changes that took place between the advent of Viennese Modernism, the First World War, Austrofascism and National Socialism, illustrating a life caught between the family's cultural patronage and financial insolvency.



Carl Otto Czeschka at work

Vienna around 1900

The prominent textile magnate Friedrich ("Fritz") Waerndorfer (1868–1939) and his wife Lili (1874–1952, née Hellmann), whom he married in 1896 and with whom he had three children (Karl, later Charles, Helene and Herbert), were among the most important patrons of Viennese Modernism. They played a significant role in the artistic developments that, at the turn of the century, brought Vienna fame far beyond the borders of the Monarchy.

Thanks to the family's economic success, Fritz Waerndorfer was moving within Vienna's avant-garde circles already at an early age, becoming an avid art collector, and travelling to England from 1890 onward to study developments in the British textile industry. There he encountered the Arts and Crafts Movement, which inspired him. Upon his return to Vienna in 1895, Hermann Bahr introduced Waerndorfer to the artists of the Vienna Secession, founded in 1897, includ-



Two large-scale figurine designs, Tristan and Wotan, by Carl Otto Czeschka from the former Wärndorfer Collection. Museum of Applied Arts, Vienna, exhibition "Vienna around 1900."

ing Gustav Klimt, Josef Hoffmann and Koloman Moser. From then on, Waerndorfer actively supported them through commissions. For example, he commissioned international artists who had been featured in the Eighth Secession Exhibition in November 1900, among them Charles Rennie Mackintosh and his wife Margaret Macdonald Mackintosh, Josef Hoffmann and Koloman Moser, to decorate his villa in Vienna's prestigious Cottage District (18th district, Weimarer Straße 59).

In May 1903, Waerndorfer founded the "Wiener Werkstätte Productive Cooperative of Arts and Crafts" together with Hoffmann and Moser. Its aim was to produce high-quality artistic crafts as an alternative to mass-produced industrial goods. Waerndorfer joined the enterprise as its commercial director with initial capital of 500 Kronen, while Hoffmann and Moser assumed artistic direction.

From the outset, the Wiener Werkstätte became one of the most influential driving forces behind modern design in Europe. However, despite its remarkable achievements, financial difficulties emerged as early as 1907, and by 1909, the company was facing bankruptcy. Waerndorfer's attempt to rescue the enterprise by settling its debts using his private assets, gained by selling his shares in the cotton-spinning mill in Náchod to Waerndorfer-Benedict-Mautner, failed. By 1913, the Wiener Werkstätte had accumulated debts amounting to approximately half a million Kronen. On 23 March 1914, under this increasing financial pressure, Fritz Waerndorfer decided to emigrate to Florida, and in 1915, his son Karl fol-



Pia Schölnberger, the Warndof family (Samuel Jones, Jeffrey Warndof, Donna Warndof), and Lilli Hollein at the MAK headquarters, February 2026

lowed him to the United States. Waerndorfer's influence on art and design around 1900 was immense and continues to resonate today. Yet his idealism also plunged his family into severe financial difficulties.

Lili Waerndorfer remained in the family villa in Vienna until September 1915. The following year, under financial pressure, she sold the property and moved with her youngest son Herbert—who would later be killed in a motor-racing accident at Semmering in 1924—to her mother's residence at Stadiongasse 2 in Vienna's 1st District. In the autumn of 1919, both spouses, though living separately, obtained American citizenship and subsequently adopted the surname "Warndof". Their marriage was dissolved in 1930. Fritz Waerndorfer first lived in Savannah, Georgia, and later, during the 1920s, in New York, where he worked as a textile designer. He died in Pennsylvania on 9 August 1939.

In 1934, Lili Waerndorfer offered the Museum of Art and Industry (today the MAK) the opportunity to purchase Carl Otto Czeschka's life-size figurines Tristan and Wotan. Fritz Waerndorfer had acquired the works in 1908 and had presented them to his wife as a gift. Indeed, Lili Waerndorfer was listed as the lender of the objects in the catalogue of the International Art Exhibition in Rome in 1911.

These monumental gouaches rank among the artist's most significant surviving works and were conceived as designs for stage costumes. Czeschka applied the decorative principles of Viennese Modernism to the stage with exceptional consistency, employing his characteristic graphic style: flat compositions, a restrained colour palette and densely ornamental details. Drawing upon medieval and Scandinavian influences, Czeschka created highly stylized figures that resemble icons more than real human forms.

The museum lacked the financial resources to acquire the works outright but accepted them as permanent loans, a gesture reflecting the long-standing bond between the Waerndorfer family and the institution. In 1935, they were entered into the museum's inventory under the numbers

LHG 185 and LHG 186. Almost naturally, the figurines remained in the museum's holdings. In the last surviving letter from Lili Waerndorfer preserved in the museum archives, dated 1937, she wrote of plans to "travel for an extended period". In January 1938, she donated a writing desk by Charles Rennie Mackintosh to the Museum of Art and Industry; it remains one of the highlights of the MAK's Vienna 1900 collection.

1938: Emigration and Death

Shortly before the National Socialist seizure of power in Austria, Lili Waerndorfer suffered another devastating personal loss. Her daughter Helene, married to the lawyer Ernst Bunzl, died at the age of only forty-one in Vienna's Sanatorium Fürth following a suicide attempt.

Thanks to her American citizenship, Lili Waerndorfer was able to escape Nazi persecution. On 30 April 1938, she fled to Vicksburg, Mississippi, where her son Charles Richard Warndof was living. She died in modest circumstances in Nyack, New York, in 1952.

The Figurines at the MAK

Under the museum's care, the two permanent loans remained part of the MAK's history for generations without their legal status ever being questioned. As with many comparable long-term loans from the early twentieth century, knowledge of the ownership situation and of the descendants of the original lenders gradually faded from institutional memory.

Only in the early 2000s did a new awareness emerge within the MAK Library and Collection of Works on Paper regarding the challenges posed by such historical provenances. It became increasingly clear that although Czeschka's two major works had been in the museum for nearly seventy years, the present-day descendants and rightful heirs of Lili Waerndorfer were most likely entirely unaware that they owned artworks housed in a museum in Vienna. This raised not only legal questions but also broader ethical and museological concerns regarding responsibility, transparency and the contemporary management of historical collections.



The great-grandsons and great-granddaughter of Fritz and Lili Wärndorfer (Samuel, Jeffrey, Donna)

As part of preparations for the reinstallation of the Vienna 1900 collection, the MAK undertook a review of the figurines' loan status in 2023. The historical documentation had to be systematically examined and reassessed. Correspondence, inventory books and loan files were analysed in order to reconstruct the ownership history of the works as accurately as possible. With the support of the Austrian Commission for Provenance Research, the descendants of Charles Richard Warndof—the only surviving child of Fritz and Lili Waerndorfer—were identified in 2025.

Through the efforts of Rebecca Friedman, Art Claims Specialist at the Holocaust Claims Processing Office of the New York State Department of Financial Services, contact was finally established with the descendants: Beth Jones, George Salassi, Karl Krueger, Jeni Warndof Salassi and Rose Netherland.

The fact was none of them were even aware of the existence of the two large-scale artworks at the MAK. Through numerous conversations and personal meetings, a relationship of trust developed that extended far beyond the mere clarification of legal matters. For the heirs, engaging with the works also meant reconnecting with their Viennese family history, which had been largely lost through emigration and historical upheavals. Together, they came to share the conviction that these two important works should remain in the museum permanently and continue to be publicly accessible. The heirs therefore agreed to sell the works to the MAK. Thanks to the support of generous sponsors, including Caroline Mortimer and the Asenbaum family, the acquisition was made possible, securing the works for both the collection and the public on a permanent basis.

The two figurines will henceforth be on permanent display at the MAK as part of the Vienna 1900 exhibition and will be explicitly linked to their provenance and the Waerndorfer family. Their presentation thus highlights not only their significance within the history of Viennese Modernism but also the museum's responsibility in addressing its own collection history. What was particularly moving was the personal encounter with the family's descendants, now living in the United States, during the opening of the reinstalled Vienna 1900 exhibition at the MAK in February 2026. The opportunity to not only reinterpret the works from an art-historical perspective but also to illuminate their human and biographical dimensions gave provenance research in this case a special, profoundly moving significance.

Authors: Katrin Pokorny-Nagel, Anita Stelzl-Gallian

Vienna Reflection

Ever since my mother (Beth) delved into the family lore, I have known that my great-great-grandfather, Fritz Waerndorfer, played a significant role in art history through his role as a founder and financier of the Wiener Werkstätte. She often told me about the importance of Fritz and Lili, the Vienna Secession, and the Modernist style championed by the artists with whom our ancestors were closely acquainted. That the middle-class household of my grandparents in the American South was only two generations removed from a decadent home in Vienna wherein figures like Gustav Klimt and Gustav Mahler socialized with our wealthy forebears beguiled my young mind. As my mom pieced together details about the

family, I came to learn of a plethora of colorful characters and art connections. We often lamented that virtually none of the art which passed through the hands of Fritz and Lili made its way to the United States when they immigrated, at least to our knowledge. Naturally, my family knew nothing of the existence of Czeschka's Wagnerian figurines until the matter was brought to us by Anita Stelzl-Gallian of the Bureau of the Commission for Provenance Research through the intermediary Rebecca Friedman of the Holocaust Claims Processing Office. When it became clear that Charles (my great-grandfather) willed the art he owned to my grandmother, thus delineating the heirs, it came as a shock. To be granted a boon acknowledging Lili's hardship some nine decades prior immediately struck me as a rare gesture on an international and institutional yet profoundly human level: few people in human history have ever received such a thing.

With my mother having made it known that the family wanted to be involved somehow in the reopening, the MAK was gracious enough to provide use of their apartments. Initially, my mom was going to travel to Vienna; however, she was unable to do so, and I was sent in her stead. Suddenly offered a chance to embark on a family quest to the heart of European culture while having done nothing myself to earn this opportunity, I resolved to dedicate the voyage to Fritz and Lili, their son Charles, my grandparents, and the family at large. I'd like to think that they would be pleased that something they once owned led to such a life-changing trip for their descendants. I was humbled, awed, and overjoyed during every moment of my all-too-brief stay in Vienna. As a lifetime lover of orchestral music, I felt a sense of belonging in the city of music which was enhanced by the rich family connection to the place. Of course, experiencing it all with my cousins Donna and Jeffrey Warndof made for a fulfilling family event, allowing us an opportunity to symbolically reclaim, in some sense, the lost Viennese heritage of our ancestors. We were not expecting to meet so many people in Vienna who would stress to us the significance of our ancestors and treat us so graciously: truly, we couldn't have asked for a better five days. The richness of Viennese culture and the warmth of its people left me longing to find a way to return before I'd even departed.

I emerged from the undertaking with a renewed desire to emulate the artistic passion of my great-great-grandparents, and it's not difficult to find within myself the romantic idealism which must have led Fritz to wholly invest in art. My role in this emprise has proven to be among the most rewarding, defining, and meaningful chapters of my life.

Author: Samuel Jones

Numerical puzzles in provenance research: the case of Jean Engel



Interior photo of Jean Engel's apartment, entrance hall

On 12 May 2026, the Art Restitution Advisory Board recommended that a portrait of a lady by the artist François-Xavier Fabre, held by the Austrian Gallery Belvedere, be transferred to the legal successors of Jean and Lucie Engel.

More than 20 years ago, provenance research at the Austrian Gallery had already established beyond doubt that this painting had been seized during the Nazi era, particularly as it had been unequivocally expropriated by Vugesta, the Gestapo Office for the Disposal of the Property of Jewish Emigrants, and consigned to the Dorotheum auction house in Vienna for auction in 1941. However, it was not known who the previous owner was, as this link had been severed by the seizure measures.

The vastly improved state of research and access to sources, combined with the expertise and know-how of the Commission for Provenance Research, ultimately led to the identification of its former owners, the married couple Hans (later Jean) and Lucie Engel.

Hans Sigmund Engel was born in Vienna in 1887, one of six children of the merchant Hermann Engel and Julie Engel (née Weiss). On 24 April 1919, he married Lucie Fuchs from Prague (born 1894). The couple initially lived at the Hotel Imperial before moving to Reisnerstraße 40 in Vienna's 3rd district in 1920. Their sons Franz and Karl Erich were born in 1920 and 1922 respectively; Franz died in 1931 at the age of eleven from appendicitis.

In 1926, Lucie Engel renounced Judaism and the sons were baptised as Catholics; Hans and Lucie were baptised in 1941 whilst in exile in Vichy, France. Engel, who held the title of Kommerzialrat (Commercial Councillor), was the sole proprietor of the Kohlen-Verkehrs-Gesellschaft m.b.H. and of a firm named Socofrada (trading with the French colonies), founded in 1936; both companies were based at Rennweg 5 in Vienna.

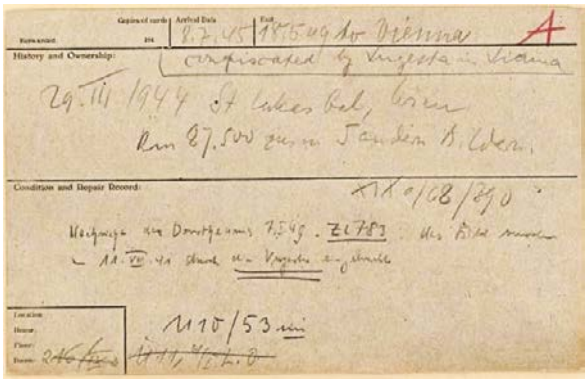
Photographic documentation of the art collection and the storage of the household effects

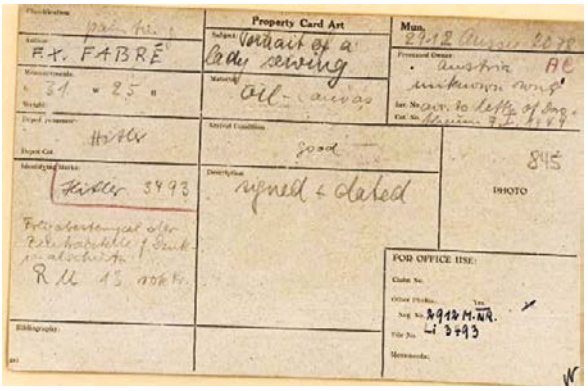
Shortly after the "Anschluss" in 1938, Lucie and her son Karl Engel left Vienna for Prague to stay with Lucie 's parents, whilst Hans Engel remained in Vienna. In April 1938, Engel commissioned an extensive photographic record of their apartment: around 40–45 photographs of individual works of art (paintings, sculptures, porcelain) as well as some 50 interior shots, which even showed the bathroom and the children's room. These photographs, now held in the Federal Monuments Office and the archives of the French Ministry of Foreign Affairs, amongst other places, remain the most important source for reconstructing the collection, as the valuation recorded in the so-called 'asset register' of 1938 is extremely vague. On 30 April 1938, Hans Engel was ordered by the Reichspropagandaamt (Reich Propaganda Office) to vacate the flat within two days (the house subsequently served as the headquarters of the Vienna Reichspropagandaamt). Most of the household effects were stored with the shipping company Schenker & Co.; some were later transferred to the removal firm Reitter, whilst carpets were entrusted to the specialist firm Wachuda or Lüftschitz AG.

In July 1938, the authorised signatory of Engel's companies, Josef Ebenwaldner, assumed provisional management of the firms. Kohlen-Verkehrs-GmbH was wound up in 1941, whilst Socofrada was 'aryanised' through the Assets Administration Office and sold to Stefan Teklits.

In July 1938, the family was finally reunited in Paris. In 1939, they were granted French citizenship – from then on, Hans called himself Jean. Following the German invasion of Paris, the family fled on to Vichy and, thanks to Jean's contacts, obtained Swiss visas; from 1941 until the end of the war, they lived in Zurich.

Of Hans Engels' siblings, his brother Eduard was murdered in Theresienstadt in 1943, whilst his sisters Sofie and Helene were able to flee abroad. Lucie 's sister Vally Weissova was murdered in Auschwitz in 1943; her sister Anuschka (married to the actor Ernst Deutsch) survived in exile in the US.





Front and back of the property card, Mü No. 2912, with the provenance details known from 1945/1946

© Bundesarchiv

Failed export, seizure and utilisation by the Vugesta

Hans Engel commissioned his attorney, Guido Jakoncig, and the 'Baron Richthofen Office' to arrange for his household effects to be sent to Paris. They tried in vain to obtain the necessary 'clearance certificate' for the goods. In 1946, Jakoncig reported that this had been sabotaged 'on the internal instructions of the Gestapo'. In a later statement, he claimed that the items had ultimately been handed over directly to the Gestapo (Vugesta). By orders dated November 1940 and May 1941, the family's entire household effects were seized for the benefit of the German Reich. The 'Vugesta sold off part of the goods by private sale (including at the Rotunde in the Prater and the Sophiensäle) or transferred them in several batches to the Dorotheum, where they were assigned consignment numbers 367, 774 and 212.287. Between 1941 and 1943, they were sold at countless auctions; whilst the Dorotheum consignments numbered 367 and 774 are documented, no complete inventory exists for number 212.287.

The Fabre painting and the severing of its link to its previous owner

On 11 August 1941, the painting by François-Xavier Fabre arrived at the Dorotheum and was assigned consignment number 212.287/47: 'Portrait of a Young Woman Sewing in the Garden'. It was acquired by Robert Herzig (Galerie St. Lucas) on 11 November 1941. On 29 March 1944, Galerie St. Lucas sold this painting, together with five other paintings (total price RM 87,500), to Hermann Voss for the 'Linz Special Commission'. It was given the 'Linz number' 3493, found its way into the Gemäldegalerie Dresden and was stored in the 'Führerbau' in Munich. In April 1945, it was taken to the Altaussee salvage depot as part of the final collective transport; there it was discovered by US art protection units and arrived at the Central Art Collecting Point in Munich on 8 July 1945. At the request of the CACP in Munich, the Federal Monuments Office in Vienna asked the Dorotheum in 1948 for information on the painting's provenance – however, the Dorotheum merely provided a consignment number, referring to Vugesta, but did not name the previous owner. The painting was returned to Austria in 1949. It was initially stored as 'ownerless' at the Salzburg Residenzdepot and later, in 1963, transferred to the Kunsthistorisches Museum where it was then catalogued. In 1986, it was moved to the Österreichische Galerie.

Jean Engel himself began an intensive search for his property from Paris after the end of the war. The Austrian authorities also launched extensive investigations, including at the Dorotheum. Despite these efforts, of the 51 objects from the Engel collection submitted under consignment number 212.287, only eight works could ultimately be unequivocally identified – including the painting 'Duck and Hens in Front of a Copper Cauldron' and a portrait of a lady by Thomas Lawrence, both of which were returned. The Fabre painting itself was not identified during these investigations. In total, Jean Engel recovered only about a dozen items during his lifetime. The companies Socofrada and Kohlen-Verkehrs-Gesellschaft were restituted to Engel after 1945 or re-established by him.

Lucie Engel died in Canada in 1953. Jean Engel continued his search for the seized assets into the 1960s



François-Xavier Fabre (Fabrè), Portrait of a Lady Sewing in the Garden, 1797, oil on canvas, 32 x 25 cm, signed and dated X. Fabre Florence 797 © Sabine Loitfellner

and died in Paris on 12 May 1967. He and Lucie were buried in the grave of their son Franz, who had died young, at Döbling Cemetery in Vienna.

New research undertaken in 2025 by the Bureau of the Commission for Provenance Research and the cross-referencing of various source materials against the backdrop of knowledge regarding Vugesta's seizure procedures resulted in the relevant consignment number being attributed to the Engel family's property. A case that had appeared unsolvable for over 20 years was thus resolved. Research into the rightful heirs of Jean and Lucie Engel is currently underway (autumn 2026).

Author: Sabine Loitfellner

Restitution Eduard Epstein

On 5 August 2026, in Minneapolis, a watercolour miniature by Albert Theer (1815–1902), dated 1847 and from the collection of the Museum of Military History in Vienna, depicting Carl Graf Gleispach as a second lieutenant in the Imperial-Royal 4th Cuirassier Regiment, was returned to the representative of the heirs of Eduard Epstein.

The original owner, Eduard Epstein, was born in Lednice (Eisgrub) on 29 February 1876; he was a member of the Jewish Community and married Margarethe, née Kraus, from Prague in 1904. He worked successfully as a trader in the textile industry for many years, served as an authorised signatory for the Vienna branch of the firm J. S. Perlhefter from 1910 to 1927, and subsequently founded the trading company Epstein, Hirschler & Co. together with business partners. His financial success is also evident from the fact that he sat on the board of the Textile Industry Association and had been able to purchase an apartment block on Vienna's Boerhaavegasse as early as 1917. Very little is known about his art collection. An export application at the Federal Monuments Authority dating from 1940 indicates that it must have comprised at least twelve oil paintings, one watercolour, one miniature and twelve carpets.

Epstein's persecution began when the National Socialists seized power in Austria. His business was liquidated in December 1938. In the same month, during a house search, the Gestapo seized coins, jewellery and silverware which Epstein had failed to declare in his so-called 'declaration of assets', a form that all Jews were required to complete. After his attempt to smuggle money and valuables abroad was discovered in April 1939, the authorities filed criminal proceedings against him. He was therefore detained between 3 May 1939 and 7 March 1940. In the meantime, he suffered further financial losses as a result of the persecution measures. He was forced to hand over silverware to the Viennese auction house Dorotheum, and in February 1940, he was forced to sell his apartment block below market value.

Shortly after his release from custody, Epstein made preparations to flee, as evidenced by the application to export his art collection dated 27 March 1940. Whilst the export of most of the items was approved by the Central Office for the Protection of Historical Monuments, this did not apply to the watercolour miniature by Theer, which was withheld and handed over to the Army Museum. The museum purchased the work from Eduard Epstein for RM 100 and added it to its own inventory on 12 April 1940. The remainder of Epstein's art collection was transported by a forwarding agency as far as Trieste but then remained in a warehouse in the Free Port of Trieste, as civilian overseas transport had ground to a halt due to the war. Pursuant to the Eleventh Ordinance to the Reich Citizenship Act of 25 November 1941, Gauleiter Friedrich Rainer, the Supreme Commissioner in the Adriatic Coastal Zone operational area, seized the transport container and handed it over to the Berlin NSDAP Gau leadership on 9 March 1944. Its subsequent fate cannot be ascertained.



Foto: © Museum of Military History Vienna

Eduard Epstein and his wife Margarethe managed to flee via Lisbon to the USA, where they arrived in May 1941. Their daughter Helene Lieb, born in 1906, and three of Eduard's siblings had already fled there previously. Eduard Epstein died shortly afterwards in 1943.

* * *

In 1951, the 'aryanised' apartment block in Vienna was returned to Eduard Epstein's widow.

The legal proceedings against the Restitution Offices in Berlin concerning the seized transport container ended with a settlement in 1960. The Compensation Fund compensated only a fraction of the 'Reich Flight Tax' paid by Epstein, the seized bank accounts, shares, the 'Account D' assets deposited with the IKG Vienna and insurance policies.

The miniature watercolour by Albert Theer remained in the collection of what is now the Museum of Military History after 1945. It was only through systematic provenance research carried out in the framework of the Commission for Provenance Research that the problematic provenance of the work was established. On the basis of this research, the Art Restitution Advisory Board recommended the return of the miniature at its meeting on 8 March 2013.

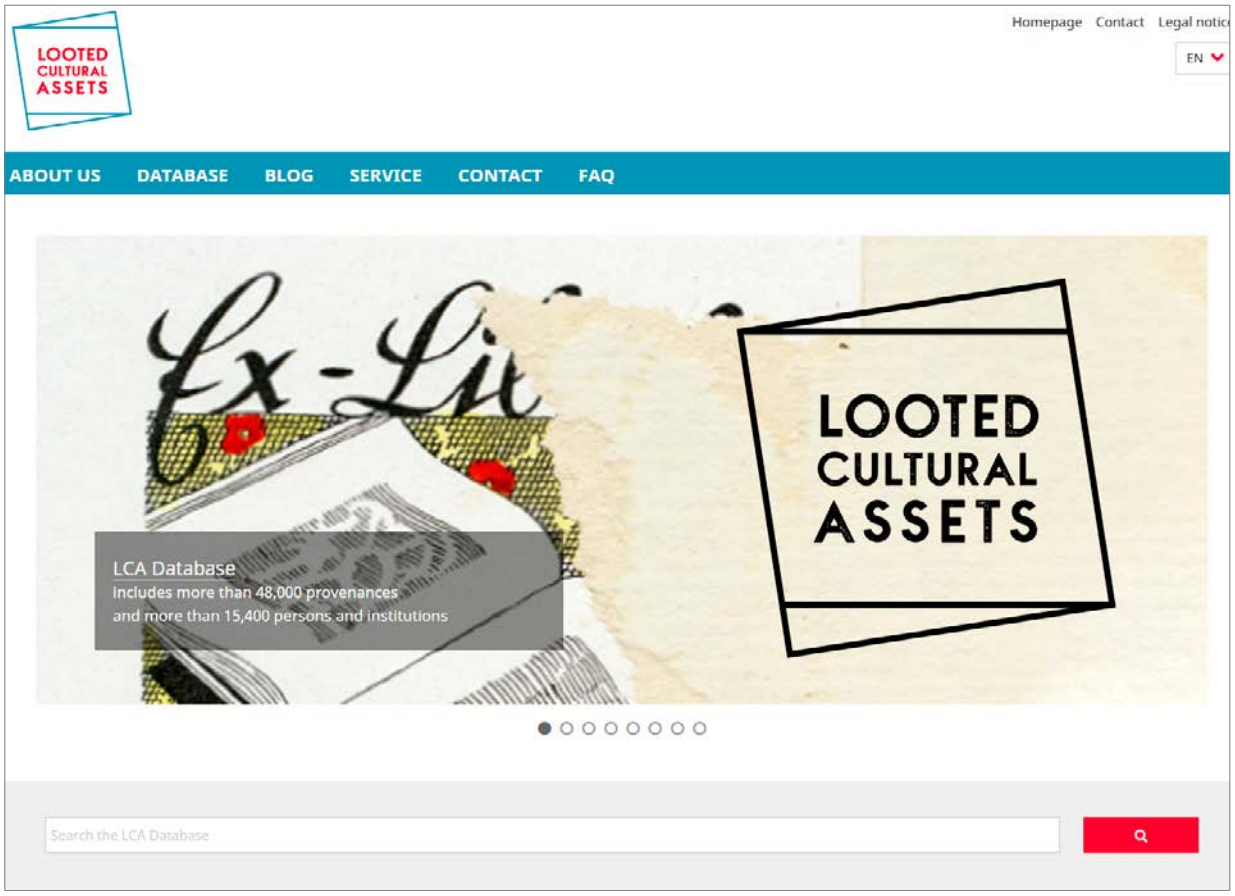
In the search for Eduard Epstein's legal successors, historical documents from the Austrian State Archives and the Vienna City and Provincial Archives led us to the USA, the country to which the family had emigrated. The Austrian Consulate in New York provided invaluable assistance in obtaining the necessary estate documents and deeds.

Our first telephone contact with the legal successors was marked by great surprise. At the same time, we were repeatedly confronted with many questions and deep grief, as the family had lost numerous ancestors in the Holocaust in addition to all the material losses. Consequently, following numerous discussions with the descendants, the Commission for Provenance Research carried out further investigations into the lost art collection during the restitution process – now based on improved data. Nevertheless, no evidence of the objects removed from the transport container has been found to date.

Thanks to our excellent cooperation with the Austrian Ministry of Foreign Affairs, the legal successors' wish to have the watercolour miniature handed over via the Honorary Consulate in Minneapolis was fulfilled. In addition to family members, representatives of the local Jewish community were also present. The return of the work by the Republic of Austria after 86 long years, as well as the dedicated and unique work of the Commission for Provenance Research, were featured in various reports in the local media and accompanied by photographs.

Authors: Tamara Loitfellner, Stefan Kurz

Advancing Cooperative Provenance Research on Looted Cultural Assets



Homepage Looted Cultural Assets

Since 2004, systematic provenance research with focus on Nazi-era looted assets has been taking place at Vienna University Library (VUL). While documenting their findings in the library catalogue and the Austrian network catalogue is daily business, the Team Provenance Research at VUL took the next step with becoming a member of the cooperation of Looted Cultural Assets (LCA) in June 2026.

The web-based tool LCA is a collaborative provenance research platform that collects evidence of Nazi-era looted books across institutions. Its strength lies in the publicly searchable front end, which makes provenance information accessible for heirs and researchers while offering documenting research for each finding in a collaborative way.

Today 17 institutions are active members of the cooperation, and five institutions still host their data, among them the University Library of Freie Universität Berlin, the German National Library and the Leo Baeck Institute in Jerusalem.



Entry of the autograph of Max Berger (1869-1941) Viennese lawyer who committed suicide in 1941 because of Nazi persecution, found in a book copy at Vienna University Library

https://db.lootedculturalassets.de/index.php/Detail/objects/32w6981

LCA supports item-level documentation of all kinds of provenance marks, links owners and makes chains of ownership visible. Shared vocabularies, authority data, structured fields and versioned records promote consistent, transparent and citable documentation. Cross-institutional features - linking duplicate or related entities - reduce redundant work and accelerate the matching of dispersed collections. The front end is available in German or English. Public records invite peer verification and engagement with heirs, while granular embargo options protect sensitive data in the back end shared within the cooperation. Interoperable exports and APIs facilitate alignment with local systems, supporting FAIR and reusable data. Designed for and from provenance researchers and librarians, LCA offers professional workflows based on an entity-relationship model. It uses Collaborative access which is a free and open-source software which specifically targets museums and archival collections.

With joining the LCA cooperation VUL contributes to the improvement of cross-institutional research on Nazi-looted books and assets and facilitates the search for looted objects for heirs.

Author: Olivia Kaiser

Olivia Kaiser/ ORCID: https://orcid.org/0000-0002-1264-4853 / Team provenance Research at VUL

Webpage VUL: https://bibliothek.univie.ac.at/en/provenienzforschung.html

LCA: https://www.lootedculturalassets.de

Software Collective Access: https://www.collectiveaccess.org/

Spolivres: launch in France of a database dedicated to tracing books looted and plundered during the Occupation

In France, the Ministry of Culture's task force for the tracing and restitution of cultural property looted between 1933 and 1945 launched the *Spolivres* database on 8 April 2026 to make a map of books and libraries looted during the Occupation accessible to the general public. This new database notably records works that have been recovered and placed on deposit in French libraries.

Furthermore, the database lists books identified in various public libraries across France that may have been looted, based on physical evidence. The *Spolivres* database thus aims to publish marks of provenance (stamps, bookplates, dedications, etc.) in order to facilitate the identification of their rightful owners.

Nearly 15,400 books are currently registered on *Spolivres*; the works, selected by a team of librarians specialising in provenance research, bear indications of provenance or personal markings.

The *Spolivres* database is at once a catalogue, a transparent data-sharing tool and a platform for evolving research rooted in an international context.

With the launch of *Spolivres*, the French authorities are reinforcing their commitment to the research and restitution of the 5 to 10 million books looted during the Occupation.



Screenshot – Spolivres website interface

© Ministère de la Culture

To explore this new database, please click on the link below:

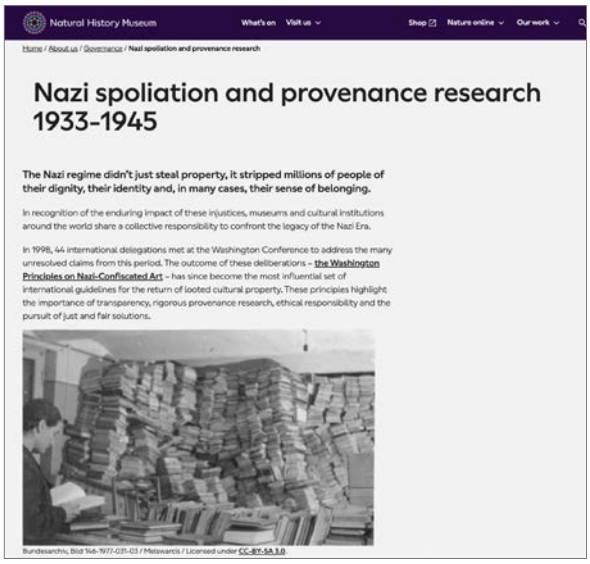
https://grist.numerique.gouv.fr/o/docs/k2WzGiVAQ8hg/*Spolivres*/p/38

New webpage and spoliation research by the Natural History Museum

The Natural History Museum (NHM) has launched a new online resource dedicated to the provenance of its collections associated with the Nazi era (1933–45). The webpage brings together ongoing research into the history, ownership, and acquisition of these collections, reflecting the Museum's commitment to transparency, provenance research, public access to information and the restitution of collections from this period. As research continues, the resource will continue to be updated with new findings and case studies. Explore the new Nazi-era provenance research webpage to learn more about this ongoing work: https://www.nhm.ac.uk/about-us/governance/nazi-spoliation-and-provenance-research.html

Research into the provenance of the museum's library and special collections, with particular emphasis on the period 1933–45, commenced shortly after the adoption of the Washington Principles in 1998. However, it was during a recent collections relocation project that scientific specimens undergoing digitisation were found to have been 'seized in prize' during the years 1939–45. Since then, systematic research has been ongoing to identify and audit these holdings, establish the legal status of specimens acquired through the Prize Courts, reconstruct the broader provenance history of the collection, and make this research publicly accessible through this new online platform.

The Admiralty Marshall collection comprises 58 invertebrate and 4 fossil vertebrate specimens 'seized in prize' by the British from a German vessel during the Second World War. The vessel was subsequently 'condemned as prize', possibly as late as the 1950s when, in 1955 the specimens were donated to the NHM via the British Geological Survey, then associated with the museum and occupying premises at the South Kensington site. The Trustees of the Museum approved the donation in January 1956, after which it was divided among the relevant departments. The case raises questions not only around the ownership status of Nazi-looted material, but that of Allied looted material as well. Research into the objects continues.



The Museum hopes this collection will deepen our understanding of the many scientific collections that may be unwittingly connected to the Nazi regime or Allied looting and will inform future approaches to researching, interpreting, displaying, and caring for these specimens of contested ownership.

Austria | France | Germany | The Netherlands
United Kingdom | Switzerland

Bundesministerium
Wohnen, Kunst, Kultur,
Medien und Sport

Kommission für Provenienzforschung

MINISTÈRE
DE LA CULTURE
Liberté
Égalité
Fraternité

PREMIER
MINISTRE
Liberté
Égalité
Fraternité

Commission pour la restitution
des biens et l'indemnisation
des victimes de spoliations antisémites

Schiedsgerichtsbarkeit
NS-Raubgut

Restitutions Committee

Spoliation
Advisory
Panel

Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

Kommission für historisch belastetes Kulturerbe KHBK

Commission pour le patrimoine culturel au passé problématique CPCP

Commissione per il patrimonio culturale storicamente problematico CPSP

Imprint

The Newsletter is published by the Commission for Provenance Research
of the Federal Ministry for Housing, Arts, Culture, Media and Sport
c/o Bundesdenkmalamt, Hofburg, Säulenstiege, 1010 Vienna

Editorial responsibility: Pia Schölnberger, Director
Team: Lisa Frank, Sabine Loitfellner, Julia Unterweger

Graphic design: Federal Ministry for Housing, Arts, Culture, Media and Sport,
Sektion I – Präsidialangelegenheiten, Abteilung 6 – Öffentlichkeitsarbeit, Raphael Van Loo

Copyright © 2026 by the Network of European Restitution Committees on Nazi-Looted Art
All rights reserved. No part of this publication may be reproduced, distributed, or transmitted in any form or by any means, including photocopying, recording, or other electronic or mechanical methods, without the prior written permission of the publisher, except in the case of brief quotations embodied in critical reviews and certain other non-commercial uses permitted by copyright law.

Vienna, October 2026