

European conference Paris 26th June 2025

Program



European Network of Restitution Committees on Nazi-Looted Art

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recovered memories

Under the French Presidency, the European Network is organising a conference entitled 'Recovered memories', the main aim of which is to give a voice to the victims of spoliation and their families. The various presentations will also address the issue of the resocialisation of returned cultural property and the role played by European restitution commissions in mediating between claimants and cultural institutions.

Restitution cases will be presented in the presence of the heirs or rightful claimants, the commissions that recommended the restitutions, and representatives and researchers from the institutions concerned (museums, libraries, etc.).

This conference project was born out of the observation that the voices of restitution commissions and provenance researchers are over-represented / preponderant in conferences about spoliations, to the detriment of what the families have to say. Media attention is also regularly focused on masterpieces, whereas restitutions concern a much wider range of objects such as books and decorative arts. Finally, issues relating to the aftermath of restitution or the resocialisation of returned cultural property within families, as well as the legal processes experienced by claimants, also deserve to be highlighted.

The approach will be interdisciplinary and based on a cross-section of perspectives, with priority given to the testimony of the families.

The following issues will be addressed: the memorial, biographical and sentimental value of the cultural objects returned, the psychological effect on the families and the social impact on their communities of the return of the object, the intercultural challenge presented by the restitution procedure, the mediating role played by the commissions, the role and aura of the object returned in the reconstitution of the family biography, etc.

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program

14:00	Welcome speech
	Frédérique Dreifuss-Netter, Chairwoman of the CIVS
	United Kingdom
	The Robert Bing case examined by the Spoliation Advisory Panel
	Netherlands
	The Abraham Nijstad case examined by the Restutiecommissie
	Austria
	The Saul Juer case examined by the Kunstrückgabebeirat
16:00	Coffee break
	Germany
	Discussion with the Jewish Claims conference and the Beratende Kommission
	France
	The books of Henry Torrès and the CIVS
18:00	Get together





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Welcome speech



Frédérique Dreifuss-Netter, Honorary Advisor to the Court of Cassation, has been Chairwoman of the Commission for the Restitution of Property and the Compensation of Victims of Anti-Semitic Spoliation since 1 July 2024.

Frédérique Dreifuss-Netter is a tenured professor of law (professeure agrégée des facultés de droit). She has been a member of the Court of Cassation since 2010 and has notably participated in the work of the National Consultative Ethics Committee for Life Sciences and Health.

The moderator



Léa Veinstein is a French philosopher, documentary filmmaker and writer. She is interested in issues of transmission through testimony and is a specialist in Holocaust memory. Léa Veinstein's work is characterised by an exploration of the themes of memory, identity and transmission. Her work blends philosophical rigour with artistic sensitivity, offering a unique perspective on complex and intimate subjects.

Léa Veinstein is also the director of the documentary podcast À la trace, a six-part series produced by the French Ministry of Culture as part of the Year of Documentaries 2023. The podcast explores the restitution of works of art looted by the Nazis between 1933 and 1945. Each episode traces the journey of a work of art from its spoliation to its restitution, giving the floor to descendants of spoliated families, provenance researchers and representatives of the museums involved.



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United Kingdom

The Robert Bing case examined by the Spoliation Advisory Panel

Courbet painting looted in Paris during the Occupation, returned to family after 70 years in a Cambridge Museum

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Video statement



The Honorable Sir Donnell Denny was called to the Bar of Northern Ireland in 1974 and practised there, taking silk in 1989, until his appointment to the High Court in 2004. He was knighted in 2005. He was the Presiding Judge of the Chancery Division until he retired from the Bench in 2019. He was also a member of the English Bar; being elected a Bencher of the Middle Temple in 2006.

Sir Donnell was the first Catholic to hold the office of High Sheriff of Belfast since Partition when he was appointed in 1983, and has been Chairman of Opera Northern Ireland, Trustee of the Ulster Museum and as a Director of the Tyrone Guthrie Centre and Hearth Social Housing. He is President of the Ulster Architectural Heritage Society and an Honorary Member of the Royal Town Planning Institute.

He has been a member of the Spoliation Advisory Panel since 2000 and has been the Chairman since 2012. In 2023, Sir Donnell was appointed as Chair of the Advisory Committee on the Restitution and Repatriation of Cultural Heritage in the Republic of Ireland.

Panellists



David Rowland is the Head of Collections Policy in the Department for Culture Media and Sport with oversight on Nazi-era spoliation, restitution, Treasure and the Portable Antiquities Scheme.

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Dr. Neal Spencer is Deputy Director for Collections & Research at the Fitzwilliam Museum, which is the lead partner of the University of Cambridge Museums (UCM) and Botanic Garden. Neal is strategic lead for the Museum's research, impact and collections development, and manages the curatorial, research, collections management and documentation teams.

Co-chair of the University's Collections-Connections-Communities Strategic Research Initiative and codirector of Cambridge Visual Culture, he initiates and supports research collaborations with the wider University of Cambridge and beyond.



Melina Wolman heads the Paris litigation team of the multinational law firm Pinsent Masons. She assists French and international clients in France and abroad in complex cross-border disputes.

As a recognized expert in the art market, Melina represents a wide range of clients in their art law disputes. She has gained an international reputation on highly known cases in France and abroad in assisting despoiled families to recover art looted during WWII, in France, Germany, Switzerland and New York.

She is also a member of the Art & Law Institute, a French think-tank connecting key actors of the art world to discuss professional, legal and tax topics.

The Robert Bing case

The spoliation of a French Jewish resistant's art collection in Paris

The painting *La Ronde Enfantine*, attributed to Gustave Courbet and dated circa 1862, lies at the heart of a claim for the restitution of an artwork looted during the Second World War.

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It is believed to have been acquired in the 19th century by Clara Simonette Ballin, known as Grunebaum Ballin, an art collector and maternal grandmother of Robert Bing.

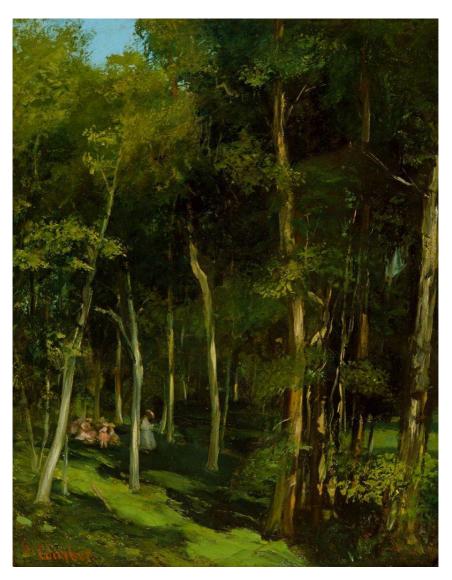
Courbet is known to have had a personal acquaintance with her, as evidenced by a letter he wrote to James McNeill Whistler in 1877, in which he explicitly refers to Grunebaum Ballin. It is submitted that the painting subsequently passed down through the family by inheritance to Robert Bing, who resided in Paris.

Robert Bing (1905-1993) was a French Jewish art collector and joined the French Resistance in 1941.

In May 1941, during the German occupation of France, two agents of the *Einsatzstab Reichsleiter Rosenberg* (ERR) entered Robert Bing's apartment at 8-10, rue Oswaldo Cruz in the 16th arrondissement of Paris. Several artworks were seized, including a painting recorded as *Waldlandschaft* ("forest landscape") by Courbet, which is believed to be *La Ronde Enfantine*.

The painting was then transferred to the *Jeu de Paume*, the principal site for the processing of Nazi-looted art in France, for inclusion in the private collection of Hermann Goering.

He was arrested in Lyon in 1942 and imprisoned until 1944, before the liberation of France later that year. In recognition of his contributions, he received the French Resistance Medal in 1945.



La Ronde Enfantine by Gustave Courbet The Fitzwilliam Museum, University of Cambridge

A claim brought by the heirs of Robert Bing to the Spoliation Advisory

A claim brought by the heirs of Robert Bing to the Spoliation Advisory Panel

The restitution claim was submitted by the heirs of Robert Bing, represented by Mondex Corporation, a company specialising in the recovery of looted artworks.

The claim is based on:

- A meticulously documented provenance, tracing the painting's ownership from Courbet to Robert Bing.
- A file from the German Federal Archives in Koblenz (B323-267), which confirms the seizure of a painting described as "Courbet, Waldlandschaft" at Bing's Paris address.
- Identification of the work as entry D24 in *Beyond the Dreams of Avarice* by Nancy H. Yeide, an authoritative catalogue of the Goering collection.
- Evidence that the painting resurfaced in London in 1951, sold by Swiss art dealer Kurt Meissner to the gallery Arthur Tooth & Sons, and subsequently donated by the Reverend Eric Milner-White to the Fitzwilliam Museum in memory of his father.

The Fitzwilliam Museum was first notified of the spoliation claim in July 2021. Upon receiving the claim, the museum promptly launched a provenance investigation. It acknowledged that at the time of acquisition in 1951, standard due diligence practices were limited. There was little reason to suspect any issue, particularly given that the donor, Dean Milner-White, was a distinguished Anglican clergyman and generous benefactor who had contributed around 50 paintings to public institutions in the UK.

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The outcome: restitution of the painting to the family

The museum's investigation corroborated several elements of the claim, notably: the existence of the painting in the Goering collection, as well as its appearance in the inventory of Kurt Meissner, a dealer listed in the Roberts Commission files on suspected art looters.

Following a thorough investigation and review of the evidence, the Spoliation Advisory Panel has recommended the restitution of *La Ronde Enfantine* by Gustave Courbet, currently in the possession and legal ownership of the Fitzwilliam Museum, University of Cambridge, to the heirs of Robert Bing.

This recommendation carries no implication of wrongdoing on the part of the Museum or the original donor, The Reverend Eric Milner-White, both of whom are recognised as having acted honourably and in good faith, in accordance with the ethical and professional standards of the time. The Museum, which acquired the work in 1951 through Milner-White's generous donation, has preserved and cared for the painting for over seventy years. The Panel commended the Museum for its cooperation and for the stewardship it has demonstrated in safeguarding the artwork, thereby enabling its return to the heirs of the original owners.

The Spoliation Advisory Panel

The Spoliation Advisory Panel was established in 2000, following the 1998 Washington Conference on Holocaust Era which encouraged all EU Member States to adopt nonbinding principles to assist in resolving issues relating to Nazi-looted art.



Additionally, the Vilnius Forum Declaration in 2000 asked all governments to undertake every reasonable effort to achieve restitution of cultural assets looted during the Holocaust Era to their original owners.

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Prior to 2009, where the Panel upheld a claim for an object in a national collection, it was unable to recommend the return of the object because this was not possible under the governing legislation of the body involved. The Holocaust (Return of Cultural Objects) Act 2009 allows national museums to return cultural objects in response to a claim where the Panel recommends it and the Secretary of State for Digital, Culture, Media and Sport agrees.

The Spoliation Advisory Panel has advised on 20 claims in 18 years. 13 claims have been upheld and 7 rejected. The Panel's reports are published and laid before the UK Parliament.

They can be found here: https://www.gov.uk/government/collections/reports-of-the-spoliation-advisory-panel

On 4 July 2019, the Holocaust (Return of Cultural Objects) (Amendment) Act 2019 became law in the UK. The 2009 legislation had a sunset clause which would have meant that the powers of return would have ended on 11 November 2019. The 2019 Act removes the sunset clause and ensures that families who lost cultural objects during theNazi-era and which are now in a UK national collection, can continue to have their property returned to them.

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Composition of the Spoliation Advisory Panel

Under Section 3 (2) of the Holocaust (Return of Cultural Objects) Act 2009, the Secretary of State may designate a panel for the purposes of the Act.

There are two Panel chairs, The Rt Hon Sir Donnell Deeny and The Rt Hon Sir Alan Moses and eight members. The following areas of experience and backgrounds are represented on the Panel - legal, museums, economics, moral philosophy, fine art and the history of Europe during the Nazi-era.

The Panel has a small Secretariat provided by the Department for Digital, Culture, Media and Sport which carries out research, as required.

Tasks and Powers

The Spoliation Advisory Panel consider claims from anyone who lost possession of a cultural object during the Nazi era where the object is in a UK museum or gallery. The Panel may also consider claims for items in private collections where the owner consents.

The Panel's proceedings are an alternative to litigation, not a process of litigation and the Panel will therefore take account of the moral strength of the claimant's case and whether any moral obligation rests on the institution.

Where the Spoliation Advisory Panel upholds a claim, it may recommend either:

- the return of the object to the claimant, or
- the payment of compensation to the claimant, the amount being in the discretion of the Panel having regard to all relevant circumstances including the current market value, but not tied to that current market value, or
- an ex-gratia payment to the claimant, or
- the display alongside the object of an account of its history and provenance during and since the Nazi era, with special reference to the claimant's interest therein.

The Panel's recommendation is not binding on the parties although the institutions involved have always sought to implement the Panel's recommendation.

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Brief Description of the Procedures

On receipt of a claim, the Secretary of State for Digital, Culture, Media and Sport decides, on the basis of the above, whether to designate a Panel to consider the claim, whether for the purposes of the Holocaust (Return of Cultural Objects) Act 2009 (the Act) or otherwise.

Where a Panel has been designated to advise on a claim, the Panel's Secretariat shares the claim with the institution concerned, which then has six weeks to submit its statement of case.

For the Panel to begin work on assessing a claim, the parties should provide the Panel with sufficient information regarding the object, its present location and the circumstances

in which it was lost, amongst other things. Further guidance on the information required is available on the website address below. In accordance with the principles of fairness and transparency, all parties are expected to disclose anything relevant which emerges from their research, whether or not they perceive it to be helpful to their case.

The Panel then reaches its determination on the claim based on the written statements and drafts its report. An embargoed copy of the draft report is then shared with the parties to allow them an opportunity to identify any factual errors.

The draft report is then presented to Ministers prior to its publication as a report to the UK Parliament.

To contact the Spoliation Advisory Panel

Spoliation Advisory Panel
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mark.caldon@culture.gov.uk
https://www.gov.uk/government/groups/spoliation-advisory-panel





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Netherlands

The Abraham Nijstad case examined by the Restutiecommissie

The Dutch Restitutions
Committee (Restitutiecommissie)
and the case of Abraham Nijstad
(1895-1960), a Dutch Jewish art
dealer who sold works of art to
the Nazis under duress in an
attempt to safeguard his family
from anti-Semitic persecution

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Panellists



The story of the Nijstad family will be shared by family members. Two of **Abraham Nijstad's grandchildren** will be present on stage.



Dr. Saskia Cohen-Willner is an assistant-professor of Art History at the Leiden University Centre for the Arts in Society (LUCAS) and a member of the Dutch Restitutions Committee.



Dr. Floris Kunert is an historian and researcher at the Expert Centre Restitution of the NIOD Institute for War Holocaust and Genocide Studies in Amsterdam.



Iris Looman, is head of the Department of Movable Heritage, Rijksdienst voor het Cultureel Erfgoed (Netherlands Cultural Heritage Agency).

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The Abraham Nijstad case

Sale of paintings under duress by Abraham Nijstad

Abraham Nijstad (1895-1960) was a renowned Dutch Jewish art dealer and estate broker and heir to a dynasty of art dealers that had been active in the antiques and fine art trade in the Netherlands since the 19th century. Nijstad's grandfather, also named Abraham (1835-1903), founded the business in 1862.

During the Second World War, many Jewish art dealers in the Netherlands faced persecution and spoliation under Nazi occupation. Abraham Nijstad was forced by the Nazis to purchase artworks on the Dutch



Abraham Nijstad in 1942

art market for the *Sonderauftrag Linz* (Special Mission Linz), an organisation dedicated to acquiring works of art for a future Führer Museum. Special Mission Linz enlisted Jewish experts to facilitate purchases from private art collections. Many private individuals were more reluctant to deal directly or at all with Nazis, but could sometimes be persuaded to part with artworks if they believed they were selling to Jewish art dealers or would be aiding such dealers in doing so. In return for these activities various temporary exemptions from anti-Jewish measures were granted to such art experts. The duration of the exemptions was never revealed to their recipients in order to increase uncertainty. It was abundantly clear to Jewish experts, art dealers and estate brokers like Nijstad that their own lives and those of their family members depended on the goodwill of the Nazis and the degree to which the experts were able to fulfil expectations. After the liberation of the Netherlands, Jewish experts such as Nijstad faced a lack of understanding about the position they had found themselves in and reproach for seemingly having 'collaborated'.

Despite all his efforts, Abraham and his family were arrested by the Germans in August 1943 and deported to Westerbork transit camp. In late 1944, they were transferred to Theresienstadt in Czechoslovakia, where they remained until their liberation by Soviet troops on 9 May 1945.

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After the war, Abraham resumed the antiques trade with resilience and determination. The Nijstad family has continued activities in the art world, carrying on Abraham's legacy.



NK 1759 - Mountain Lake with Deer and Birds by A.D. Hondius

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NK 2194 - Landscape with Windmill by A. Schelfhout



NK 2365 – Imaginary Mediterranean Port by A. Storck

The restitution request brought before the Dutch Restitutions Committee by the heirs of Abraham Nijstad

After finding paintings on the website of the Dutch Origins Unknown Agency (herkomstgezocht.nl), the heirs of Abraham Nijstad submitted an application for restitution to the Dutch State. The request concerned seven paintings, which were part of The Netherlands Art Property Collection (NK Collection).

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On 23 March 2021, the State Secretary for Culture and Media asked the Restitutions Committee to issue a recommendation about restitution of the paintings.

The Outcome: restitution of three paintings to the family

After extensive research by the Expert Centre Restitution of the NIOD Institute for War, Holocaust and Genocide Studies, the Dutch Restitutions Committee concluded that it is highly plausible that three of the seven paintings - Mountain Lake with Deer and Birds (Hondius), Landscape with Windmill (Schelfhout) and Imaginary Mediterranean Port (Storck) – were originally the property of Abraham Nijstad and that the sale thereof was connected with measures taken by the occupying forces and arose out of necessity.

Research revealed that all seven of the paintings were acquired in 1943 and 1944 by Special Mission Linz through Nijstad's involvement, which involvement had taken different forms. In certain transactions Nijstad had acted as an intermediary. In three transactions he had purchased the paintings himself and subsequently sold them on to Dr Erhard Göpel for Special Mission Linz.

Based on the research and its findings, the Restitutions Committee issued a recommendation to the Dutch Minister of Education, Culture and Science advising him to restitute three paintings (Hondius, Schelfhout and Storck) to the legal successors pursuant to inheritance law of Abraham Nijstad. The application to restitute the other four paintings was rejected because it was not sufficiently plausible that they had been Abraham Nijstad's property at the time at which they were sold to Special Mission Linz.

The story of the Nijstad family illustrates that restitution is more than the recognition of injustice and the returning of an artwork. It is also about

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keeping a family history alive when artworks are often the only tangible reminders of the victims of Nazi violence. Members of the Nijstad family will be sharing their personal story during the conference in Paris at the invitation of the Dutch Restitutions Committee.



Former residence and art gallery of A. Nijstad, Lochem, the Netherlands

The Restitutiecommissie

The Restitutions Committee was established on 23 December 2001 by decree of the Netherlands State Secretary for Education, Culture and Science.

Restitutions Committee

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History of the Restitutions Committee

Between 1933 and 1945 the Nazis seized, stole and purchased (exercising duress) artworks, antiques, jewellery and other objects of cultural value from private individuals, art dealers and others on a large scale throughout Europe.

After the unconditional surrender of the Nazis the allies recovered a large proportion of these items of cultural value, particularly in Germany, which were brought back to their country of origin. The recovery was accompanied by the instruction to national governments to manage the art being returned and to ensure it was restituted to its rightful owners or their legal heirs.

In the Netherlands, the Netherlands Art Property Foundation (SNK) was tasked with such recovery and restitution activities. A great deal of cultural material was returned to the original owners by the SNK in the years immediately following the war. Some of the items that were not restituted after the war were auctioned off by the Dutch State during the nineteen-fifties. The remainder was incorporated in the Netherlands Art Property Collection (NK Collection) and became part of the Dutch National Art Collection.

Starting at the end of nineteen-nineties, interest in art treasures that had been looted during the Second World War was rekindled in the Netherlands and other countries. This resulted in forty-four countries signing the Washington Principles on Nazi Confiscated Art (1998). These eleven non-binding principles concern how to deal with Nazi looted art. The Washington Principles call for

finding a just and fair solution for cases of Nazi confiscated art, preferably by means of alternative dispute settlement. The Netherlands was one of the signatories to the Washington Principles and one of five countries that subsequently established national procedures for dealing with the restitution of Nazi confiscated art.

When the Netherlands signed the Washington Principles, research into the NK Collection had already commenced by the Origins Unknown Committee (BHG), also referred to as the Ekkart Committee. Between 1997 and 2004, the BHG investigated the provenance of all objects in the NK Collection. In addition to the provenance research, in 2001, 2003 and 2004 the Ekkart Committee made recommendations to the government to adopt an empathetic policy, regarding items of cultural value in the NK Collection, for assessing claims by former owners or their legal successors under inheritance law.

The Restitutions Committee was established on 23 December 2001 for purposes of advising about restitution applications; a form of alternative dispute settlement as prescribed by the Washington Principles.

The Decree Establishing the Restitutions Committee was updated in April 2021. The assessment framework, on the basis of which the Restitutions Committee assesses restitution applications, was amended and incorporated in this new Decree Establishing the Restitutions Committee. The amendments were implemented in response to recommendations ensuing from the overall evaluation of the Dutch restitution policy conducted at the request of the Minister of Education, Culture and Science (OCW).

Ever since, current holders (museums for instance) and original owners, their descendants or legal successors can submit restitution applications to the Restitutions Committee.

For a complete digital historical overview, see the Committee's website: https://www.restitutiecommissie.nl/en/history/

Organizational overview

The Restitutions Committee was established by the Ministry of OCW, but operates independently. The Committee is tasked to advise on restitution applications relating to Nazi looted art.

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The restitution applications concern works of art (items of cultural value) that are held by the Dutch State (Dutch National Art Collection and NK Collection) or other collections held in the Netherlands, for example by provincial or municipal institutions, a foundation or a private individual (other collections). If an artwork is held by the Dutch State, the Restitutions Committee advises the Minister of OCW on restitution by means of a recommendation. If an artwork is not held by the Dutch State (i.e. is part of other collections), the Restitutions Committee issues a binding opinion upon a joint request of the current holder of the artwork and the former owner, his/her heirs or legal successors to the applicants.

Composition

The Restitutions Committee comprises lawyers, historians and art historians. It consists of 7 members. The lawyers specialize in fields such as mediation of disputes and inheritance law. The historians' areas of expertise are art and the Second World War. The Minister of OCW appoints the members of the Restitutions Committee and its chair upon the recommendation of an appointments advisory committee. Members are appointed for a period of four years and can be reappointed once for another four years.

Current members (2025) are:

- Professor dr. Toon van Mierlo (Chair), lawyer
- Mr. Dick Oostinga (Vice-Chair), lawyer
- Dr Jaap Cohen, historian
- Dr Saskia Cohen-Willner, art historian
- Dr Jeroen Euwe, historian
- Professor mr. Corjo Jansen, lawyer
- Drs Annemarie Marck, historian

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Restitutions Committee's Tasks and Procedure

The Restitutions Committee issues recommendations to the Minister of OCW about restitution applications concerning artworks held by the Dutch State (Dutch National Art Collection and NK Collection). The Minister first assesses whether the Committee has adhered to the assessment framework and policy guidelines. Then, the Minister makes a decision about the restitution application based upon the Committee's recommendation.

If an artwork is not held by the Dutch State, the Restitutions Committee issues a binding opinion to the current holder of the artwork and the former owner of the artwork or his/her heirs or legal successors concerning restitution.

All requests must concern an application for the restitution of items of cultural value that the original owner involuntarily lost possession of due to circumstances directly related to the Nazi regime.

Research

After a restitution application has been submitted, a comprehensive investigation is conducted before a recommendation or binding opinion is issued. The Restitutions Committee can call on the Expert Centre Restitution (ECR, part of the NIOD, Institute for War, Holocaust and Genocide Studies in Amsterdam) to conduct an investigation into the historical facts of a case. In essentially all cases, ECR-research into the facts forms the basis for the recommendation or binding opinion issued by the Committee.

Hearing All Sides

The Committee follows a meticulous procedure based on the right to a fair hearing, thus actively involving the applicant or applicants and listening to all sides of the story. Among other things, this means that the restitution applicants and the current holder of an item of cultural value are given the opportunity to respond, within a generous time frame, to the ECR's overview of the historical facts. The Committee also organizes hearings, unless both parties state that they see no need for them. The Committee furthermore

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does not issue its recommendation or binding opinion until after both parties have been allowed the opportunity to respond to a draft version thereof.

Criteria for the Committee's Recommendation or Binding Opinion about a Restitution Application

The Restitutions Committee applies three criteria, in the following sequence, when answering the question of whether restitution should take place:

- Original ownership
- Involuntary loss of possession
- In certain cases: Good faith acquisition.

Only the first two criteria apply if the Dutch State is the holder of the item of cultural value. If these criteria are met, the Restitutions Committee advises the Minister of OCW to restitute unconditionally.

If a party other than the Dutch State is the holder of the item of cultural value, the third criterion - acquisition in good faith - is also considered. If the requirements of original ownership and involuntary loss of possession are met and the holder did not act in good faith, or does not wish to plead good faith (this is generally the case if a provincial or municipal institution is involved), there is unconditional restitution. If the holder did act in good faith and wishes to invoke it, the Restitutions Committee decides either on unconditional restitution or a mediated solution. All circumstances of the case can be taken into account in the event of a mediated solution, provided such a solution is always compliant with principle 8 of the Washington Principles (a just and fair solution).

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For more information about the Assessment Framework go to:

https://www.restitutiecommissie.nl/wp-content/uploads/2023/12/ DecreeRC2021incl-notes-validfrom24Jan23.pdf



For more information about the procedural regulations of the Restitutions Committee go to: https://www.restitutiecommissie.nl/wp-content/uploads/2023/10/RC-Regulations-6thOct2023.pdf



Related organisations

Cultural Heritage Agency of the Netherlands (RCE): https://www.herkomstgezocht.nl/origins-unknown



Expert Centre Restitution of the NIOD:

https://www.niod.nl/en/research/expert-centre-restitution

To contact the Restitutiecommissie

Nationaal Archief (National Archives of the Netherlands)
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+31 (0)70 376 59 92
info@restitutiecommissie.nl
www.restitutiecommissie.nl/en



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Austria

The Saul Juer case examined by the Art Restitution Advisory Board

The case presented by the Austrian Commission for Provenance Research and the Art Restitution Advisory Board centres on Steve Glauber, a former CBS journalist who lives in New York City.

He will present the story of his grandfather, Saul Juer, whose belongings were gradually expropriated by the Nazis and who was murdered in the Auschwitz extermination camp.

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Video statement



Prof. Dr. Clemens Jabloner serves as Chairman of the Art Restitution Advisory Board. While embarking on a distinguished academic and judicial career, he held various positions within the federal administration. He was President of the Austrian Supreme Administrative Court. A professor of legal theory, he also held highlevel political office, serving as Vice-Chancellor and Minister of Justice. Jabloner has long been engaged in matters of historical remembrance. He headed the Commission Austrian Historical investigating expropriations during the Nazi period. Mr. Jabloner has also been managing director of the Hans Kelsen Institute in Vienna.



Steve Glauber, grandson and heir of Saul Juer. Mr Glauber is a journalist and works in New York City for CBS.



Stefan Kurz is provenance researcher at the *Heeresgeschichtliches Museum* (Museum of Military History) in Vienna. Stefan Kurz holds master's degrees in history and political science. In his doctoral thesis he examined the history of the Museum of Military History Vienna were he has been working since 2015 as a historian. Since 2020 he has been in charge of the provenance research at this museum and as such has been a member of the Commission für Provenance Research.



Mathias Lichtenwagner is tasked with search for heirs in art restition cases at the Commission for Provenance Research since 2018. For his master in political science, he looked into Vienna as a center of Nazi military justice, for his PhD he currently working an veterans association of the SS in Austria.

Panellist



Dr. Pia Schölnberger is since 2019, the Head of the Kommission für Provenienzforschung (Commission for Provenance Research) at the Federal Ministry of Housing, Arts, Culture, Media and Sport. Pia Schölnberger received her doctorate from the University of Vienna with a thesis on the Austrofascist detention camp in Wöllersdorf. After working at various memorial and research institutions, she joined the Albertina in 2011 as a provenance researcher on behalf of the Commission for Provenance Research. Since 2019, she has headed the Commission as well as the office of the Art Restitution Advisory Board.

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The Saul Juer case

A collection of art objects spoliated from Saul Juer

Originally from Galicia, Saul Juer (1877-1944) settled in Vienna around 1885, becoming part of the local Jewish community. In 1904, he married Helene Kanner, with whom he had two daughters. Juer was a respected entrepreneur; in 1902 he became co-partner in his father Osias Juer's meat sales business, which operated a market stall in Vienna's 3rd district. By 1906, he had assumed sole ownership of the enterprise.

Beyond his professional life, Saul Juer was a passionate art collector. Over the course of more than thirty years, he assembled a rich and diverse collection, including ceramics, Judaica, engravings, drawings, and paintings, showing his taste and deep appreciation for cultural heritage.

However, following the *Anschluss* in March 1938, Saul Juer, like many Austrian Jews, became a target of Nazi persecution. In the wake of the swift "Aryanisation" policies that followed, he lost his market stall and livelihood as early as April 1938. With payments from debtors abruptly halted, he was forced to dissolve his business in June 1938. In an effort to meet his financial obligations, Juer was compelled to begin selling off his cherished art collection.

Among the known transactions, Juer offered a selection of militaria-themed objects to the Vienna *Heeresmuseum* (Museum of Military History) in August 1938. The acquisition, brokered through the dealer Blasius Fornach, comprised 572 items, including lithographs, oil paintings, and ceramic figures, and was finalized in January 1940. A further oil painting, submitted to the museum in June 1941, remained in its holdings despite not being officially purchased. As the military focus of these items did not fully represent the breadth of Juer's original collection, it is believed that he was forced to sell additional pieces (paintings, ceramics, and objects of precious metal) through other channels, including to the art dealer Friedrich Welz and the Dorotheum, the latter under compulsion via anti-Jewish property laws.

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Oil painting by an anonymous artist "Portrait unbekannter Militärbeamter im Generalsrang", undated.

In the face of escalating hardship, Saul and Helene Juer left their long time residence in July 1938, relocating to a family-owned property. Their daughters, Susanne and Hedewig, managed to escape abroad, to the United States and

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Helene Juer passed away in Vienna on 4 December 1941. The widower had to move into a so-called "collective apartment" before being deported to Theresienstadt ghetto on 14 July 1942. In May 1944, Saul Juer was transferred to the Auschwitz extermination camp. No further trace of his life remains after this date. He was officially declared dead on 6 July 1949.

Research

to the United Kingdom.

The research on the Juer case was conducted by the provenance researcher at the Museum of Military History in Vienna (until 1946: Heeresmuseum), Stefan Kurz. During a check of the Museum's database, a spelling error in the name Saul Juer was discovered at the end of 2021. The researcher established a connection with the looting of numerous items bearing this name during the Nazi era. In this case the historical acquisition files (documentation of the acquisition process) from the years 1938-1940 have been largely preserved. They already indicated that Saul Juer, from whom the Heeresmuseum had purchased the objects, was Jewish and therefore a persecuted person. Evaluating the documents in the museum, it was possible to trace the acquisition and identify all the objects concerned. Stefan Kurz then reconstructed Saul Juer's biography and his persecution by the Nazis as far as possible.

To this end, numerous sources were consulted which generally form an essential basis for dealing with potential restitution cases involving persons whose centre of life was in Vienna. These included the property declarations of members of the Juer family and the post-war restitution files held in the Austrian National Archives. Information from the historical records of the Vienna Municipial and State Archives, especially data on residences, entries relating to Saul Juer's business in the commercial register and Saul Juer's death certificate, proved invaluable. Further information on his biography, his ancestors, and his two children was obtained from the records of the Jewish community in Vienna. Information on Saul Juer's deportation comes from the archives in Bad Arolsen, Germany, additional information from online genealogical databases also proved helpful.

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The Austrian Art Restitution Act requires federal collections to conduct systematic provenance research ex officio, i.e., to check their own collections even without external motivation. This enabled the museum to establish the background to the Saul Juer case. What made this case special, however, was that despite more than 26 years of provenance research into the collections of the Austrian Federation, Saul Juer's art collection or his name never turned up. The same applies to provenance research on the collections of the City of Vienna. As the work on the Saul Juer restitution case revealed, Saul Juer had only been mentioned once in an publication about an art dealer in a footnote as a persecuted seller of artworks.

Outcome: 500 objects restitued to Steve Glauber

In November 2022, the Art Restitution Advisory Board recommended to the Federal Minister of Defence that 564 presently traceable pieces be transferred to Saul Juer's legal successors. Following the minister's acceptance of this recommendation, further research by Mathias Lichtenwagner revealed that Steve Glauber is the rightful recipient of the restitution.

In an interview conducted in Vienna in May 2025, which is due to be shown at the conference, Steve Glauber discusses his experience of the restitution process with the two researchers and the head of the Commission for Provenance Research.

The Kommission für Provenienzforschung and the Kunstrückgabebeirat

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

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Commission for Provenance Research and Art Restitution Advisory Board

In Austria, provenance research and art restitution concerning collections owned by the Republic of Austria are carried out by two bodies.

- The Commission for Provenance Research at the Federal Ministry for Housing, Arts, Culture, Media and Sport is responsible for investigating Austrian federal museums and collections, proactively searching for objects confiscated during Nazi persecution that have come into the possession of the Republic of Austria. The Commission also conducts research into the legal successors of those entitled to restitution.
- The Art Restitution Advisory Board makes decisions based on the information provided in the Commission for Provenance Research's reports. The Board submits its decisions to the Federal Minister responsible for the respective collections, recommending how to proceed with the objects in question (whether to grant or refuse restitution).

History

Following the seizure of two Egon Schiele paintings from the Leopold Collection at MoMA in New York in early 1998, an event which attracted widespread media attention, the Austrian Minister of Culture at the time set

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up the Commission for Provenance Research in February 1998. This new Commission was tasked with systematically examining the inventories of the federal museums, with a particular focus on acquisitions between 1938 and 1945, as well as claims for restitution immediately after 1945. The Federal Act on the Restitution of Artworks from Austrian Federal Museums and Collections (Art Restitution Act), was published in the Federal Law Gazette on 4 December 1998, one day after the adoption of the Washington Principles on Nazi-Confiscated Art, which Austria also signed. The Art Restitution Act enables the restitution of artworks in federal collections that were confiscated or acquired due to, or as a result of, Nazi persecution.

Organisational overview

Commission for Provenance Research

The Commission is set out in Section 4a of the Art Restitution Act, which also outlines its responsibilities. Therefore, the Commission must ensure that all federal collection inventories are included in ongoing investigations. In the case of objects that appear to meet the Art Restitution Act criteria, the Commission creates reports or dossiers for the Advisory Board, including the relevant documentation.

In addition to the Art Restitution and Remembrance Culture Department at the Federal Ministry for Housing, Arts, Culture, Media and Sport, the Commission comprises the Bureau, which serves as the central contact and information hub, and provenance researchers who work on-site at the various federal collections.

These researchers systematically investigate all acquisitions from 1933 to the present day. At the same time, indications/proposals from victims or their families are followed up. However, restitution requests are not a precondition for the investigations – after all, the asset losses in question are related to genocidal acts involving the extermination of entire families and generations, thereby also erasing memories and knowledge of what was once possessed.

Thus, the aim is to investigate all acquisitions since 1933 in terms of their fulfilment of the Art Restitution Act's criteria. In cases of suspicion or upon third-party requests for return, dossiers will be compiled for the Art Restitution Advisory Board.

The focus of the research is defined in three-year work plans, drawn up by the researchers, the scientific coordinator and the head of the Commission. These plans are adjusted annually based on new findings resulting from ongoing research and restitution requests, the latter of which are given priority. Dossiers submitted to the Advisory Board undergo rigorous peer review, with the texts ultimately approved by the scientific coordinator.

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The Bureau of the Commission for Provenance Research is the central research, organisational, and communication unit where all provenance research and art restitution threads converge. In addition to ongoing provenance research, particularly in collections where the Commission does not have its own provenance researcher, the Bureau supervises the Federal Monuments Office archive (including the 'restitution materials') and to process enquiries from third parties, particularly descendants of Nazi victims or their representatives, and institutions searching for confiscated objects. This includes providing information about the persecution history of families. Experience shows that restitution requests involve a great deal of research work.

The latest amendment to the Art Restitution Act in December 2023 (Section 4b of the KRG) created a legal basis for processing and transmitting personal data for restitution purposes. This is particularly important for identifying the legal successors of aggrieved former art collectors, a task also carried out by the Bureau of the Commission following a restitution decision by the federal minister.

The ongoing work of the Commission, the federal museums and the Bureau is described in the annual Restitution Report, which is provided to the parliament and made publicly available.

Art Restitution Advisory Board

The Board plays a vital role because it decides whether cases presented by the Commission for Provenance Research in the dossiers meet the KRG's requirements and thus fulfil the criteria for transfer of title.

The Advisory Board comprises seven voting members and is currently overseen by the Vice Chancellor and Federal Minister of Housing, Arts, Culture, Media and Sport. The members and chairperson are appointed by this Federal Minister based on recommendations from their respective

ministries: the Federal Ministry of Finance, the Federal Ministry for the Economy, Energy and Tourism, the Federal Ministry of Justice and the Federal Ministry of Defence. Universities Austria (Österreichische Universitätenkonferenz) provides one expert in history and one expert in art history, and a representative of the Republic of Austria's legal advisor (Finanzprokuratur) acts as an advisor to the Board. Clemens Jabloner has chaired the Board since 2007. He was president of the Austrian Administrative Court until 2013 and chairman of the Austrian Historical Commission, which was established by the federal government in 1998. He was also Vice Chancellor and Federal Minister of Justice in 2019/2020.

In accordance with Section 3(4) of the Art Restitution Act, the Advisory Board examines the Commission's reports on the basis of the criteria defined in the law, reaching a decision on whether to recommend the restitution or non-restitution of the objects concerned. If deemed necessary by the Advisory Board, other experts or informants may be consulted. The Board's recommendations are published on the Commission website and are continuously being translated into English:

https://provenienzforschung.gv.at/en/empfehlungen-des-beirats/beschluesse/

Additionally, articles in both German and English are regularly published in the online

Lexicon of Austrian Provenance Research:

https://www.lexikon-provenienzforschung.org/en/

Based on research conducted by the Commission for Provenance Research, the Art Restitution Advisory Board currently meets three to four times a year. Since 1998, it has issued over 400 recommendations. As previously mentioned, the Federal Minister responsible decides whether the object(s) should be restituted on the basis of such a recommendation. For reasons of constitutional law, they are not legally bound by the recommendations, but the arguments contained within them carry significant weight.

On this basis, around 66,300 objects, including paintings, drawings, prints, sculptures, objects of applied art, folk art, books, scientific and technical objects, coins and medals, have been recommended for return by the Republic of Austria to their former owners or their heirs. More than 52,000

objects have been transferred to former owners or their legal successors to date; in the remaining cases, the search for heirs is ongoing.

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Jurisdiction/Eligibility: The Art Restitution Act (Kunstrückgabegesetz [KRG])

The Art Restitution Act (amended in 2009 and 2023 and now titled the Federal Law on the Restitution of Works of Art and Other Movable Cultural Assets from Austrian Federal Museums and Collections and Other Federal Property) sets out the conditions and criteria for the restitution of objects to their former owners or legal successors. The law authorises the relevant Federal Minister to proactively return title to assets that were confiscated/seized by the Nazis and became property of the state, to their former owners or heirs.

According to Section 2(1)2 of the Act, if the former owners or any of their heirs cannot be identified, confiscated items can be transferred for sale to the National Fund of the Republic of Austria for Victims of National Socialism. Although the Art Restitution Act does not provide for court or administrative procedures, the Art Restitution Advisory Board must be consulted before every ministerial decision is made. This ensures an objective basis for each decision. All decisions are published on the Commission for Provenance Research's website, and the National Council (parliament) is informed of the Commission's activities in an annual Restitution Report.

The Art Restitution Act therefore involves a three-phase process: investigation by the Commission for Provenance Research; recommendation by the Art Restitution Advisory Board; and final decision by the Federal Minister. If a decision is made in favour of restitution, this is followed by a search for legal successors, and eventually by the transfer of ownership to them, i.e. the actual restitution.

Requirements of the Art Restitution Act

Section 1(1) of the KRG sets out four requirements, which are detailed in subparagraphs 1, 2, 2a and 3. Three of these requirements are also relevant to the Board's recommendations.

Subparagraph 1 relates to the restitution of objects returned to their legal owners after 8 May 1945 that subsequently became State property due to the restrictive application of the Federal Law on the Prohibition of Objects of

Historical, Artistic or Cultural Significance. Enacted directly after the collapse of the Habsburg monarchy in 1918, this law was intended to prevent the disappearance of cultural assets. After the Second World War, the export licence required for objects restituted to victims of National Socialism living outside Austria was, in numerous cases, used by Austria's Federal Monuments Authority (Bundesdenkmalamt) to leverage the return of objects to federal museums, despite them actually being eligible for restitution.

Subparagraph 2 concerns assets that are legally owned by the state today but were previously the subject of a legal transaction that was deemed invalid under the 1946 Annulment Act (Nichtigkeitsgesetz). The Advisory Board therefore regularly consults the judgements of the Austrian restitution commissions in its recommendations, particularly with regard to the Third Restitution Act of 1947. This applies to the vast majority of cases, since transfer of ownership by a persecuted person after the 'Anschluss' in March 1938 is considered confiscation, also if, in addition to seizures by the Gestapo and other Nazi authorities, a household was for example dissolved and individual items were sold in preparation for escape or forced resettlement.

Subparagraph 2a explicitly extends the scope of subparagraph 2 to include Nazi confiscations and other legal transactions or acts that took place in the territory of the German Reich outside the present Republic of Austria between 30 January 1933 and 8 May 1945.

Subparagraph 3, which has been less relevant in practice until now, refers to objects that were not returned to their original owners at the end of restitution proceedings and became the property of the state as 'abandoned goods'.

Section 1(2) states that, in the case of Section 1(1), Subparagraph 1a, any compensation paid by the State to acquire an object must be repaid (valued) before restitution. Conversely, payments made under Section 2b of the Federal Law on the National Fund of the Republic of Austria for Victims of National Socialism are not to be refunded.

Current members of the committee

Chair

Clemens Jabloner (nominated by Ministry of Housing, Arts, Culture, Media and Sport)

Members

Stefan Kirchebner (Ministry of Defence)
Birgit Kirchmayr (also Scientific Coordinator, Universities Austria, history)
Eva B. Ottillinger (Ministry of Economy, Energy and Tourism)
Judith Pallitsch (Finanzprokuratur, advisory capacity)
Sabine Plakolm-Forsthuber (Universities Austria, art history)
Eva Reichel (Ministry of Justice)
Franz-Philipp Sutter (Ministry of Finance)

Substitute members

Monika Anderl (Ministry of Finance)
Ilsebill Barta (Ministry of Economy, Energy and Tourism)
Reinhard Binder-Krieglstein (Deputy Chair, Ministry of Housing, Arts, Culture, Media and Sport)
Sonja Bydlinski (Ministry of Justice)
Birgit Eibl (Finanzprokuratur)
Bertrand Perz (Universities Austria, history)
Katharina Puchinger (Ministry of Defence)
Raphael Rosenberg (Universities Austria, art history)

Office in accordance with § 3 of the Advisory Board's Rules of Procedure

Pia Schölnberger (Head) Hannah Leodolter Julia Unterweger



To contact the Kommission für Provenienzforschung

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provenienzforschung@bda.gv.at



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Germany

Discussion with the Beratende Kommission and the Jewish Claims Conference

Panellists



Prof. Dr. Wolf Tegethoff is the Deputy Chair of the Beratende Kommission. From 1991 to 2017, he was appointed Director of the Zentralinstitut für Kunstgeschichte (Central Institute of Art History), and he got guest professorships in Bonn, Haifa and Venice: since 2000, he is an honorary professor at the Ludwig-Maximilians-Universität München.



Rüdiger Mahlo is the representative of the Jewish Claims Conference in Europe. He chairs the board of directors of Jewish Digital Recovery Project JCRP creating a database of Jewish art collectors and Jewish artists in Europe. Rüdiger Mahlo is also a member of the Board of Directors of the *Deutsches Zentrum Kulturgutverluste*.

Dialogue on the expectations of the heirs and the Jewish organisations

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For over 20 years, the German Advisory Commission on the return of cultural property seized as a result of Nazi persecution (commonly known as the *Beratende Kommission NS-Raubgut*) has reviewed 25 restitution cases.

While many restitution decisions in Germany are resolved either through settlements or by the competent regional cultural authorities, the *Beratende Kommission NS-Raubgut* plays a crucial role by examining particularly complex or disputed cases. As an independent body from the federal government, the *Beratende Kommission NS-Raubgut* has dealt with a wide range of cases. Its recommendations are closely watched and often publicly discussed.

Composed of respected individuals, including judges, university professors, political figures, and experts in looted art, the Commission has, over the past two decades, worked with a consistent commitment to the complex and difficult questions arising in cases of Nazi looted art.

The conversation between Prof. Dr. Tegethoff and Rüdiger Mahlo will address the broader issue of Germany's moral and political responsibility regarding the looting of art by the National Socialist regime and its collaborators.

The Jewish Claims Conference

The Conference on Jewish Material Claims Against Germany (Claims Conference) is a nonprofit organization with offices in New York, Israel, and Germany, dedicated to securing material compensation for Holocaust survivors worldwide.

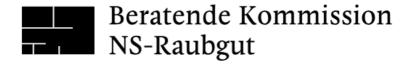
Established in 1951 by representatives of 23 major international Jewish organizations, the Claims Conference negotiates and distributes funds to individuals and institutions, while also working to recover Jewish property looted during the Holocaust.

Since negotiations began in 1952, the German government has paid approximately \$90 billion in reparations to individuals who suffered persecution under the Nazi regime — the result of sustained efforts by the Claims Conference, which began advocating for survivors in 1951 through its initial talks with West Germany.

Over 68 years later, the Claims Conference continues to engage annually with German government officials to develop and expand programs that support Holocaust survivors. The organization firmly believes that acknowledging the suffering endured by survivors through symbolic payments remains a moral imperative.

Beratende Kommission im Zusammenhang mit der Rückgabe NS-verfolgungsbedingt entzogenen Kulturguts, insbesondere aus jüdischem Besitz

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The independent Advisory Commission on the return of cultural property seized as a result of Nazi persecution, especially Jewish property, was established in 2003 by the Federation, Länder and national associations of local authorities to mediate in case of disputes over the restitution of Naziconfiscated cultural property.

In this way, the Federation, Länder and national associations of local authorities implemented no. 11 of the Washington Principles, which encourage nations "to develop national processes to implement these principles, particularly as they relate to alternative dispute resolution mechanisms for resolving ownership issues".

The Commission may be called upon by institutions and private persons in case of disputes concerning the restitution of cultural property seized by the Nazis, if both parties agree to mediation by the Commission. Cases before the Commission are conducted according to its rules of procedure. To resolve differences of opinion, the Commission may make recommendations which are not legally binding. For example, it may recommend restitution of the cultural property or restitution against payment of compensation; it can also recommend that the cultural property remain with the current holder in exchange for compensation payment, or advise against restitution.

The Commission comprises up to ten members. Members are independent persons with legal, ethical, cultural and historical expertise who do not hold a prominent political office. Members of the Commission act in an honorary capacity. They are appointed by the Federal Government Commissioner for Culture and the Media in agreement with the Standing Conference of the Ministers of Education and Cultural Affairs of the Länder (KMK) and the national associations of local authorities.

The Advisory Commission has its own office in Berlin, which reports directly to the Chair of the Commission.



Prof. Dr. Hans-Jürgen Papier is the Chairman of the Beratende Kommission.

From 2002 to 2010, he was President of the Bundesverfassungsgericht, and from 1991 to 1998, he was Chair of the *Unabhängige Kommission zur Überprüfung des Vermögens der Parteien und Massenorganisationen der DDR*.

Before that, he worked as Deputy Chair of the ethics committee of the Bayerische Landesärztekammer.

To contact the Beratende Kommission

Seydelstraße 18 10117 Berlin +49 (0) 30 233 8493 90 geschaeftsstelle@beratende-kommission.de www.beratende-kommission.de



France

The books of Henry Torrès Commission for the Restitution of Property and the Compensation of Victims of Anti-Semitic Spoliation (CIVS)

more than two hundred books scattered across Germany have finally found their owners

Video statement



Dominique Torrès is the grand-daughter of Henry Torrès and one of his two heirs in title. Ms. Torrès is a journalist, reporter and author. She is best known for her work on modern slavery: Dominique Torrès is also founder of the Committee Against Modern Slavery.

« Who was my grandfather, Henry Torrès? First of all, he was a great lawyer, a brilliant orator. He appears in the foreground of the antisemitic poster for the infamous 1941 exhibition "The Jews and France." He is best known—and will likely always be remembered—for securing the acquittal of a young man, Samuel Schwartzbard, who had planned and carried out the killing of the man responsible for the Ukrainian pogroms, right on Boulevard Saint-Michel. He managed to get him acquitted, and his closing argument remains a landmark in French law schools. It is an absolutely extraordinary plea, worth reading and rereading.

But no one speaks of Henry Torrès better than his friends. Robert Badinter: Henry is a character in his book The Execution. And Joseph Kessel wrote magnificent pages about him in the introduction to Henry's book Les Accusés – Hors Série. He also made him a character in his novel Le tour du malheur. I'd also like to say that Joseph Kessel was such a loyal friend that he held Henry's hand and helped him financially to live out the rest of his days.

I'd like to take this opportunity to thank you all for the extraordinary work you've done in bringing these books back home. It is fundamentally important, on principle. Of course, that's why you did it—for the principle. It's not necessarily the literary quality of the books that matters most, but the fact that you spent all that time searching for them and bringing them back to where they belonged. It is an act of justice. I'm truly sorry not to be with you today, and I sincerely thank you from the bottom of my heart. »

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Panellists



Michaela Scheibe is provenance researcher, specialist in library looting under National Socialism, Deputy Director of the Manuscripts and Historical Prints Department at the Staatsbibliothek zu Berlin



Dr. Dirk Naguschewski is researcher, communications manager at the Leibniz-Zentrum für Literatur- und Kulturforschung (ZfL)



Prof. Dr. Frédérique Dreifuss-Netter, Honorary Advisor to the Court of Cassation, is Chairwoman of the Commission for the Restitution of Property and the Compensation of Victims of Anti-Semitic Spoliation (CIVS) since 1 July 2024. Frédérique Dreifuss-Netter is a tenured professor of law (professeure agrégée des facultés de droit). She has been a member of the Court of Cassation since 2010 and has notably participated in the work of the National Consultative Ethics Committee for Life Sciences and Health.



David Zivie, Chairman of the Mission for the Research and Restitution of Cultural Property Looted between 1933 and 1945 (M2RS), is a senior French civil servant specialising in remembrance policies and the restitution of cultural heritage. In 2018, David Zivie submitted a report to the French Minister of Culture, proposing the changes needed to improve the management of looted cultural property present in national and public cultural institutions. This report contributed to the creation of the M2RS in 2019.

The case of Henry Torrès



An entire book collection looted from a Parisian Jewish lawyer

Henry Torrès, (1891-1966) led a career marked by political commitment and the defence of difficult causes. After studying law in Paris and briefly preparing for the *École Normale Supérieure*, Henry Torrès enlisted voluntarily in the First World War. In the midst of bombardments, patrols and assaults, the young sergeant discovered his vocation as a lawyer. For his courage, he was awarded several military decorations.



In 1919, Torrès married Jeanne Levylier (1899-1982) and they had two sons. The couple eventually divorced.

Jeanne subsequently married Léon Blum, who served as Prime Minister between 1936 and 1947.

As a Jewish lawyer and defender of Schwartzbard, Henry Torrès was particularly targeted by the Nazi occupation authorities. Although no direct evidence of the search of his home is preserved in the archives, he recounts in his autobiography that at the very moment of the occupation of Paris, the Germans confiscated everything of any value in his flat. According to his memoirs, a new inspection was carried out in his absence on 12 March 1941, at his home at 38 avenue Hoche in the 8th arrondissement of Paris. On the pretext that he was an "enemy of Germany", a complete seizure was ordered.

Torrès had a large personal library, built in part with his ex-wife Jeanne. Some of the books are dedicated to "Monsieur and Madame H. Torrès" or directly to "Madame Henry Torrès". Some of the books were dedicated by contemporary authors and friends, such as Claire Goll and Blaise Cendrars.

There is evidence that 2000 legal files belonging to Torrès were seized: they were transferred to the *Bibliothèque nationale* in 1942 and returned in January 1946. However, some cultural goods were sent to Berlin, probably to enrich the collections of Nazi institutions.

Returning to France after the Liberation, Torrès resumed his career as a lawyer and sat in the Senate between 1948 and 1958 as a member of the *Rassemblement du peuple français*, founded by General de Gaulle. He died in 1966.

Self-task of the CIVS after several german libraries's report

In 2021, around thirty books were identified in the collections of various libraries in Germany. The Staatsbibliothek zu Berlin, the Sächsische Landesbibliothek, Die Sächsische Landesbibliothek – Staats- und Universitätsbibliothek (SLUB) in Dresden and the Universitäatsbibliothek in Rostock reported to the CIVS of the existence of these books. The libraries contacted the CIVS to return the books in question and help them find and locate Mr Henry Torrès's heirs.

In 2022, the CIVS referred to itself the restitution file concerning the 30 works that belonged to Henry Torrès. The CIVS deliberative panel has concluded that the books found in the German libraries were stolen by the German authorities as part of the anti-Semitic legislation in force in France during the Occupation. There is therefore no doubt as to their provenance.

As a result, the books may be returned. Research has since revealed several routes by which despoiled French works found their way to the Prussian State Library under the Nazi regime. The Torrès books may have been transferred before 1945, or they may have been found after the war among the 'ownerless' holdings of institutions dissolved by the Reich.

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Restitution to the Torrès heirs

Since 2021, numerous other copies from various German libraries have been found and catalogued and are now ready to be returned.

220 works in total from the Henry Torrès library have been identified in German libraries. These are mainly books donated in the 1920s and 1930s, bearing handwritten dedications by their authors. Most are political or historical works, but there are also literary and theatrical works. Some of the authors were themselves Jewish or shared Torrès's communist or patriotic convictions.

Dedications often refer to his status as a lawyer, calling him 'Master'. Several authors address him as a personal friend. The writer Claire Goll is the only woman identified among these dedicatees, with two works. Two autographed volumes have also been found in the hands of Blaise Cendrars, whom Torrès refers to in his memoirs as his 'dear friend', and Francis Carco.

The Commission for the Restitution of Property and Compensation of Victims of Anti-semitic Spoliations (CIVS)



Fraternité

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

History of the CIVS

1995: Acknowledgment of the responsibility of French authorities in the persecution of Jews

On 16 July 1995, on the commemoration of the "Vel d'Hiv Roundup" of 16 July 1942, French President Jacques Chirac acknowledged that the French authorities were partly responsible for the persecution of the Jewish community during the Occupation. Since then, the public authorities have considered compensating the material damage suffered by the Jewish community in France.

1997: Study mission on the spoliation of Jews in France (1997)

In 1997, the French government created the Mattéoli Study Mission on the Spoliation of French Jews also known as the "Mattéoli Mission". This working group conducted a thorough investigation into the confiscations of property and all valuables in France occupied by the Nazis Resulting from the Anti-Semitic Legislation, including legislation on persons deported from France. The working group produced an exhaustive 3,000-page report that included recommendations for the government to repair these wrongs promptly and decisively. One such recommendation was that the government establish a body charged with examining claims that were submitted by the victims of the Anti-Semitic legislation passed by France under the Nazi occupation.

1999: Creation of the Commission for the Compensation of Victims of Spoliation Resulting from Anti-Semitic Legislation in Force during the Occupation

The French Republic followed the Mattéoli Mission recommendation and created the CIVS on September 10, 1999. Its role is "to review individual claims submitted by victims or their legal heirs or assigns to receive reparations for losses caused by the spoliations of property Resulting from Anti-Semitic Legislation in Force During the Occupation, either by the occupying authorities or the Vichy Authorities," and "to draft and propose suitable reparation or compensation measures."

It was set up in the decree no. 99-778 of 10 September 1999, by former French Prime Minister Lionel Jospin. It was aimed to deal with claims submitted by victims or their heirs for compensation for losses resulting from the spoliation of property under anti-Semitic legislation enacted during the Occupation by both the occupying forces and the Vichy authorities.

2018: "Doing better" on the restitution of cultural property

On the commemoration of the Vél' d'Hiv' roundup on 22 July 2018, former Prime Minister Edouard Philippe called for "better efforts" to be made in the search for and restitution of works of art looted from Jewish families.

In 2018, the methods of referring cases to the CIVS were extended to enable it to find the owners, or their heirs, of cultural property looted in France between 1940 and 1944 under anti-Semitic legislation.

The creation in April 2019 of the M2RS, "Mission de recherche et de restitution des biens culturels spoliés entre 1933 et 1945", by order of the Minister of Culture, goes hand in hand with this strengthening of the role of the CIVS.

2023: Framework law for the restitution of cultural property

Following the call for "doing better" regarding the restitution of cultural property, a significant legislative change took place in 2023 to facilitate the restitution process. In fact, the restitution of property in the public domain was against the principle of the inalienability of French public collections. A special framework law was therefore necessary to derogate from the principle of inalienability, after obtaining the opinion of the CIVS, in order to remove

from the public domain of spoliated cultural property for the purposes of its restitution to its rightful owners.

Organizational overview

The CIVS is an administrative commission of the French government under the Prime Minister. The Commission is not a court. It investigates claims, determines the nature and extent of material losses and submits recommendations for compensation or restitution to the Prime Minister or any other institution involved, and to banks in particular. Action has always been taken on the recommendations that are issued in accordance with the commitments made by the Prime Minister and the banks.

The deliberative panel is composed of fourteen members: two serving or honorary judges, two serving or honorary members of the French Council of State two serving or honorary counsellors of the Court of auditors, two university professors and six qualified individuals.

Competence

The Commission for the Restitution of Property and the Compensation of Victims of Anti-Semitic Spoliations is responsible for three distinct missions

- Recommend repair measures for material and banking Anti-Semitic spoliations that have occurred in France between 1940 and 1944, exclusively on the referral to the beneficiaries;
- Recommend reparation measures for Anti-Semitic spoliations of cultural goods which have taken place in France between 1940 and 1944, on the referral of any person concerned or by self-referral;
- Recommend the restitution of cultural goods robbed in the context of Nazi Anti-Semitic persecution, including outside France, between 1933 and 1945, when these goods were kept in a public or assimilated collection.

Claimants of any nationality are eligible to submit a claim for compensation or restitution to the CIVS. Direct victims of spoliations may apply for compensation or restitution, as may their children, grandchildren, spouses, brother, sisters, nieces, nephews, great nephews and great nieces, in addition to all other legal heirs or assigns, whether they are family members or not, according to the rules of the governing law of succession.

All victims of spoliations that resulted from the Anti-Semitic Legislation in Force During the Occupation can receive compensation or benefit from a return of property. Therefore, only the application of these laws is taken into consideration as a cause of spoliation, and not just the fact that the victim is Jewish.

The CIVS processes claims from persons that sustained material losses that resulted from the Anti-Semitic Legislation in Force During the Occupation, attributable to the French or Nazi Occupying authorities on French territory and assimilated territories.

Compensation

The CIVS compensates spoliations perpetrated by public or private entities, such as insurance companies, banks or the Deposits and Consignments Fund (Caisse des Dépôts et Consignations). It is possible to obtain compensation through the CIVS for a wide variety of material losses, including but not limited to:

- confiscation of money, personal property or liquid assets,
- lootings of family residences or apartments,
- work-related losses (such as merchandise inventory, raw materials, machines and equipment as well as losses of customer base and businesses),
- confiscation of money or personal property in the French internment camps, on the occasion of transport to a destination or upon departure from the internment camps, etc.

Restitution

Cultural properties eligible for restitution are cultural items that were looted during the World War II, if these assets are identifiable and recoverable.

At the request of the person concerned or on its own initiative, the Commission issues an opinion on the existence of spoliation and the circumstances in which it occurred concerning:

- Cultural property likely to have been spoliated as a result of anti-Semitic persecution perpetrated both by the French State between 10 July 1940 and 24 August 1944 and by the occupying forces, with a view to reparation of the losses resulting from this spoliation;
- Cultural property likely to have been spoliated between 30 January 1933 and 8 May 1945, in the context of the anti-Semitic persecutions perpetrated by Nazi Germany, by the authorities of the territories it occupied, controlled or influenced and by the French State between 10 July 1940 and 24 August 1944;
- The collections of the Museums of France belonging to non-profit-making private legal entities, acquired through donations and legacies or with the support of the State or a local authority;
- Cultural property likely to have been spoliated in the context of anti-Semitic persecution between 30 January 1933 and 8 May 1945, recovered and inventoried on completion of the operations of the Artistic Recovery Commission, with a view to its restitution or, failing that, any appropriate reparation measure.

Cultural properties can include:

- works of art, paintings, sculptures, photographs, decorative art objects, etc.
- books and manuscripts, personal archives, historical or religious manuscripts, etc.
- craft objects, items with cultural or artisanal value, such as carpets, antique furniture, religious objects.
- objects of significant heritage value: this can include museum pieces, antiques, or any objects of exceptional value due to their history, provenance, or uniqueness.

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To open a claim

A first form available on the CIVS website is dedicated to the victims of spoliation, their heirs or their beneficiaries. This form enables to refer the matter to the CIVS, so that it can recommend the appropriate reparation, restitution or compensation measures.

A second form also available on the website is dedicated to institutions (museum, library, private individual, etc.) that have one (or more) items of cultural property that may have been spoliated in the context of anti-semitic persecution, and the question of its restitution has arisen. This form enables to refer the matter to the CIVS in order to obtain a ruling under about a potential restitution to the spoliated person or their heirs.

Both forms, completed, signed and accompanied by the documents indicated, can be sent to the CIVS by e-mail - renseignement@civs.gouv.fr - or by post: CIVS, 20 AVENUE DE SEGUR, TSA 20718, 75334 PARIS CEDEX 07, FRANCE. This is equivalent to a referral to the Commission.

To contact the CIVS

TSA 20718 - 75334 PARIS CEDEX 07 + 33 (0)1 42 75 68 32 renseignement@civs.gouv.fr www.civs.gouv.fr

The Mission for the Research and Restitution of Cultural Property Looted between 1933 and 1945 (M2RS)

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Ministry of Culture

The Mission for Research and Restitution of Cultural Property Spoliated between 1933 and 1945 (M2RS) is a department within the French Ministry of Culture (General Secretariat, Department of Legal and International Affairs), responsible for leading and coordinating public policy on the research, reparation, and remembrance of cultural property spoliation.

It was established in April 2019 by ministerial decree, following a request by the Prime Minister during the commemoration of the Vel' d'Hiv on 22 July 2018, in which he called for "doing better" in the area of research and restitution of artworks looted from Jewish families.

The creation of M2RS goes hand in hand with the strengthening of the role of the Commission for the Restitution of Property and Compensation for Victims of Anti-Semitic Spoliation (CIVS), a commission under the authority of the Prime Minister. Established in 1999, CIVS saw its mandate regarding the reparation of cultural property spoliation extended in February 2024.

M2RS continues the work previously carried out by the Department of French Museums under the Directorate-General for Heritage and Architecture of the Ministry of Culture in the field of provenance research and restitution.

M2RS is part of the Ministry of Culture's General Secretariat (Department of Legal and International Affairs). It is in charge of leading and coordinating public policy on the research, reparation, and remembrance of cultural property spoliation. It contributes to identifying and gaining a better understanding of artworks of uncertain provenance held by public institutions.

As a hub and facilitator for families, cultural institutions, researchers, and the art market, M2RS has **two main objectives**:

- To define, coordinate, and implement policy on provenance research and restitution, and to raise awareness among the public and professionals.
- To study individual cases of cultural property spoliation, in collaboration with relevant cultural institutions, whether initiated by families, cultural institutions, or by M2RS itself, with the aim of achieving reparation measures (restitution or compensation).

The main activities of M2RS include:

- Responding to requests from families and heirs of spoliated owners who are searching for looted artworks in France or currently held in French public collections. These family requests may lead to the opening of a case by CIVS for the reparation of anti-Semitic spoliations, with the cultural component handled by M2RS.
- Identifying looted artworks held by public institutions with a view to their restitution to the rightful heirs of the original owners. This work is carried out in close collaboration with the museums and libraries that house the works.
- Providing expertise on the provenance of cultural property at various stages of their journey: acquisition by a museum or library, sale on the art market, export certificate applications, public display of works, etc.
- Raising awareness among the public and professionals about the history of spoliated families, provenance research, and scientific cooperation on the history and mechanisms of spoliation and restitution, through a multidisciplinary approach: training sessions, museum and library mediation, communication efforts, and more.

M2RS responds to all inquiries from descendants of spoliated families, researchers, museums, libraries, dealers, auction houses, and others. To contact M2RS: contact.m2rs@culture.gouv.fr



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The European Network of Restitution Committees on Nazi-Looted Art



A network linking five commissions in Europe working to find and return cultural property looted by the Nazis was created in 2019: the Beratende Kommission im Zusammenhang mit der Rückgabe NS-verfolgungsbedingt entzogenen Kulturguts, insbesondere aus jüdischem Besitz (Advisory Commission on the return of cultural property seized as a result of Nazi persecution, especially Jewish property - Germany), the Kommission für Provenienzforschung and the Kunstrückgabebeirat (Commission Provenance Research and Art Restitution Advisory Board - Austria), the Commission pour la restitution des biens et l'indemnisation des victimes de spoliations antisémites and the Mission de recherche et de restitution des biens culturels spoliés entre 1933 et 1945 (Commission for the Restitution of Property and the Compensation of Victims of Anti-Semitic Spoliation and the Mission for the Research and Restitution of Cultural Property Looted between 1933 and 1945 - France), the Restitutiecommissie (Restitutions Committee -Netherlands) and the Spoliation Advisory Panel (United Kingdom) have come together to enable joint actions and the sharing of information.

Researching looted works of art is a particularly difficult task, and transnational cooperation must help to meet this challenge. This principle was laid down at the International Conference held in London in September 2017. One year later, in 2018, the five committees decided to put this idea into

practice, and specified the procedures, while respecting the specific characteristics of each structure.

In 2019, the five European committees for the restitution of Nazi-looted art met in Paris for the first time as a network. This meeting marked the start of a cycle of cooperation that is enriching for the members of the committees themselves, as well as for the claimants or heirs whose compensation claims they handle. This dynamic has continued over the years, with new meetings in London, Berlin and Amsterdam.

In accordance with the Washington Principles (1998), the member countries of this network see the search for looted assets as a cross-border and cross-cultural undertaking, which must be progressive and transparent, open to the observation and proposals of looted persons, their families and heirs, Jewish organisations, NGOs and specialists. This effort of exchange, standardisation of practices and transparency is necessary in order to consolidate and improve the mechanisms put in place in each of the countries concerned.

Over the past five years, the network has established itself as a source of hope and progress for claimants, heirs and provenance researchers. By promoting unprecedented transparency, we have ensured that families navigating the complex paths of restitution have access to clearer and more accessible informations and processes. Our work has enabled these voices to be heard and their stories to be recognised, affirming our commitment to memory.

Five years later, on 1 October 2024, the network met again in Paris. This very productive day gave us the opportunity to look back over the five years of the network's existence, but also to discuss our prospects for the future. There is more to come, including the expansion of the network, the deepening of our relationships, workshops to compare our case handling methods and much more.

Organised based on an initiative from the European network, the conference 'Recovered memories' highlights the experiences and stories of victims of spoliation and their families.

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In Europe, victims' families, researchers, institutions and restitution committees are working to ensure that cultural property looted between 1933 and 1945 return to its rightful owners. The German, English, Austrian, Dutch and French restitution committees are debating the issue and giving a voice to the heirs of looted victims.

