

Holocaust-Era Looted Cultural Property: A Current Worldwide Overview



Compiled by
Dr. Wesley A. Fisher & Dr. Ruth J. Weinberger

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Sources for cover-image:

Top row, left to right:

ERR sorting books in the Baltic states. Yad Vashem, archival signature: 368; ERR-Lager Paris, *Uhlenlager* (ca. 1942/1943). Bundesarchiv B 323 Bild-0311-070; Chaplain Samuel Blinder examines one of the Torah scrolls stolen by the Einsatzstab Rosenberg and stored in the basement of the Institute for Research into the Jewish Question in Frankfurt am Main. National Archives and Records Administration, source record ID: 111-SC-209154 (Album 5446).

Bottom row, left to right:

A painting by the French Impressionist Edouard Manet, titled "Wintergarden," discovered in the vault at Merkers. National Archives and Records Administration, source record ID: 5757184; A library confiscated by the ERR, Amsterdam, Holland. Yad Vashem, archival signature: 368; Display of ritual synagogue textiles confiscated by the Nazis (provenance: S. J. Pomrenze). USHMM photograph number: 48738.

The following paper represents the results of the current best-efforts research of the Conference on Jewish Material Claims Against Germany ("Claims Conference") and the World Jewish Restitution Organization ("WJRO") and is based upon information obtained by the Claims Conference-WJRO to date. It may contain factual or other errors. Governments, non-governmental organizations, and individual experts are invited to make corrections and comments.

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I. FOREWORD

In 1998, over 40 countries came together to endorse the Washington Conference Principles on Nazi-Confiscated Art. While the Washington Conference Principles laid out first steps to create an international understanding on how to best deal with the problem of Nazi looted art, this report clearly shows that much work remains to be done.

It has been estimated that over 100,000 of the 600,000 paintings and many more of the millions of books, manuscripts, ritual religious items, and other cultural objects stolen during the Holocaust have never been returned.

This report assesses the current state of the situation regarding Nazi-looted art and cultural objects of 47 countries that endorsed the 2009 Terezin Declaration which incorporated these principles. It details those countries that have made major progress, substantial progress, some progress, or little or no progress yet in implementing the Washington Conference Principles.

Today, this work has taken on an even greater urgency. For the victims of the Holocaust (including those who survived but were stripped of their possessions) the need for justice is clear. For some, the recovery of looted art or cultural possessions is emotional, as the objects represent the last vestiges of life prior to the Holocaust; the objects are tangible links to family, to homes, to cultures and religions and homelands that were irrevocably shattered by the Holocaust.

There are other reasons that this effort is so important. It reflects how a society defines itself. The drive to obtain a proper reckoning of looted cultural objects is part of an essential effort to continue to research and understand the history of the Holocaust and its impact on our world still today.

Western liberal democracy was in many important ways shaped by the post war drive to try and protect the world from any reoccurrence of the Nazi genocide or the total war that engulfed the world. As the very concept of liberal democracy is attacked, the necessity of pursuing justice by protecting history becomes even more vital and urgent.

We hope that this report will encourage countries to act, and that the steps recommended in the new Best Practices announced today are quickly adopted, so that we can help secure a measure of justice for the victims of the Holocaust, their families, Jewish communities, and the Jewish People.

Gideon Taylor, President
WJRO and Claims Conference

Mark Weitzman, Chief Operating Officer
WJRO

II. EXECUTIVE SUMMARY

This report summarizes and analyzes the extent to which each of 47 countries has followed the **Washington Conference Principles on Nazi-Confiscated Art** developed in connection with the 1998 Washington Conference on Holocaust-Era Assets. Consisting of 11 non-binding principles intended to assist countries with differing legal systems in resolving issues relating to Nazi-confiscated art within the context of their own laws, the Principles encourage nations to identify and research Nazi-looted cultural property and ultimately to return what was looted and confiscated during the Nazi era. The 47 countries are those that endorsed the 2009 Terezin Declaration which incorporated the Principles.¹

In summary, there has been significant progress, but much remains to be done.

Our review shows a number of important developments over the past 25 years:

- Most countries have done at least some historical research, so that we know better how the looting of cultural property was carried out. In some instances, the initiation of historical research has been helped by projects sponsored by the Claims Conference-WJRO.
- Provenance research has grown greatly and has become much more advanced, partly as the result of greater access to archives and the effect of digitization. However, museums in many countries continue to ignore the need for provenance research, and in most countries, it is not seen as an essential part of museum practice.
- Claims processes are now in place in many countries, but the resulting numbers of cases handled and resulting restitutions often remain low. Five of the 47 countries have established restitution commissions to facilitate claims, but the overwhelming majority of countries still do not have one.
- Although the Washington Conference Principles were intended to cover more than just public collections, there has been far less progress with regard to items formerly owned by individuals that are currently in private hands. There remains much to do with regard to provenance research, transparency of records and facilitation of claims of items that are today held privately.
- There is now greater awareness of the special status of cultural property that belonged to Jewish communities, but in many cases, property still remains with private individuals rather than being part of the heritage of the Jewish people.

The report presents ratings based on whether or not a given country:

- a) has done historical research on the subject, whether through an historical commission or otherwise;
- b) does provenance research on its collections;
- c) has a claims process, whether through a restitution commission or otherwise;
- d) has made a substantial number of restitutions.

¹ The report partially relies on information provided by the *JUST Act Report* published by the U.S. Department of State in 2020 (<https://www.state.gov/justice-for-uncompensated-survivors-today-just-act-report>). The current report focuses on developments since the *JUST Act Report*'s release in 2020. Previous Claims Conference-WJRO reports on the topic were also used, including *Looted Art: A World-Wide Preliminary Overview* (2009) (<https://www.claimscon.org/forms/prague/looted-art.pdf>) and *Holocaust-Era Looted Art: An Overview of Worldwide Progress* (2014) (<https://art.claimscon.org/advocacy/looted-art-report/>), as well as current relevant publications and consultations with experts.

Based on the above factors:

Seven (7) countries have made major progress in implementing the Washington Conference Principles:

Austria, Czechia, France, Germany, Netherlands, United Kingdom, United States

Three (3) countries have made substantial progress in implementing the Washington Conference Principles:

Canada, Israel, Switzerland

Thirteen (13) countries have made some progress in implementing the Washington Conference Principles:

Argentina, Belgium, Croatia, Greece, Hungary, Italy, Luxembourg, Norway, Poland, Serbia, Slovakia, Slovenia, Sweden

Twenty-four (24) countries have made little or no progress yet in implementing the Washington Conference Principles:

Albania, Australia, Belarus, Bosnia and Herzegovina, Brazil, Bulgaria, Cyprus, Denmark, Estonia, Finland, Ireland, Latvia, Lithuania, Malta, Moldova, Montenegro, North Macedonia, Portugal, Romania, Russian Federation, Spain, Türkiye, Ukraine, Uruguay

III. INTRODUCTION

This report *Holocaust-Era Looted Cultural Property: A Worldwide Overview* marks the silver anniversary of the release of the *Washington Conference Principles on Nazi-Confiscated Art*.² The Principles were published in connection with the Washington Conference on Holocaust-Era Assets (November 30 - December 3, 1998). The 11 non-binding principles were and are meant to assist countries with differing legal systems in resolving issues relating to Nazi-confiscated art within the context of their own laws. The principles provide countries with a framework to respond to issues of unresolved restitutions, encourage nations to identify and research Nazi-looted cultural property and ultimately to return what was looted and confiscated during the Nazi era.

Washington Conference Principles on Nazi-Confiscated Art

1. Art that had been confiscated by the Nazis and not subsequently restituted should be identified.
2. Relevant records and archives should be open and accessible to researchers, in accordance with the guidelines of the International Council on Archives.
3. Resources and personnel should be made available to facilitate the identification of all art that had been confiscated by the Nazis and not subsequently restituted.
4. In establishing that a work of art had been confiscated by the Nazis and not subsequently restituted, consideration should be given to unavoidable gaps or ambiguities in the provenance in light of the passage of time and the circumstances of the Holocaust era.
5. Every effort should be made to publicize art that is found to have been confiscated by the Nazis and not subsequently restituted in order to locate its pre-War owners or their heirs.
 6. Efforts should be made to establish a central registry of such information.
7. Pre-War owners and their heirs should be encouraged to come forward and make known their claims to art that was confiscated by the Nazis and not subsequently restituted.
8. If the pre-War owners of art that is found to have been confiscated by the Nazis and not subsequently restituted, or their heirs, can be identified, steps should be taken expeditiously to achieve a just and fair solution, recognizing this may vary according to the facts and circumstances surrounding a specific case.
9. If the pre-War owners of art that is found to have been confiscated by the Nazis, or their heirs, can not be identified, steps should be taken expeditiously to achieve a just and fair solution.
10. Commissions or other bodies established to identify art that was confiscated by the Nazis and to assist in addressing ownership issues should have a balanced membership.
11. Nations are encouraged to develop national processes to implement these principles, particularly as they relate to alternative dispute resolution mechanisms for resolving ownership issues.

The current report summarizes and analyzes the extent to which each of 47 countries has followed the Washington Conference Principles. The 47 countries are those that endorsed the 2009 Terezin Declaration which incorporated the Principles. The report partially relies on information provided by the *JUST Act Report* published by the U.S. Department of State in 2020³ and consequently focuses on the same countries plus the

² <https://www.state.gov/washington-conference-principles-on-nazi-confiscated-art/> [accessed: February 7, 2024]

³ <https://www.state.gov/justice-for-uncompensated-survivors-today-just-act-report/> [accessed: February 7, 2024]

United States itself. The current report does not, however, repeat the historical information provided in the *JUST Act Report* but rather focuses on developments since that Report's release in 2020. Previous Claims Conference-WJRO reports on the topic were also used, including *Looted Art: A World-Wide Preliminary Overview* (2009)⁴ and *Holocaust-Era Looted Art: An Overview of Worldwide Progress* (2014)⁵, as well as current relevant publications and consultations with experts.

After its founding over 70 years ago, the Claims Conference initiated a series of projects to research and reconstitute Jewish-owned cultural property that had been plundered during the Nazi era. In the 1990's with the reunification of Germany, it continued to work in this area particularly in regard to the former German Democratic Republic, with the then newly created WJRO attending to the newly post-communist countries of Eastern Europe and the former Soviet Union. Today the Claims Conference remains responsible for negotiations with Germany and Austria, while the WJRO handles negotiations with the rest of the world. Because movable cultural property may be found anywhere, research concerning it falls to the Claims Conference-WJRO Looted Art and Cultural Property Initiative – largely to the WJRO – with the aim of encouraging provenance research and the establishment of claims processes in all relevant countries. Information on the Claims Conference-WJRO activities in this area may be found at <https://art.claimscon.org>.

There have been major developments in recent years in the fields of provenance research and restitution regarding the spoliation of cultural property looted by the Nazis, their allies, and collaborators as may be seen in many of the country reports. Examples of general developments not covered in the country reports are the following:

- The sponsorship by the European Union of initiatives such as the TransCultAA Project⁶, which involves Croatia, Germany, Italy and Slovenia, and the Jewish Digital Cultural Recovery Project (JDCRP) which aims to create a cross-searchable digital platform for archival documentation, research, and education on the looting of Jewish-owned cultural property.⁷
- The inclusion of cultural property records in Monitoring Access to Holocaust-Related Archives⁸, a project of the International Holocaust Remembrance Alliance (IHRA), as well as in major digitization and database projects worldwide.
- The *Arbeitskreis Provenienzforschung* (Working Group Provenance Research)⁹, has developed into an international association with over 400 members from Austria, Germany, France, Great Britain, Israel, Italy, the Netherlands, Switzerland, and the USA.
- The online journal *transfer – Journal for Provenance Research and the History of Collection*¹⁰, was recently founded to exclusively deal with issues of provenance research.

⁴ <https://www.claimscon.org/forms/prague/looted-art.pdf> [accessed: February 7, 2024]

⁵ <https://art.claimscon.org/advocacy/looted-art-report/> [accessed: February 7, 2024]

⁶ <https://www.transcultaa.eu/> [accessed: February 7, 2024]

⁷ <https://jdcrp.org/> [accessed: February 7, 2024]

⁸ <https://holocaustremembrance.com/what-we-do/our-work/ihra-project-monitoring-access-holocaust-collections> [accessed: February 7, 2024]

⁹ <https://www.arbeitskreis-provenienzforschung.org/en/home/> [accessed: February 7, 2024]

¹⁰ <https://journals.ub.uni-heidelberg.de/index.php/transfer/issue/view/6895> [accessed: February 7, 2024]

- Provenance research has developed into a new academic discipline taught at several universities and elsewhere.¹¹

There has clearly been progress over time in the adherence of many of the 47 countries to the Washington Conference Principles. This may be seen in the Statistical Analysis that follows in the next section. The ratings are based on whether or not a given country:

- a) has done historical research on the subject, whether through an historical commission or otherwise;
- b) does provenance research on its collections;
- c) has a claims process, whether through a restitution commission or otherwise;
- d) has made a substantial number of restitutions.

Some summary observations:

- In 2009, only four countries had made major progress in implementing the Washington Conference Principles (Austria, Czechia, Germany, Netherlands), while, as of 2024 seven countries were in this category, (Austria, Czechia, France, Germany, Netherlands, United Kingdom, United States).
- In 2009, 10 countries made substantial progress (Belgium, Canada, France, Israel, Luxembourg, Norway, Slovakia, Switzerland, United Kingdom, and United States), while as of 2024, three countries were in this category (Canada, Israel, and Switzerland).
- In 2009, six countries had made some progress (Australia, Croatia, Denmark, Finland, Ireland and Russian Federation), while as of 2024, 13 countries were in this category (Argentina, Belgium, Croatia, Greece, Hungary, Italy, Luxembourg, Norway, Poland, Serbia, Slovakia, Slovenia, Sweden).
- At the other end of the scale, in 2009, there were 28 countries that had made little or no progress in implementing the Washington Conference Principles (Albania, Belarus, Bosnia and Herzegovina, Bulgaria, Cyprus, Estonia, Greece, Hungary, Italy, Latvia, Lithuania, Macedonia, Malta, Moldova, Montenegro, Poland, Romania, Serbia, Slovenia, Ukraine), while as of 2024, 24 countries were in this category (Albania, Australia, Belarus, Bosnia and Herzegovina, Brazil, Bulgaria, Cyprus, Denmark, Estonia, Finland, Ireland, Latvia, Lithuania, Malta, Moldova, Montenegro, North Macedonia, Portugal, Romania, Russian Federation, Spain, Türkiye, Ukraine, Uruguay).

A country that looks likely in the near future to join the countries at the top of the scale is Switzerland, which has yet to establish claims processes.

Not all relevant countries endorsed the Terezin Declaration and the Washington Conference Principles and

¹¹ <https://jdcprp.org/preliminary-list-of-educational-materials/> [accessed: February 12, 2024]

little information is known concerning other countries that may have been or are involved as the result of the art markets (e.g., Japan, China). Some countries appear to have been backsliding (e.g., Denmark, Finland). Other countries may have done more provenance research than they have been willing to make public (e.g., Hungary, Russian Federation), while some most likely have little cultural property looted during the Nazi era (e.g., Cyprus, Malta). But there are a good many countries known to have such cultural property that have not done enough (e.g., Portugal, Spain). Certain countries have advocated strongly for the return of their property from other countries but have barely returned property in their possession (e.g., Belarus, Hungary, Poland, Russian Federation).

The Washington Conference Principles have in so many ways changed not only the museum and library worlds but also how both past and present looting of the cultural heritage of individuals and communities is viewed. Clarifications and improvements through the establishment of Best Practices are desirable, but the Washington Conference Principles have withstood the test of time.

Dr. Wesley A. Fisher
Director of Research
Claims Conference and WJRO

Dr. Ruth J. Weinberger
Historian
Claims Conference

The report represents the results of the current best-efforts research of the Conference on Jewish Material Claims Against Germany (“Claims Conference”) and the World Jewish Restitution Organization (“WJRO”) and is based upon information obtained by the Claims Conference-WJRO to date. It may contain factual or other errors. Governments, non-governmental organizations, and individual experts are invited to make corrections and comments.

IV. STATISTICAL ANALYSIS

TABLE 1

SUMMARY OVERVIEW OF ACTIVITIES IN ACCORDANCE WITH THE 1998 WASHINGTON CONFERENCE PRINCIPLES ON NAZI-CONFISCATED ART AND/OR THE 2009 TEREZIN DECLARATION FOR THE 47 COUNTRIES THAT ENDORSED THE TEREZIN DECLARATION

[The Terezin Declaration incorporated the Washington Conference Principles, so the list includes all the countries that originally endorsed the Washington Conference Principles plus several others. Countries where the Holocaust took place are marked in gray. Countries where the Holocaust did not take place are marked in blue.]

COUNTRY	Historical Research Projects	Provenance Research	Claims Process/Restitution Commission	Restitutions [Substantial number]
Albania				
Argentina	X	X		
Australia		X		
Austria	X	X	X	X
Belarus	X* ¹²			
Belgium	X	X		
Bosnia and Herzegovina	X*			
Brazil				
Bulgaria	X*			
Canada	X	X		X
Croatia	X*	X		
Cyprus				
Czechia	X	X	X	X
Denmark				
Estonia	X*			
Finland		X		
France	X	X	X	X
Germany	X	X	X	X
Greece	X*	X		
Hungary	X*	X		
Ireland		X		
Israel	X	X		X
Italy	X*	X		
Latvia	X			
Lithuania	X			

¹² * Partially due to the Claims Conference-WJRO.

COUNTRY	Historical Research Projects	Provenance Research	Claims Process/Restitution Commission	Restitutions [Substantial number]
Luxembourg	X*	X		
Malta				
Moldova	X			
Montenegro				
Netherlands	X	X	X	X
North Macedonia	X*			
Norway	X			X
Poland	X*	X		
Portugal	X			
Romania	X			
Russian Federation	X*			
Serbia	X*		X	
Slovakia	X	X		
Slovenia	X*	X		
Spain				
Sweden	X	X		
Switzerland	X	X		X
Türkiye				
Ukraine	X*			
United Kingdom	X	X	X	X
United States	X	X	X	X
Uruguay				

TABLE 2
COUNTRY CLASSIFICATION

Category I – Major Progress (=4X)

Countries in which the Holocaust took place	Countries in which the Holocaust did NOT take place
Austria	United Kingdom
Czechia	United States
France	
Germany	
Netherlands	

Category II – Substantial Progress (=3X)

Countries in which the Holocaust took place	Countries in which the Holocaust did NOT take place
	Canada
	Israel
	Switzerland

Category III – Some Progress (=2X)

Countries in which the Holocaust took place	Countries in which the Holocaust did NOT take place
Belgium	Argentina
Croatia	Sweden
Greece	
Hungary	
Italy	
Luxembourg	
Norway	
Poland	
Serbia	
Slovakia	
Slovenia	

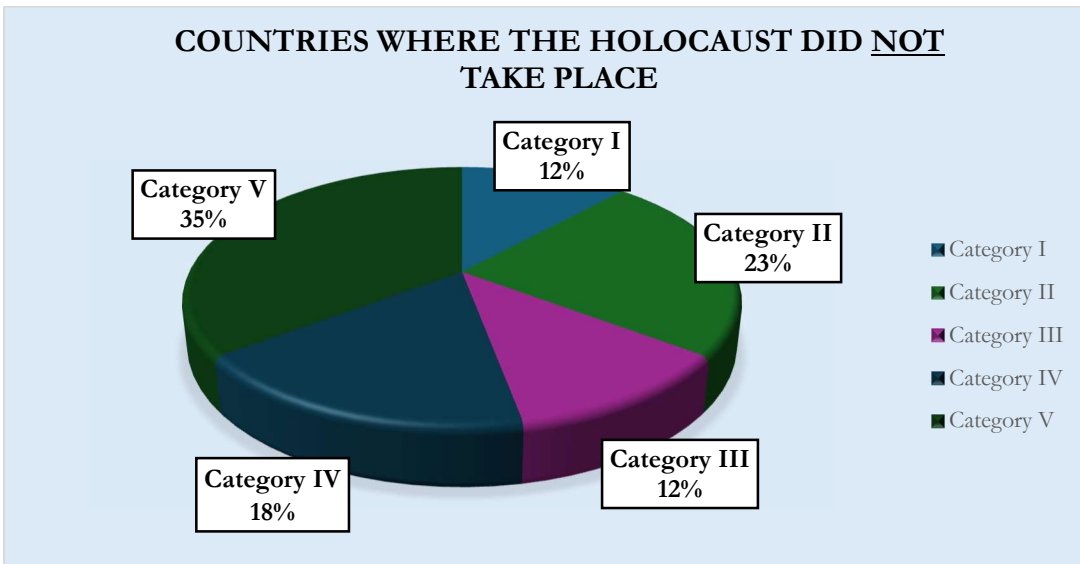
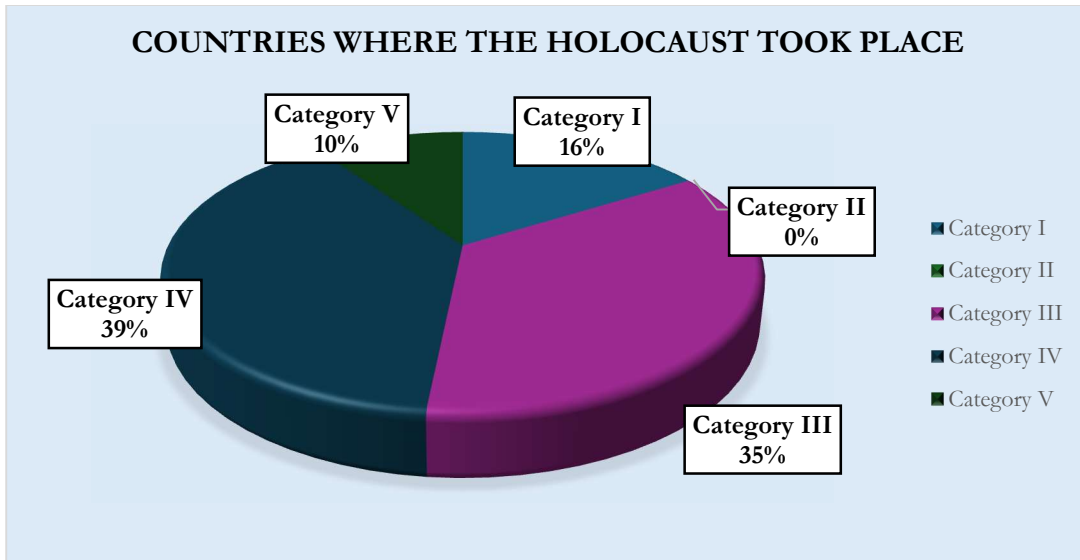
Category IV – Little Progress (=1X)

Countries in which the Holocaust took place	Countries in which the Holocaust did NOT take place
Belarus	Australia
Bosnia and Herzegovina	Ireland
Bulgaria	Portugal
Estonia	
Finland	
Latvia	
Lithuania	
Moldova	
North Macedonia	
Romania	
Russian Federation	
Ukraine	

Category V – No Progress (=0X)

Countries in which the Holocaust took place	Countries in which the Holocaust did NOT take place
Albania	Brazil
Denmark	Cyprus
Montenegro	Malta
	Spain
	Türkiye
	Uruguay

TABLE 3
STATISTICAL OVERVIEW



IV. COUNTRY OVERVIEWS

ALBANIA

Statistical Overview	
Population	2,830,439 ¹³
Jewish Population	40 ¹⁴
Jews as Percentage of Population	0.0014 %
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	Yes
IHRA (International Holocaust Remembrance Alliance)	No
ICOM (International Council of Museums)	Yes

Albania's cultural institutions do not seem to conduct provenance research and there is no restitution law in place. It is also unknown if any objects from cultural institutions have been returned.

In March 2023, Albania announced that it would build a Holocaust museum - *Besa Museum* - named after the strict neighborly honor code that Albanians say motivated them to protect their Jewish neighbors during World War II.¹⁵

¹³ Population estimate as of 2023, see: <https://www.worldometers.info/world-population/>

¹⁴ Jewish population estimate, see: <https://www.worldjewishcongress.org/en/about/communities/al>

¹⁵ <https://www.timesofisrael.com/albania-to-build-museum-dedicated-to-citizens-who-saved-jews-during-holocaust/> [accessed: September 29, 2023]

ARGENTINA

Statistical Overview	
Population	45,773,884 ¹⁶
Jewish Population	200,000 ¹⁷
Jews as Percentage of Population	0.4%
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	N/A
IHRA (International Holocaust Remembrance Alliance)	Yes
ICOM (International Council of Museums)	Yes

The existence of smuggled Nazi-looted and confiscated art in Argentina is possible, given that other items from the period have surfaced in recent years. For example, the Argentine Federal Police confiscated what was thought to be the largest cache of Nazi memorabilia outside of Europe in a raid on a local antiques store in June 2017. These objects are believed to have been either smuggled into Argentina by Nazi escapees or forged and were subsequently donated to Argentina's Holocaust museum.¹⁸ In 2019, the BBC reported that files of 1,200 Nazis who lived in Argentina and owned Swiss bank accounts were discovered.¹⁹ The Simon Wiesenthal Center published a list of 12,000 names of Nazis in Argentina connecting them and Credit Suisse to large amounts of stolen funds that needs to be further researched.²⁰ Also, the art collection in Imotski, Croatia came from Argentina and may have resulted from smuggling into Argentina. This has not been researched by Croatia or Argentina.²¹

It is presumed that Argentina received looted cultural property from its neighboring country Brazil, which served as a recipient and transit country given its large German population and existing trading lines with Portugal. It is further known that Juan Peron's regime was a haven for Nazi war criminals.²²

The Argentine Commission of Inquiry into the Activities of Nazism in Argentina, created in 1997, concluded that no looted art was or is held by the Museo Nacional de Bellas Artes. The Commission admitted that it had not checked any other state-run museum and that it faced difficulties researching the activities of Argentina's art market during the Holocaust, particularly those of the Witcomb, Wildenstein, and Muller art galleries.

¹⁶ Population estimate as of 2023, see: <https://www.worldometers.info/world-population/argentina-population/>

¹⁷ Jewish population estimate as of 2023, see: <https://archive.jewishagency.org/jewish-community/content/24346/>

¹⁸ <https://www.nytimes.com/2017/06/20/world/americas/nazi-artifacts-argentina.html>;
<https://www.timesofisrael.com/huge-hidden-trove-of-nazi-artifacts-found-in-argentina> [accessed: September 30, 2023]

¹⁹ <https://www.bbc.com/news/world-europe-51751272> [accessed: September 30, 2023]

²⁰ <https://www.wiesenthal.com/about/news/wiesenthal-center-argentina-nazi.html> [accessed: February 1, 2024]

²¹ https://wjro.org.il/wp-content/uploads/2022/11/terezin-conference-report_nov-2022_digital-edition.pdf, p. 8. [accessed: February 1, 2024]

²² Neill Lochery, *Cashing Out. The Flight of Nazi Treasure, 1945-1948*, New York: Public Affairs, 2023, pp 97, 107.

According to an Argentinian researcher, most cultural patrimonial institutions conduct provenance research, albeit not openly and systematically, probably due to a lack of resources. Any existing provenance research seems to take place while collection cataloging or if the need arises due to an exhibition or external research. It is unknown if and where the information is archived in case a looted object has been identified. In general, though, “there is an increasing good-intentioned interest and awareness on behalf of individuals and cultural institutions.”²³

Judaica and Jewish Cultural Property

Argentina received 5,053 books and 150 museum and synagogue pieces from the Jewish Cultural Reconstruction after WWII. According to an Argentine researcher, a portion of the JCR books were stored in the AMIA building that suffered the terrorist attack in 1994. Some of the books were rescued and are now stored at the IWO (Argentine National Library). The online catalog lists some of these books with a note: “*Con aclaraciones en idish y según la tradición ashkenazí. - Ejemplar donado por la Biblioteca Central, Archivo y Museo de la Fundación IWO en la AMLA el 21 de julio de 1997. Este libro fue rescatado de la Segunda Guerra Mundial y de la destrucción del edificio de la AMLA el 18 de julio de 1994.*”

²³ Information provided by Tammy Kohn, independent researcher and curator, art history and Jewish culture on September 30, 2023.

AUSTRALIA

Statistical Overview	
Population	26,439,111 ²⁴
Jewish Population	118,000 ²⁵
Jews as Percentage of Population	0.44%
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	N/A
IHRA (International Holocaust Remembrance Alliance)	Yes
ICOM (International Council of Museums)	Yes

Australia has no specific legislation dealing with art that was looted during the Nazi rule. The Australian 1986 Protection of Movable Cultural Heritage Act (PMCH Act) implements Australia's obligations under the UNESCO Convention on the Means of Prohibiting and Preventing Illicit Import, Export and Transfer of Ownership of Cultural Property, 1970 (1970 UNESCO Convention) to which Australia is a State Party. Unlike the USA and UK, Australia has not established any spoliation procedure or advisory body to adjudicate claims in relation to looted art.²⁶

In early 2014, in its first public restitution case, the National Gallery of Victoria agreed to return a painting, "Head of a Man," believed to have been sold under duress. The gallery's decision to return the painting followed a request made on behalf of two South African women deemed to be the legal heirs of a Jewish industrialist who auctioned the painting at a reduced price in Amsterdam in 1933 after fleeing Berlin. The portrait had been sold to the National Gallery of Victoria in 1940.

In 2015, the government published a best practice guide to collecting cultural material that also refers to provenance research and due diligence and provides guidance to cultural institutions considering a request for restitution, among other topics. Australia's most prominent art galleries, Canberra's National Gallery of Australia and Melbourne's National Gallery of Victoria, have their own due diligence and provenance policies that require thorough research regarding the provenance of art works prior to acquisition.

In April 2021, the Sydney Jewish Museum restituted a small, brown, glass perfume bottle. The object was donated to the museum by a private individual and constitutes the first artwork in the museum that was taken from a Jewish private collection by the Nazis and subsequently restored to its rightful

²⁴ Population estimate as of 2023, see: <https://www.worldometers.info/world-population/australia-population/>

²⁵ Jewish population estimate as of 2020, see: <https://www.worldjewishcongress.org/en/about/communities/AU>

²⁶ Michael Blakeney, "Restitution of Art Looted During the Nazi Era, 1933-1945: Implications for Australia." *The University of Western Australia Law Review*. 41.1 (2016): 270-273.

[https://www.able.uwa.edu.au/_data/assets/pdf_file/0012/2958852/08-Blakeney.pdf; accessed: September 29, 2023]

heirs some 80 years later.²⁷

Judaica and Jewish Cultural Property

Australia received 3,307 books from the Jewish Cultural Reconstruction after WWII. It is unknown if provenance research has been conducted on these holdings or whether other Judaica may have reached Australia during or after WWII.

²⁷ <https://www.smh.com.au/culture/art-and-design/nazi-looted-treasure-returned-to-heirs-in-australia-after-80-years-20210415-p57jen.html> [accessed: September 29, 2023]

AUSTRIA

Statistical Overview	
Population	8,958,960 ²⁸
Jewish Population	10,300 ²⁹
Jews as Percentage of Population	0.1%
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	Yes
IHRA (International Holocaust Remembrance Alliance)	Yes
ICOM (International Council of Museums)	Yes

Austria enacted several restitution laws in the years following the end of World War II.³⁰ In 1996, the Mauerbach Auction took place which sold the remaining looted artworks kept by the Austrian state for the benefit of its Jewish community.

In 1998, in conjunction with the Washington Conference on Holocaust-era Assets, Austria enacted the 1998 Federal Art Restitution Act³¹, created a Historical Commission, a Commission for Provenance Research, and a Restitution Committee that de facto decides on specific restitution cases for objects that are publicly owned. In 2009, Austria updated and amended its Restitution Law. The Restitution Law enables state-run museums to de-accession artworks if they are proven to have been looted or otherwise misappropriated. Based on research conducted by the Commission for Provenance Research, the Art Restitution Advisory Board recommends to the competent Federal Minister whether the object in question should be restituted in kind. This is therefore not, as in other countries, an application-based procedure; rather, provenance research and any restitutions are carried out by the authorities.³²

Since 1998, 401 cases have been dealt with in 103 meetings of the Art Restitution Advisory Board and restitutions have been recommended in 342 cases.³³ In total, the restitutions of over 15,800 paintings, drawings, prints, sculptures, objects of applied art, ethnographic, ethnographic, technical and natural history objects, coins and medals as well as more than 52,000 books, autographs, manuscripts and sheet music have been recommended. These figures only include those provenances that ultimately resulted in resolutions by the Advisory Board; in addition, numerous other provenances were researched by the Commission for Provenance Research in Federal Collections.

In approximately 90 of these restitution cases, either the heirs are currently being sought or a consensus

²⁸ Population estimate as of 2023, see: <https://www.worldometers.info/world-population/austria-population/>

²⁹ Jewish population estimate as of 2023, see: <https://www.jpr.org.uk/countries/how-many-jews-in-austria>

³⁰ The Wiener Wiesenthal Institut für Holocaust-Studien (WVI) provides an online platform with information on all restitution laws enacted since 1945: <http://nsquellen.at/>

³¹ <https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10010094> [accessed: December 13, 2023]

³² Florian Schönfuß, “Interview mit Dr. Pia Schölnberger, Leiterin der Kommission für Provenienzforschung in Österreich,” *transfer – Zeitschrift für Provenienzforschung und Sammlungsgeschichte / Journal for Provenance Research and the History of Collection*, 2 (2023): 14-19.

³³ Ibid.

has yet to be reached within the communities of heirs. To date, the Advisory Board has recommended around 13,100 objects for utilization to the National Fund of the Republic of Austria for Victims of National Socialism.³⁴ The National Fund was mandated by the Art Restitution Act to utilize "heirless" publicly owned art objects for the benefit of victims of National Socialism.

In 2006, the National Fund posted an online database of these heirless objects (www.kunstrestitution.at) to allow additional claimants to come forward. As of 2023, some 10,000 objects are listed: 2,826 objects are categorized as restitution cases (of which 202 were returned to their legal owners or heirs.)³⁵

Austria's state-run cultural institutions - mostly museums, but also libraries and archives - are conducting provenance research and have restituted objects. Some private museums, notably the Leopold Foundation, have also been conducting provenance research. In 2010, the legal case surrounding Egon Schiele's "Portrait of Wally" was settled when the Leopold Museum agreed to pay \$19 million to the heirs of the original owner. In early 2014, 238 artworks owned by the late Cornelius Gurlitt were found in an abandoned house in Salzburg.

In 2023, to mark 25 years since the enactment of the art restitution law, a virtual provenance research gallery was posted online with information on 16 museums, libraries, and collections.³⁶

Fritz Grünbaum Collection

Fritz Grünbaum was an Austrian art collector and cabaret artist who was murdered in the Dachau concentration camp. Grünbaum had a collection of more than 440 works, including more than 80 works by Egon Schiele.

In 2022, two Austrian museums – the Leopold Foundation and the Albertina – as well as the Republic of Austria were faced with lawsuits filed by the Grünbaum heirs at the US District Court of the Southern District of New York that took advantage of the 2016 Holocaust Expropriation Art Recovery Act (HEAR Act), research for which was sponsored by the WJRO and which extended the statute of limitations. An amended complaint was filed in September 2023. The lawsuit involves 12 works by Schiele in New York. Among the works claimed is the 1911 oil painting "Dead City III," which was seized in 1998 by Robert Morgenthau, the Manhattan district attorney, while it was on loan to New York's Museum of Modern Art and was returned to the Leopold Museum two years later. Other works include the "Self-Portrait With Grimace" (1910), "Standing Man in Red Shawl" (1913), "Seated Girl With Yellow Cloth" (1913) and "Standing Girl With Orange Stockings" (1914).³⁷

➔ *See also section on the "United States."*

Following the provenance research results, the responsible Austrian restitution commissions rejected the restitutions in 2010 for the Leopold Museum and 2015 for the Albertina.³⁸ In their assessment, the works in question were sold by Grünbaum's sister, Mathilde Lukas, after his death. This assessment has not changed.

³⁴ Information provided by Pia Schölnberger, Commission for Provenance Research, December 13, 2023.

³⁵ <https://www.kunstdatenbank.at/overview-according-to-restitution-status> [accessed: October 12, 2023]

³⁶ <https://vgprovenienzforschung.volkskundemuseum.at/> [accessed: October 12, 2023]

³⁷ <https://www.theartnewspaper.com/2023/11/09/jewish-cabaret-artists-heirs-file-suit-for-return-of-12-works-by-schiele> [accessed: November 13, 2023]

³⁸ <https://www.derstandard.at/story/3000000187073/beschlagnahme-von-schiele-werken-in-den-usa-sorgt-fuer-unruhe-in-oesterreich> [accessed: October 12, 2023]

Heidi Horten Collection

Following Christies' May 2023 auction of Heidi Goëss-Horten's jewelry³⁹, the Claims Conference-WJRO initiated research into Hortens' private museum in Vienna. Ms. Horten established her museum in 2022, shortly before her death. The museum's financial viability is guaranteed through Heidi Goëss-Horten's foundation, the primary beneficiary of the jewelry auction. The Heidi Horten Art Museum holds a remarkable collection of artworks, including paintings by Gustav Klimt, Auguste Renoir, Egon Schiele, Pablo Picasso, Auguste Rodin, and Marc Chagall. However, the Museum has not provided public information regarding its provenance research, and it is in fact unclear whether any such research has been undertaken at all. The Claims Conference has requested that the Museum provide provenance information, but thus far such research (if it exists) has not been made available.

Judaica and Jewish Cultural Property

Austria's libraries and museums conduct provenance research on Judaica and carry out restitution.

A number of provenance research projects in Austria have focused at least in part on Judaica holdings, with at least one project, notably that of the Austrian Museum of Folk and Life and Folk Art, that exclusively dealt with the topic. Some Judaica objects have been restituted along with other looted cultural property, following a positive recommendation by the Restitution Committee. The database of the National Fund does not provide a separate listing for Judaica, but a few Judaica objects can be found in various categories.

The Jewish Museum of Vienna has been conducting provenance research from which it has established that 270 objects from the IKG (Jewish Community collection), as well as 220 pieces from the municipal collection have provenance gaps. Past research has shown that the Museum, which is not the legal successor to Vienna's pre-war Jewish Museum, holds 50% of the collection of the pre-war museum, while the other 50% has been lost. Some of the ongoing research is on private donations – i.e. objects from the Max Berger collection.

To date, the Art Restitution Advisory Board has issued restitution recommendations for 890 objects classified as Judaica, whereby restitution of 859 Judaica objects considered anonymous is to be made to the Jewish Community Vienna, 29 Judaica objects to the National Fund, and 15 Judaica objects to specifically identifiable previous owners.⁴⁰

³⁹ https://www.christies.com/events/the-world-of-heidi-horten/what-is-on?pid=auctionoverview_crosslinkbanner [accessed: November 17, 2023]

⁴⁰ Information provided by Pia Schölnberger, Commission for Provenance Research, December 13, 2023.

BELARUS

Statistical Overview	
Population	9,498,238 ⁴¹
Jewish Population	7,000 ⁴²
Jews as Percentage of Population	0.07%
Endorsed the Washington Conference Principles	No
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	No
IHRA (International Holocaust Remembrance Alliance)	No
ICOM (International Council of Museums)	Yes

Under Belarusian law, cultural items that left the territory of what is now Belarus in violation of legislative acts and international treaties in force in Belarus at the time of their export, or which were temporarily exported from Belarus during armed conflicts or on other grounds and not returned to Belarus, are subject to mandatory return, regardless of time, circumstance, or place of export.

In 2016, the governments of Belarus and the United States signed an agreement on the protection and preservation of certain cultural property. According to the agreement, each of the parties is to take necessary measures to protect and preserve the cultural heritage of all national, religious, or ethnic groups that live or lived on its territory, including “groups that were victims of the Holocaust during World War II.” In a September 2019 press statement, the Ministry of Foreign Affairs announced the revival of the government commission tasked with identifying and returning cultural items removed from Belarus. The commission stated that one of the priorities would be identifying Nazi-looted art and populating a designated database. It also committed to pursuing closer cooperation with foreign libraries, archives, and museums. It is unclear what steps, if any, have been taken since the 2019 press statement, especially considering Belarus’ alliance with the Russian Federation during the latter’s war with Ukraine.

Looted Books

In the fall of 1945, a Soviet convoy of 54 railroad freight cars carried an estimated 1.2 million books directly to Minsk. While perhaps two-thirds of the books were from libraries in Belarus and the Soviet Baltic republics, a third or more of them were books from France and other countries of Europe. The largest number of the looted books of foreign provenance are still today held by the National Library of Belarus in Minsk.⁴³

In cooperation with the Claims Conference and the WJRO, research into French and other libraries in Belarus was initiated.⁴⁴ The Cultural Plunder by the *Einsatzstab Reichsleiter Rosenberg* website presents a listing of French autographs in the holdings of the National Library of Belarus. Information is provided for 66 books from Paris with autograph dedications by and/or to famous French politicians, writers, and other cultural leaders, together with photographs of the individuals named. The information is based on a 2011 CD Rom which was produced by the National Library. Subsequent research has been carried out on these

⁴¹ Population estimate as of 2023, see: <https://www.worldometers.info/world-population/belarus-population/>

⁴² Jewish population estimate as of 2023, see: <https://www.jpr.org.uk/countries/how-many-jews-in-belarus>

⁴³ https://www.errproject.org/looted-libraries_fr.php [accessed: November 9, 2023]

⁴⁴ https://www.errproject.org/looted-libraries_fr.php [accessed: October 13, 2023]

holdings.⁴⁵

In 2023, the Claims Conference and WJRO released a research paper entitled “The ERR Looting of the Julius Genss Collection in Estonia.” The report indicates that parts of the Julius Genss collection, which was originally looted by the ERR in Estonia, was discovered by the Trophy Brigades and subsequently partially sent to Minsk, where it has remained until today.⁴⁶

⁴⁵ <https://www.errproject.org/looted-libraries-fr-belarus.php> [accessed: November 9, 2023]

⁴⁶ <https://art.claimscon.org/work-provenance-research-archives/julius-genss-collection/> [accessed: October 13, 2023]

BELGIUM

Statistical Overview	
Population	11,686,140 ⁴⁷
Jewish Population	28,800 ⁴⁸
Jews as Percentage of Population	0.25%
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	Yes
IHRA (International Holocaust Remembrance Alliance)	Yes
ICOM (International Council of Museums)	Yes

The main post-war restitution law in Belgium was the Law from April 12, 1947, creating a presumption in favor of the original owner of property seized between May 9, 1940, and the date of liberation. The seizure had to be based on grounds of race, nationality, opinion, political activity, or residence. The presumption could be overturned only if the holder of the property could show that the seizure or transaction did not occur in accordance with those circumstances. A claim under this law had to be brought within six months of publication of the law. A general restitution law from 1947 also provided for lost privately-owned property occurring after August 27, 1939. However, a claim had to be brought before February 10, 1948.⁴⁹

In 1997, the government formed a special commission to address the restitution of confiscated or stolen Jewish property. In 2001, the government formed a second commission which was primarily involved in researching the origin of all immovable property in Belgium.⁵⁰

In 2017, Geert Sels published a series of articles in the Belgian art magazine *Openbaar Kunstbezit Vlaanderen* on looted art in Belgium, including a listing of 78 paintings that were returned to Belgium. Belgium has never officially published the list of these 78 paintings nor initiated full research into their provenance.⁵¹ As of October 2023, the website lootedart.com notes that “the artworks returned to Belgium after the war numbered 78 in total and are today in 11 public institutions. To date 6 of the 11 have published the works they hold.”

The Museum of Fine Arts Ghent publishes on its website four works with unknown provenance that the institution received in 1952.⁵²

In February 2022, the Royal Museums of Fine Arts in Brussels returned a Lovis Corinth painting that was originally deposited in Belgium but was subsequently looted by the Einsatzstab Reichsleiter Rosenberg (ERR). The museum had apparently been aware of the fact that the painting had been looted but had not

⁴⁷ Population estimate as of 2023, see: <https://www.worldometers.info/world-population/belgium-population/>

⁴⁸ Jewish population estimate, see: <https://www.jpr.org.uk/countries/how-many-jews-in-belgium>

⁴⁹ Norman Palmer, *Museums and the Holocaust*. The Institute of Art and Law. Second Edition, 2020. [<https://archive.org/details/museumsholocaust0000palm/page/128/mode/2up?view=theater>, accessed: October 2, 2023]

⁵⁰ <https://www.state.gov/reports/just-act-report-to-congress/belgium/> [accessed: February 1, 2024]

⁵¹ https://www.lootedart.com/web_images/pdf2016/OKV_nazikunst_LR.pdf [accessed: October 2, 2023]

⁵² <https://www.mskgent.be/en/collection/about-the-collection/herkomstonderzoek> [accessed: December 17, 2023]

taken any steps to reconstitute the object.⁵³ A year later, in 2023, the museum announced the “ProvEnhance” project, aimed at enhancing the provenance data of the collections of the Royal Museums of Fine Arts of Belgium since 1933. The stated aim of the project is to lay a global scientific and methodological frame for provenance research in Belgium for artworks acquired around World War II and use the collection of the Royal Museums as a test case.⁵⁴ The project was already announced by the Belgian Minister for Science Policy, Thomas Dermine, in late 2022, as one of two examples of Belgium’s renewed approach toward Nazi-era provenance.

The second provenance research initiative was aimed at setting up a government-funded center of expertise for provenance research to be housed in the Royal Institute for Art Heritage in Brussels (KIK-IRPA). The research center was to focus on researching Nazi looted art as well as colonial looted art. However, the second initiative could not be fulfilled due to the fact that no extra financial resources were made available, and the Royal Institute for Art Heritage in Brussels was unable to house the envisioned center of excellence.⁵⁵

In February 2022, the database “Looted Art WWII Belgium”⁵⁶ was released. The database holds information on unrecovered works of art as of 1945 that had been looted from individuals and public institutions during the Second World War under occupation in Belgium. The data was taken from 2,797 declaration forms and other archival documents of the former Economic Recovery Service (DER), which was set up shortly after the end of World War II. DER was responsible for the detection, recouping, and restitution of movable property in Belgium or abroad that had disappeared from Belgian public or private ownership during the Second World War. The database holds various object types, ranging from paintings to electrical appliances. It appears that some objects bear an ERR stamp.⁵⁷ The database does not reflect any restitutions or provenance research, as it solely provides the status of looted art in Belgium as of 1945. In addition, the database, does not seem to hold information on potentially looted Judaica objects.

Also in 2022, Geert Sels published the book *Kunst voor das Reich (Art for the Reich; Le Trésor de guerre des Nazis)* which exclusively deals with Nazi-looted art from Belgium. A dissertation is currently in preparation on the topic at the University of Ghent.⁵⁸

The Claims Conference-WJRO sponsor research on Nazi seizures of libraries in Belgium. The first part of the research was completed in 2020/2021, including lists of original individual and institutional owners, and is accessible online.⁵⁹ The second part, which focuses on the weak postwar restitution of books in Belgium, is expected to be completed soon.

Judaica and Jewish Cultural Property

The Ministry of Economic Affairs’ Office of Economic Recovery (ORE) was responsible for tracing,

⁵³ <https://ial.uk.com/belgian-restitution-2022/> [accessed: December 17, 2023]

⁵⁴ <https://fine-arts-museum.be/en/research/research-projects/provenance> [accessed: December 17, 2023]

⁵⁵ Email exchange with Hilde De Clercq, Director, Royal Institute for Art Heritage in Brussels (KIK-IRPA), on December 20, 2023.

⁵⁶ <https://lootedart.belgium.be/en> [accessed: October 2, 2023]

⁵⁷ See for example: <https://lootedart.belgium.be/sites/default/files/art/pdf/5718.pdf>; and <https://lootedart.belgium.be/sites/default/files/art/pdf/3709.pdf> [accessed: October 2, 2023]

⁵⁸ https://libstore.ugent.be/fulltxt/RUG01/002/835/885/RUG01-002835885_2020_0001_AC.pdf [accessed: December 20, 2023]

⁵⁹ https://www.errproject.org/looted_libraries_be.php [accessed: October 2, 2023]

recovering, restituting, and liquidating movable goods from 1944 until its dissolution in 1968. In 1948, the Central Jewish Consistoire purchased 565 Hebrew books of unknown but possible Jewish origin from the ORE.

In addition, Belgium received 824 books from the Jewish Cultural Reconstruction (JCR) after World War II. The Jewish Museum holds several of these JCR books.

Museums in Belgium generally do not conduct provenance research on Jewish cultural and religious objects.

BOSNIA AND HERZEGOVINA

Statistical Overview	
Population	3,210,847 ⁶⁰
Jewish Population	500 ⁶¹
Jews as Percentage of Population	0.015%
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	No
IHRA (International Holocaust Remembrance Alliance)	Observer country
ICOM (International Council of Museums)	Yes

There are no restitution laws in place that cover movable property. The country's museums do not conduct provenance research. Similarly, Bosnia's Jewish Community is not aware of objects that were looted.⁶²

Some museums, including the National Museum of Bosnia and Herzegovina, hold artifacts of unclear provenance. The Library of the National Museum of Bosnia and Herzegovina holds ancient Jewish books, including the renowned *Sarajevo Haggadah* (that was hidden during WWII), but the provenance of these books is unclear.

The WJRO is currently conducting research on Bosnia and Herzegovina. Movable property will also be listed when found in archival material.

Initial research on the Bosnian Judaica held at Vienna's Jewish Museum revealed that these objects should be further investigated.⁶³

⁶⁰ Population estimate as of 2023, see: <https://www.worldometers.info/world-population/bosnia-and-herzegovina-population/>

⁶¹ Jewish population estimate, see: <https://www.jpr.org.uk/countries/how-many-jews-in-bosnia-and-herzegovina>

⁶² Information provided by Ana Pavlovic, historian, on October 7, 2023.

⁶³ Ibid.

BRAZIL

Statistical Overview	
Population	216,422,446 ⁶⁴
Jewish Population	appr. 92,000 ⁶⁵
Jews as Percentage of Population	0.042 %
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	No
IHRA (International Holocaust Remembrance Alliance)	No, but observer status
ICOM (International Council of Museums)	Yes

During the war, Brazil was the recipient of looted cultural objects that reached the country via ship liners traveling between Portugal and Brazil. In a recent book published on the flight of Nazi treasure, the assertion is made that Brazil was an obvious choice for looted goods. This was in part because there was very little inspection at the port of Rio des Janeiro, as Portugal, but also Germany, had many customs officers on their payroll. In addition, Brazil had a large German population that proved sympathetic to the Nazi cause. Smuggled looted artworks often were shipped onwards from Brazil to Argentina and Uruguay, in particular after Brazil joined the Allied war effort on August 22, 1942.⁶⁶

In 1973, Brazil signed the UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property (1970). The Convention was incorporated into domestic law through decree 72.312, on May 31, 1973. In 1999, Brazil incorporated into its domestic law the 1995 Convention by the International Institute for the Unification of Private Law (UNIDROIT) on Stolen or Illicit Exported Cultural Properties, complementing the legal apparatus from the UNESCO 1970 Convention.

It is not known known if Brazilian cultural institutions conduct provenance research.

Brazil has been faced with a looted art allegation at least once: In 1998, Art News reported that twenty-four looted art works that originally belonged to European Jews had been taken to Brazil, including paintings by Picasso and Monet. The paintings, which were confiscated from an unnamed art gallery in Sao Paulo, were traced back to an Austrian, Thadeus Grauer, who moved to Brazil in 1941, and to the Fischer Gallery in Switzerland. A further twenty-five paintings thought to have been World War II loot surfaced at the Rio Grande do Sul Museum of Art in Porto Alegre.⁶⁷

⁶⁴ Population estimate as of 2023, see: <https://www.worldometers.info/world-population/brazil-population/>

⁶⁵ Jewish population estimate, see: <https://www.worldjewishcongress.org/en/about/communities/BR>

⁶⁶ Neill Lochery, *Cashing Out. The Flight of Nazi Treasure, 1945-1948*, New York: Public Affairs, 2023, pp. 97-98

⁶⁷ Bill Hinchberger, "Brazil uncovers Nazi war loot," *Art News* (September 1998): 67.

BULGARIA

Statistical Overview	
Population	6,687,717 ⁶⁸
Jewish Population	2,000 ⁶⁹
Jews as Percentage of Population	0.03%
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	Yes
IHRA (International Holocaust Remembrance Alliance)	Yes
ICOM (International Council of Museums)	Yes

Bulgaria has no restitution legislation for confiscated heirless property, but is a party to the Paris Peace Treaty of 1947, which calls for the return of unclaimed and heirless Jewish property.

Several new research studies have been published on Bulgaria's active role in the persecution of Jews during the Holocaust, contrary to the countries' decades-long portrayal as a safe haven for Jews during World War II.⁷⁰ About 80% of Bulgaria's Jews survived the Holocaust while some 20% were deported, mostly to the Treblinka extermination camp. The Jews selected for deportation were primarily from parts of Greece and Yugoslavia that were awarded to Bulgaria. The country's long-held interpretation of its successful rescue of Jews overlooked the facts that many were subjected to forced labor between 1941 and 1944 as well as the extensive confiscation of Jewish property that took place.⁷¹

Bulgarian museums and galleries have not conducted provenance research on their holdings.

At the request of the WJRO, research has been conducted on cultural property taken by Bulgaria from Jews in Macedonia, Thrace, Pirot and Bulgaria proper. Some of the material that was examined is located at the United States Holocaust Memorial Museum under record group "Bulgarian Commissariat of Jewish Affairs." Additional records are held in Bulgarian archives, including the National Historical Archive in Sofia.

The research revealed that the Jews of Bulgaria proper, in most cases, maintained possession of their synagogues and Judaica objects throughout the Holocaust. Also, most ghettos continued to function until September 1944 and were therefore not liquidated by the Commissariat of Jewish Affairs (KEV). However, most of the scrolls that remained with Bulgaria's Jewish community were subsequently taken to Israel during the massive Aliyah from Bulgaria that started in 1948. The one exception is the city of Kazanlık: the ghetto within the city was liquidated on just a few days' notice in June 1943, leaving behind Torah megillot in the local synagogue as well as sixty-seven books that were inventoried in the synagogue

⁶⁸ Population estimate as of 2023, see: <https://www.worldometers.info/world-population/bulgaria-population/>

⁶⁹ Jewish population estimate as of 2023, see: <https://www.jpr.org.uk/countries/how-many-jews-in-bulgaria>

⁷⁰ See for example: Menachem Rosensaft, *The Ambiguity of Evil and Good: A Tale of Holocaust Rescue and Deportation in Bulgaria*, online: <https://www.justsecurity.org/86658/the-ambiguity-of-evil-and-good-a-tale-of-holocaust-rescue-and-deportation-in-bulgaria/> [accessed: November 7, 2023]

⁷¹ Steven Sage, "The Holocaust in Bulgaria. Rescuing History from 'Rescue,'" *Dapim: Studies on the Holocaust* 31.2 (2017): 139-145.

school. These objects are presumed to have been taken over by KEV.

The WJRO has initiated contact with the government of Bulgaria and with the Bulgarian Jewish Community regarding research on what may have been received by the Bulgarian National Bank and other institutions.

CANADA

Statistical Overview	
Population	38,781,291 ⁷²
Jewish Population	394,000 ⁷³
Jews as Percentage of Population	1%
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	No
IHRA (International Holocaust Remembrance Alliance)	Yes
ICOM (International Council of Museums)	Yes

In 2014, the government provided 190,000 Canadian dollars (approximately USD \$174,000) to the Canadian Art Museum Directors Organization to develop materials for use by small- and medium-sized museums regarding their holdings, and in 2017, they produced the “Canadian Holocaust-Era Provenance Research and Best Practice Guidelines Project,” which can be accessed online.

Several Canadian public institutions are conducting provenance research. As of the end of 2023, only five works of Nazi-looted art have been restituted from public collections. The most recent restitution took place in November 2020 and involved the painting “Still Life with Flowers” by Jan van Kessel the Elder, which was returned to the heirs of Dagobert and Martha David from the Art Gallery of Ontario (AGO).⁷⁴ The restitution raised significant questions about Canada’s restitution practices, in particular as the AGO deaccessioned the painting without the necessary in-depth research that would have raised into question whether the David family is the rightful heir, in particular as the heirs to Max Stern also had a claim to the work.⁷⁵

Overall, Canada lacks a policy for how to handle looted cultural property matters even though it is assumed that the country might hold about several thousand looted objects. There is no requirement by law to return an object if it is deemed Nazi loot, in addition to there not being established protocols requiring public institutions to act in a uniform, transparent manner when they receive a restitution claim.⁷⁶

Canada is also home to the Max Stern Art Restitution Project at Concordia University in Montreal, which is dedicated to recovering the works lost by gallery owner Max Stern during the Holocaust.⁷⁷ In 2021 the exhibition "Deprived of Rights and Property. The Art Dealer Max Stern" opened at the Düsseldorf Stadtmuseum, but without the involvement of the Canadian curatorial team and the Max Stern Art

⁷² Population estimate as of 2023, see: <https://www.worldometers.info/world-population/canada-population/>

⁷³ Jewish population estimate, see: <https://www.jpr.org.uk/countries/how-many-jews-in-canada>

⁷⁴ <https://ago.ca/press-release/ago-returns-painting-family-following-claim-commission-looted-art-europe#:~:text=TORONTO%20%E2%80%94%20The%20Art%20Gallery%20of,arrival%20set%20in%20a%20basket> [accessed: November 13, 2023]

⁷⁵ <https://www.artmarketstudies.org/ann-still-life-with-flowers-a-case-study-in-the-need-for-an-improved-canadian-museum-restitution-procedure-lecture-by-sara-angel-collecting-and-display-9-may-2022-6pm-bst/> [accessed: November 12, 2023]

⁷⁶ <https://www.theglobeandmail.com/opinion/article-the-return-of-a-nazi-looted-painting-highlights-the-problems-with/> [accessed: October 13, 2023]

⁷⁷ <https://www.concordia.ca/arts/max-stern.html> [accessed: October 13, 2023]

Restitution Project as a protest against the handling of the exhibition by the City of Düsseldorf. In May 2023, the Project's most recent restitution took place from a museum in Germany.⁷⁸

Judaica and Jewish Cultural Property

Experts believe at least some Judaica or Jewish cultural property looted by Nazis or otherwise seized during the Holocaust is located in Canada.

Canada received 2,031 books and 151 museum and synagogue pieces from the Jewish Cultural Reconstruction (JCR) after World War II. Many of these items went to the Jewish Studies Department at the University of Manitoba and to the Dominican Institute of Medieval Studies in Montreal. The Royal Ontario Museum in Toronto also received one book. There appear to be no surviving inventories of what was actually distributed or the ultimate location of the items, and the current whereabouts of many of the items are unknown. The Canadian Jewish Congress was involved in distributing the items and is believed to maintain approximately 400 books in its collection, along with approximately 45 ceremonial objects. The Aron Museum in Montreal also holds an extensive Judaica collection, which includes items that were in antiques markets after World War II, as well as some items from JCR.

⁷⁸ <https://www.concordia.ca/cunews/main/stories/2023/05/15/master-work-by-leader-of-dusseldorf-school-returned-to-max-stern-foundation.html?c=/news/archive> [accessed: October 13, 2023]

CROATIA

Statistical Overview	
Population	4,008,617 ⁷⁹
Jewish Population	1,700 ⁸⁰
Jews as Percentage of Population	0.04%
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	Yes
IHRA (International Holocaust Remembrance Alliance)	Yes
ICOM (International Council of Museums)	Yes

The Restitution/Compensation Act of Property Confiscated During the Yugoslav Communist Rule (1996, amended in 2002) almost entirely excluded all Jewish Holocaust survivors who were property owners as the law only covered property confiscated after May 1945 by the communist regime, and not property confiscated during the Holocaust. Further, only Croatian citizens and citizens of countries with bilateral treaties with Croatia could file claims, thus excluding Holocaust survivors and their heirs who fled Yugoslavia during the Holocaust or the communist period. In particular, survivors and their heirs who emigrated to Israel were forced by the communist government to renounce their Yugoslav citizenship and any claim to their immovable property. Even those survivors and heirs fortunate enough to qualify under the restitution law faced long delays, minimal compensation, and other difficulties.

In 2011, following a Croatian Supreme Court case holding that the restitution law inappropriately discriminated against foreign citizens, the government proposed legislation to authorize claims by foreign citizens, but the legislation has not been enacted.⁸¹

The WJRO has sponsored various projects in the past on the looting of movable property during the Holocaust in Croatia. In cooperation with the Jewish Community of Zagreb and the National Library of Israel, in 2013 the WJRO started a pilot project to organize the cataloging of books that were seized by the Ustaše from Jews living in Croatia, while others were plundered from Jews escaping from elsewhere. The project serves as a model of what to do in regard to the identification and cataloging of looted Jewish books in countries that due to the Holocaust lack the necessary personnel.⁸²

Also in 2012/13, the Claims Conference-WJRO released the report “The Looting of Jewish and Cultural Objects in Former Yugoslavia: The HAG Südosten & the Einsatzstab Reichsleiter Rosenberg in Belgrade, Agram (Zagreb) and Ragusa (Dubrovnik)”.⁸³ In addition, the Claims Conference-WJRO administered a provenance research workshop in Zagreb under the auspices of the Shoah Legacy Institute.

⁷⁹ Population estimate as of 2023, see: <https://www.worldometers.info/world-population/croatia-population/>

⁸⁰ Jewish population estimate, see: <https://www.jpr.org.uk/countries/how-many-jews-in-croatia>

⁸¹ <https://wjro.org.il/our-work/restitution-by-country/croatia/> [accessed: October 14, 2023]

⁸² <https://art.claimscon.org/work-provenance-research-archives/judaica/zagreb/> [accessed: October 14, 2023]

⁸³ <http://forms.claimscon.org/art/ERR-Looting-Yugoslavia-Oct2013.pdf> [accessed: October 14, 2023]

In September 2019, under the direction of Dr. Ljerka Dulibic of the Strossmayer Gallery, the digitization of the KOMZA (Commission for the gathering and protection of cultural monuments and antiquities) archives held by the Ministry of Culture on the postwar fate of cultural objects nationalized under communism was completed. Three years later, in 2022, the Claims Conference-WJRO, together with Dr. Naida-Michal Brandl of the University of Zagreb, released in cooperation with the Croatian Ministry of Culture and Media a historical analysis of what these archival records are, whether from KOMZA under the communists or otherwise, and compiled a list of names of the original Jewish and other individual and organizational owners of the objects that were distributed after the war.⁸⁴

Also in 2022, the Ministry of Culture in cooperation with the Museum Documentation Center launched a pilot project to determine the origin of museum material confiscated during and after World War II. The museums with the most items noted in the above-mentioned Brandl report were selected for this pilot project. The project's goal is to collect existing data from all sources on objects that might have been placed in museums based on the decision of KOMZA (Commission for the Collection and Protection of Cultural Monuments and Antiquities) or in other ways that suggest that these objects might have been looted from Jewish and other owners during the Ustasha regime. The project's aim is to develop a strategy and methodology to systematically research the holdings of museums in Croatia. In this first step, nine museums – the Museum of Arts and Crafts; the Strossmayer Gallery of Old Masters, HAZU; the Zagreb City Museum; the National Museum of Modern Art; the Croatian History Museum; the Ethnographic Museum; the Archeological Museum Zagreb; the Museum of the City of Rijeka; and the Museum of Slavonia – have been selected to take part in this pilot project.

The TranscultAA (Transfer of Cultural Objects in the Alpe Adria Region in the 20th Century) project provides two online exhibitions: the first exhibition, published in 2017, is entitled “The Strossmayer Gallery – Museo Correr 1942 Exchange,”⁸⁵ while the second one, published in 2018, is entitled “Diplomatic Gift Giving in the Age of Fascism – the Case of The Independent State of Croatia.”⁸⁶

In 2021 American producer Andrew Reichsman with other family members won in a Zagreb court a lawsuit that lasted almost nine years against the Modern Gallery in Zagreb for return of their family's looted artworks. On September 21, 2023, André Derain's work “Still Life with a Bottle” and Maurice de Vlaminck's “Landscape by the Water,” were restituted to Andrew Reichsman. The artworks had been entrusted to the Museum by the Ministry of Science and Culture in 1946 on behalf of the State after they were retrieved from Marijan Polić. Polić had safeguarded them for the Reichsmann family, who had lost their possessions during the NDH (Nazi-allied Independent State of Croatia) regime's confiscation. Mr. Reichsmann and his wife were killed in Auschwitz.⁸⁷

Judaica and Jewish Cultural Property

The Jewish Community of Zagreb's 2019 report to the EU Parliament stated that Croatian institutions display artworks that “undoubtedly” belonged to Jewish communities or Jews killed in the Holocaust,

⁸⁴ <https://art.claimson.org/work-provenance-research-archives/croatia-report-restitution-of-moveable-property/>; <https://www.nytimes.com/2022/11/03/arts/design/croatia-jewish-art-restitution.html> [accessed: October 14, 2023]

⁸⁵ <https://exhibit1.transcultaa.eu/> [accessed: October 14, 2023]

⁸⁶ <https://exhibit2.transcultaa.eu/> [accessed: October 14, 2023]

⁸⁷ <https://wjro.org.il/wjro-statement-on-artwork-returned-to-heir-looted-in-croatia-during-the-holocaust-and-its-aftermath/> [accessed: October 14, 2023]

without any attribution or apparent intent of returning them to their owners.

Some state-owned museums hold Judaica and other Jewish cultural property that the Ustaše or Nazis likely confiscated during World War II.

CYPRUS

Statistical Overview	
Population	1,260,138 ⁸⁸
Jewish Population	300 ⁸⁹
Jews as Percentage of Population	0.024 %
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	No
IHRA (International Holocaust Remembrance Alliance)	No
ICOM (International Council of Museums)	Yes

No Nazi-confiscated or looted movable property has been found in the Republic of Cyprus. The Just Act Report noted that Cyprus' Department of Antiquities researched the provenance of all collections in state museums and emphasized that it only holds objects originating in Cyprus. The Department of Antiquities says that it adheres to all conventions, declarations, and other instruments that promote the return of cultural objects to their place of origin and their restitution to their rightful owners.

It is unclear if cultural institutions in Cyprus conduct provenance research.

⁸⁸ Population estimate as of 2023, see: <https://www.worldometers.info/world-population/cyprus-population/>

⁸⁹ Jewish population estimate, see: <https://www.jpr.org.uk/countries/how-many-jews-in-cyprus>

CZECHIA

Statistical Overview	
Population	10,495,755 ⁹⁰
Jewish Population	3,900 ⁹¹
Jews as Percentage of Population	0.037 %
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	Yes
IHRA (International Holocaust Remembrance Alliance)	Yes
ICOM (International Council of Museums)	Yes

Czechia was host to the 2009 Prague Holocaust Era Assets Conference in Prague and Terezin. Conference participants drafted the Terezin Declaration on Holocaust Era Assets and Related Issues, which was endorsed by all 46 participating countries and subsequently also by Serbia.

Czechia, then part of Czechoslovakia, enacted a restitution law in 1946 which invalidated all transfers of public or private property, movable, and immovable, and that occurred after September 29, 1938, and which were racially or politically motivated. If the object in question could not be restituted, potential claimants were entitled to the current value of the object. A claim could be filed by the original owner or his heir and had to be brought in front of the relevant district court within three years from publication of the law. With the Communist takeover in 1948, this process was suspended, and the property was confiscated again.⁹²

Following adoption of the Washington Conference Principles on Nazi-Confiscated Art in 1998, the Czech Ministry of Culture tasked all public galleries and museums to carry out provenance research on their collections. A database of 7,500 pieces of art believed to have belonged to Holocaust victims was created and opened to the public. Collections of major public galleries (National Gallery in Prague, Moravian Gallery, and the Decorative Arts Museum) were fully searched; other public collections were partially searched. There is no legal requirement for private galleries and collections to follow suit.

The 2000 law on Jewish property restitution (Act No. 212) also allows for restitution of works of art with no deadline for filing claims. Unlike other restitution laws, it does not require the claimants to hold Czech citizenship. However, the rules for identifying who is an heir are considerably more restrictive than in the Czech civil code, and objects that have been restituted are subject to export restrictions.

In 2012, the Czech Ministry of Culture established the Documentation Centre for Property Transfers of the Cultural Assets of WWII Victims, a public benefit institution dedicated to documentation of confiscated works of art belonging to Holocaust victims. It is the successor organization to a

⁹⁰ Population estimate as of 2023, see: <https://www.worldometers.info/world-population/czech-republic-population/>

⁹¹ Jewish population estimate, see: <https://www.jpr.org.uk/countries/how-many-jews-in-czechia>

⁹² Norman Palmer, *Museums and the Holocaust*. The Institute of Art and Law. Second Edition, 2020.

[<https://archive.org/details/museumsholocaust0000palm/page/128/mode/2up?view=theater>, accessed: October 2, 2023]

documentation center established under the Czech Academy of Sciences in 2001, based on the recommendation by a joint expert commission formed by the Czech Government three years earlier. The Centre conducts historical research on legal and administrative mechanisms of art confiscations, publishes its findings, and organizes expert conferences. It has also started offering assistance to claimants.

As of October 2023, the Documentation Centre provides online access to a database with 1,842 entries, including Judaica objects that it has identified as cultural property looted during the Holocaust.⁹³

In February 2023, the Czech state returned 14 artifacts to descendants of a Czech Jewish industrialist that had been confiscated during World War II. In October 2023, the Skirball Museum in Los Angeles started to exhibit these artefacts in an exhibition entitled “RECLAIMED: a Family Painting.”⁹⁴

In March 2023, the Documentation Centre released the report “Paintings from Jewish Collections at the National Gallery in Prague I. Unidentified Owners”⁹⁵ and in April 2023, the brochure “Identifying Features,” was released which presents markings, labels and tags that can be found on items originally belonging to Jewish owners from the Protectorate of Bohemia and Moravia who were deported by the Nazis.⁹⁶

Judaica and Jewish Cultural Property

While most Judaica and Jewish cultural property in the areas occupied by Nazi Germany after the Munich Accords of September 1938 was destroyed during Kristallnacht two months later, a majority of Judaica and liturgical objects from Jewish communities in the Nazi-occupied Protectorate of Bohemia and Moravia were assembled in a central depository in Prague, managed by the Jewish Central Museum. The Museum, nationalized in 1950, was returned to the Federation of Jewish Communities in 1994. It has the largest collection of Judaica of any Jewish museum in the world, carries out provenance research, and has restituted various items. The Jewish Museum Prague provides an overview of “resolved claims for the voluntary transfer of assets that were unlawfully taken during the Holocaust and the Second World War.” The Overview spans the years 1991 until 2022 for art objects, and the years 2008 and 2023 for book returns.⁹⁷

As already noted, the Documentation Centre provides online access to a database with 1,842 entries, including a number of Judaica objects, with some objects simply labeled as “Jewish property.”

⁹³ <http://www.cdmp.cz/db/?lang=en> [accessed: October 2, 2023]

⁹⁴ <https://www.skirball.org/about/press/2023/skirball-cultural-center-unveils-first-details-three-exhibitions-opening-october> [accessed: October 2, 2023]

⁹⁵ <http://www.cdmp.cz/en/paintings-from-jewish-collections-at-the-national-gallery-in-prague-i-unidentified-owners/> [accessed: October 2, 2023]

⁹⁶ http://www.cdmp.cz/en/wp-content/uploads/CDMP_identifying_features_ENG.pdf [accessed: October 2, 2023]

⁹⁷ <https://www.jewishmuseum.cz/en/collection-research/provenance-research-and-voluntary-transfers/resolved-claims-voluntary-transfers/> [accessed: October 2, 2023]

DENMARK

Statistical Overview	
Population	5,910,913 ⁹⁸
Jewish Population	6,400 ⁹⁹
Jews as Percentage of Population	0.1 %
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	Yes
IHRA (International Holocaust Remembrance Alliance)	Yes
ICOM (International Council of Museums)	Yes

It does not seem that museums in Denmark conduct provenance research, and the Ministry of Culture's policy is that provenance research will only be carried out if a museum is faced with a restitution claim. There are no outstanding restitution claims, although two inquiries have been directed towards Danish institutions.

The one exception is the Jewish Museum. The institution conducts provenance research on all objects, including on its existing collection as well as on new additions.¹⁰⁰

The Museum Law of 2006 stipulates that all artworks in Danish state museums or state-subsidized museums must be registered with the Central Art Registry, though museums are not required to report the provenance.

Judaica and Jewish Cultural Property

In 1954, with the help of an allocation grant provided by the Claims Conference, then Director of the Jewish Section of the Royal Danish Library, Dr. Raphael Edelman, launched a project to compile a central catalogue of looted Judaica and Hebraica in European libraries.¹⁰¹ The project, aimed at linking the principal Jewish library collections in Europe,¹⁰² was conducted in coordination with the Hebrew University Library in Jerusalem and was planned to be linked to UNESCO's International Federation of Librarians Association.¹⁰³ The catalogue was never completed, however.

⁹⁸ Population estimate as of 2023, see: <https://www.worldometers.info/world-population/denmark-population/>

⁹⁹ Jewish population estimate, see: <https://www.jpr.org.uk/countries/how-many-jews-in-denmark>

¹⁰⁰ Email exchange with Sara Fredfeldt Stadager, Jewish Museum, on November 13, 2023.

¹⁰¹ Goldmann, *Twenty Years Later*, pp. 61-62. The creation of a Central Catalogue of looted Jewish libraries of Europe was also mentioned in the Conference's 5-year report, see: *Five Years Later*, p. 48. "Jewish Libraries and Archives," May 26, 1955, Claims Conference, Applications, Cultural, 1955, Archives American Jewish Joint Distribution Committee, NY AR195564 / 2 / 1 / 2 / 928.

¹⁰² Raphael Edelman (1902–1972), born in Latvia, was a Danish scholar and librarian. For more information, see: <https://www.encyclopedia.com/religion/encyclopedias-almanacs-transcripts-and-maps/edelman-raphael> (accessed May 12, 2022)

¹⁰³ "Jewish Libraries and Archives," May 26, 1955, Claims Conference, Applications, Cultural, 1955, Archives American Jewish Joint Distribution Committee, NY AR195564 / 2 / 1 / 2 / 928.

ESTONIA

Statistical Overview	
Population	1,322,765 ¹⁰⁴
Jewish Population	1,900 ¹⁰⁵
Jews as Percentage of Population	0.14%
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	Yes
IHRA (International Holocaust Remembrance Alliance)	Yes
ICOM (International Council of Museums)	Yes

In 1999, the President of Estonia established the International Commission for the Investigation of Crimes against Humanity, including crimes that were committed by the German occupation forces and their allies. After Estonia's independence in 1991, expropriated property was restored to its rightful owners, provided that they were Estonian citizens in 1940.¹⁰⁶

Estonia's cultural institutions do not systematically conduct provenance research.

In April 2023, the Claims Conference-WJRO released the report "The ERR Looting of the Julius Genss Collection in Estonia." Julius Genss (1887–1957) was an accomplished Estonian art collector and art historian who had amassed as many as 20,000 books and 5,000 artworks. A large portion of his collection was stolen by the *Einsatzstab Reichsleiter Rosenberg* (ERR). The whereabouts of his vast collection remains largely unknown but is presumed to be primarily in Belarus.¹⁰⁷ Smaller parts of the collection are presumed to be in the National Library of Estonia, the Academic Library of Tallinn's University and the Estonian Art Museum.

¹⁰⁴ Population estimate as of 2023, see: <https://www.worldometers.info/world-population/estonia-population/>

¹⁰⁵ Jewish population estimate, see: <https://www.jpr.org.uk/countries/how-many-jews-in-estonia>

¹⁰⁶ Norman Palmer, *Museums and the Holocaust*. The Institute of Art and Law. Second Edition, 2020.

[<https://archive.org/details/museumsholocaust0000palm/page/128/mode/2up?view=theater>, accessed: October 2, 2023].

¹⁰⁷ <https://art.claimscon.org/work-provenance-research-archives/julius-genss-collection/> [accessed: October 2, 2023]

FINLAND

Statistical Overview	
Population	5,545,475 ¹⁰⁸
Jewish Population	1,300 ¹⁰⁹
Jews as Percentage of Population	0.02%
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	Yes
IHRA (International Holocaust Remembrance Alliance)	Yes
ICOM (International Council of Museums)	Yes

Between 2001 and 2007, the DEAL Project “Distributors of European Art Legacy - Finland as Relocation Region of Nazi-Looted Art” started at the University of Jyväskylä was conducting research on possible routes and acquisition channels by which Nazi-looted art came to Finland. The DEAL project concentrated on museum collections.¹¹⁰ As of 2023, the German Lost Art database lists 176 objects researched by the DEAL project.¹¹¹

There is no restitution law in place in Finland.

Specific challenges for Finland include the lack of research on the provenance of suspect works of art. Officials and museums have faced minimal internal pressure to research works of art of questionable provenance. Sources of stolen or expropriated property in Finland reportedly were largely the Nordic, Central European, and Soviet art markets.

According to information provided by Finland’s National Museum, the institution does not have the necessary resources to conduct provenance research. However, it has supplied online information on art works with unknown provenance,¹¹² as well as a pdf document with images of the works in question. The Museum has an ongoing project of digitizing these works and will subsequently make them available online. The project is intended to serve as a “starting point” for eventual and continuous provenance research.

¹⁰⁸ Population estimate as of 2023, see: <https://www.worldometers.info/world-population/finland-population/>

¹⁰⁹ Jewish population estimate as of 2023, see: <https://www.worldjewishcongress.org/en/about/communities/FI>

¹¹⁰ <https://art.claimscon.org/wp-content/uploads/2013/09/Descriptive-Catalogue-of-Looted-Judaica-3-February-2016.pdf> [accessed: October 10, 2023]

¹¹¹ [https://www.lostart.de/de/suche?filter\[type\]\[0\]=Objektdaten&filter\[institution\]\[path\]=Finland](https://www.lostart.de/de/suche?filter[type][0]=Objektdaten&filter[institution][path]=Finland) [accessed: October 10, 2023]

¹¹² <https://www.kansallismuseo.fi/en/collections/proveniencssitutkimus> [accessed: October 23, 2023]

FRANCE

Statistical Overview	
Population	64,756,584 ¹¹³
Jewish Population	442,000 ¹¹⁴
Jews as Percentage of Population	0.7%
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	Yes
IHRA (International Holocaust Remembrance Alliance)	Yes
ICOM (International Council of Museums)	Yes

France passed a series of property restitution laws at the end of WWII, including laws that dealt with the restitution of Jewish property spoliated under the Vichy-regime and under Nazi occupation. An ordinance from November 14, 1944, invalidated acts of spoliation undertaken by the Nazi occupying forces or committed under their control.

Also in 1944, the Commission de récupération artistique, or CRA (Commission for Art Recovery) was established to recover works of art originating from France from the rest of Europe, primarily from Germany and Austria. Altogether, more than 60,000 works of art were repatriated to France after the war, with about 45,000 objects returned to their original owners. Of the remaining 15,000 objects, 13,000 were sold at auctions. The remaining 2,000 works of art, including those of the highest quality – referred to as the MNR (Musées Nationaux Récupération) – were distributed among French national museums.¹¹⁵

Following the 1998 Washington Principles on Nazi-Confiscated Art, France set up a Commission to address the restitution of and/or compensation for art objects looted and displaced during the Nazi years (CIVS). The CIVS now functions as an advisory committee to the Prime Minister, and has responsibility for both restitution and compensation, until recently primarily providing compensation to individual victims or their heirs. For reparation measures, if a specific work of art cannot be found, compensation is provided based on the estimated financial value of the work at the time it was looted. In the spring of 2019, the French government transferred the authority for final decisions on art restitution claims from the Ministry of Culture to CIVS to address criticism that museum officials would be reluctant to hand over valuable artwork.

Since CIVS's inception, the committee has recorded 19,812 cases for material spoliations and recommended the amount of €55 million, or about \$59 million to compensate theft or forced sale of cultural property.¹¹⁶ As of 2018, the Committee also holds the “authority to recommend to the Prime Minister on its initiative or at the request of any interested party, any necessary restitution measures or, failing that, compensation measures, in cases of spoliation of cultural property arising from antisemitic laws adopted during the Occupation, in particular where said property has been integrated in public collections or recovered by France after World War II and since entrusted to the custody of national

¹¹³ Population estimate as of 2023, see: <https://www.worldometers.info/world-population/france-population/>

¹¹⁴ Jewish population estimate, see: <https://www.jpr.org.uk/countries/how-many-jews-in-france>

¹¹⁵ Norman Palmer, *Museums and the Holocaust*. The Institute of Art and Law. Second Edition, 2020.

[<https://archive.org/details/museumsholocaust0000palm/page/128/mode/2up?view=theater>, accessed October 2, 2023].

¹¹⁶ <https://www.documentation-administrative.gouv.fr/adm-01859928/document> [accessed October 5, 2023]

museums.”¹¹⁷ In 2020, the decision led to the return of three paintings in public collections and the restitution of five looted books to the heirs of Georges Mandel following successful cooperation with German libraries, and the identification and restitution (pending) of two canvas paintings listed in the Directory of Spoliated Property. In September 2022, the CIVS’ Deliberative Panel examined for the first time a case involving the restitution of works following self-referral. Also, in 2022, the CIVS recommended the return of two book collections – the Stern library as well as the Torrès books – which with the exception of the Mandel case, never had been the case before.¹¹⁸

It should be noted that aside from cultural objects, also millions of books were taken from France by the Nazis. Most that were in the zones of the western Allies after the war were returned to France, and many of these books were returned to their original owners – 172,812 to 1,660 individual owners, mostly Jews, and 103,517 to 392 mostly Jewish institutions. In 2017, Patricia Kennedy Grimsted released the report “Library Plunder in France by the Einsatzstab Reichsleiter Rosenberg: Ten ERR Seizure Lists of Confiscated French Libraries.”¹¹⁹ In addition, Martine Poulain published a 2008 study on French libraries during the war entitled *Livres pillés, lectures surveillées, les bibliothèques françaises sous l’Occupation*. An updated version of this study, amended with restitution data, encompasses 2,342 individual victims and 412 institutions who filed postwar claims for books, is available online.¹²⁰

In April 2018, the Ministry of Culture issued a report identifying 2,008 cultural works (primarily MNR) with no identified owner and acknowledged that the current policy of art restitution was inefficient and lacking ambition, coordination, leadership, and visibility. In April 2019, the office *La Mission de recherche et de restitution des biens culturels spoliés* (the Mission for Research and Restitution of Spoliated Cultural Property¹²¹) was officially created within the Ministry of Culture under the leadership of David Zivic. In 2022, the Mission published information on the research and restitution of cultural property between 1933 and 1945, with documentation and tools for professionals and the general audience. In particular, information is available on the claims process, on the “MNR” artworks, on restitutions, on historical and legal backgrounds as well as on methodology and presentation of the databases.¹²²

In July 2020, the Jewish Digital Recovery Project (JDCRP) released the results of its initial pilot project focusing on the renowned French Adolphe Schloss Collection of 17th and 18th century Dutch and Flemish Old Masters, whose collection was looted during World War II.¹²³

In March 2021, the Louvre made almost all of its collection available online, gathering around 485,000 object records from dozens of internal databases. More than 1,700 works that were recovered in Germany after the Second World War but have never been returned to the descendants of their rightful owners are listed under the category of *Musées Nationaux Récupération* (MNR).

¹¹⁷ Article 1-1 of Ministerial Decree No. 99-778, as amended by Ministerial Decree No. 2018-829 of 1 October 2018. Information taken from: <https://www.documentation-administrative.gouv.fr/adm-01859928/document> [accessed October 5, 2023]

¹¹⁸ <https://www.documentation-administrative.gouv.fr/adm-01859928/document> [accessed October 5, 2023]

¹¹⁹ <https://www.errproject.org/docs/ERRParisLibraryLists2017.03.01.pdf> [accessed October 5, 2023]

¹²⁰ http://www.cfaj.fr/publicat/livres_pilles.html [accessed: November 17, 2023]

¹²¹ <https://www.culture.gouv.fr/en/Know-us/Organisation-du-ministere/The-General-Secretariat/Mission-of-search-and-restitution-of-plundered-cultural-property-between-1933-and-1945> [accessed October 5, 2023]

¹²² https://provenienzforschung.gv.at/wp-content/uploads/Network_Newsletter_Nr-15_2023-01-24.pdf [accessed October 5, 2023]

¹²³ <https://pilot-demo.jdcrp.org/> [accessed October 5, 2023]

On June 29, 2023, the French National Assembly unanimously passed a restitution bill “relative à la restitution des biens culturels ayant fait l’objet de spoliations dans le contexte des persécutions antisémites perpétrées entre 1933 et 1945.”¹²⁴ The law enables public entities owning property spoliated during the period between January 30, 1933, and May 8, 1945, in the context of antisemitic persecution, regardless of where the spoliation took place, to deaccession the artwork. This, however, requires that the Commission for the Compensation of Victims of Spoliation (CIVS) recommends the object’s deaccessioning, and that this opinion is shared by the Prime Minister (for national collections) or by the local authority that owns the item (for local authority collections: towns, départements, regions).

As of October 2023, the French Diplomatic Archives provide online access to the inventories and digitized archives of the *Commission de Récupération Artistique* (Commission for Art Recovery; CRA) section in the Ministry of Europe and Foreign Affairs files. More than 4,000 archival files, including some 2,700 detailed digital directories and more than 2 million archival pages, are online available. These files include: 1. *Les dossiers de réclamations des familles auprès de la Commission de Récupération Artistique (CRA)* (Family claims files with the CRA); 2. *Les inventaires de l'Einsatzstab Reichsleiter Rosenberg (ERR) (1940-1959)* (Inventories of the Einsatzstab Reichsleiter Rosenberg (ERR) (1940-1959)); 3. *Les albums photographiques issus des dossiers de réclamation* (Photographic albums from claims files).

Judaica and Jewish Cultural Property

France received 8,193 books and 125 museum and 219 synagogue pieces from Jewish Cultural Reconstruction (JCR) after World War II. Specifically, the *Musée d'art et d'histoire du Judaïsme*, the successor museum to the *Musée d'art Juif de Paris*, established in 1948 by a private association to pay homage to a culture that had been destroyed by the Holocaust, received Judaica objects from the JCR, as well as the *Centre de Documentation Juive Contemporaine*, which received books. Of the 125 museum objects sent to France in 1951, 114 were recorded in the inventory of the *Musée d'Art Juif*. By the time the museum’s collection was deposited into the newly established *Musée d'art et d'histoire du Judaïsme* in 1998, only 103 objects were inventoried: 41 Torah ornaments from synagogues and 62 private objects (Hanukkah lamps or candlesticks, spice boxes, prayer shawl ornaments, 3 phylactery bags).

In July 2021, the *Musée d'art et d'histoire du Judaïsme* restituted a tefillin bag. The tefillin bag had been entrusted to the Jewish Restitution Successor Organization (JRSO) and was part of a collection of 114 unclaimed Jewish cult objects, with no known owner, deposited originally to the *Musée d'art Juif*. The tefillin bag was originally presented in Algiers in August 1888 to Élie Léon Lévi-Valensin (1875-1945), on the occasion of his bar-mitzvah.¹²⁵

The 219 synagogue pieces were distributed by the American Jewish Joint Distribution Committee (AJJDC) to the Jewish communities of Bordeaux, Clermont-Ferrand, Colmar, Épinal, Fontainebleau, Le Havre, Lyon, Metz, Paris, Rouen, and Strasbourg. Four (unidentified) objects were also donated to the *Musée d'Art Juif*. and ten to the Rabbinical Seminary.

Most archives of French Jewish organizations that were plundered by the Nazis and subsequently taken

¹²⁴ <https://www.assemblee-nationale.fr/dyn/16/dossiers/DLR5L16N47616> [accessed October 5, 2023]

¹²⁵ Communiquée de presse “RESTITUTION AU MINISTÈRE DE LA CULTURE D’UNE ŒUVRE ET D’UN OBJET SPOLIÉS PENDANT LA SECONDE GUERRE MONDIALE” (Ministère de la Culture), July 1, 2021.

to Moscow by the Soviets have been returned to France.¹²⁶ Library collections of French Jews that were taken by the Soviet Trophy Brigades remain in Minsk, Belarus.¹²⁷

¹²⁶ Patricia Kennedy Grimsted, F. J. Hoogewoud, F. C. J. Ketelaar, *Returned from Russia: Nazi archival plunder in Western Europe and recent restitution issues*, Balth Wells, Great Britain: Institute of Art and Law, 2007.

¹²⁷ <https://errproject.org/looted-libraries-fr.php> [accessed: February 1, 2024]

GERMANY

Statistical Overview	
Population	83,294,633 ¹²⁸
Jewish Population	118,000 ¹²⁹
Jews as Percentage of Population	0.14%
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	Yes
IHRA (International Holocaust Remembrance Alliance)	Yes
ICOM (International Council of Museums)	Yes

Since the Washington Conference Principles of 1998, more than 7,455 Nazi-looted cultural objects in museum collections were restituted in Germany. In addition, more than 24,473 books and other library items were restituted as well as an unknown quantity of archival material.¹³⁰

On the other hand, “only” 242 museums of the overall 7,120 museums are conducting provenance research. This accounts for less than 5%. In addition, the Lost Art database – which will be further explained later on – lists 10,447 artworks within its “Suchmeldungen” (Search-Request) cluster, of which about 3% have been restituted. Within the cluster “Fundmeldungen” (Found-Object-Reports) the restitution rate is about 7%. Similar statistics characterize restitutions made from the art holdings of the Federal Republic of Germany.¹³¹

On November 26, 2018, Germany hosted an international conference on the 20th anniversary of the Washington Principles to draw attention to the progress made and to generate momentum where implementation of the Principles had fallen short, including in Germany. At that time, Germany pledged that it would improve the procedures of the Advisory Commission on Holocaust-era art claims (*Limbach* Commission) so as to require German museums to participate in its deliberations. Germany also committed to federally fund art museums in order to expedite provenance research and to determine if museums possess any art potentially confiscated by the Nazis. Little has been accomplished since then.

In 2000, the Advisory Commission was formed in agreement between the Federal Government Commissioner for Culture and the Media, the Conference of the Ministers of Education and Cultural Affairs (KMK) and the leading municipal associations and is designed to mediate in cases of dispute. In late 2016, two Jewish members were added to the Commission. However, German museums are not obligated to participate, rather their participation is voluntary. As a result, since inception of the Advisory Commission, it has only ruled in 23 cases. The 23 cases encompassed 12 cases where a restitution was recommended, in three additional restitution cases the advised restitution was linked with a condition, and in four other cases, the Commission recommended that the work in question remain with the cultural

¹²⁸ Population estimate as of 2023, see: <https://www.worldometers.info/world-population/germany-population/>

¹²⁹ Jewish population estimate, see: <https://www.jpr.org.uk/countries/how-many-jews-in-germany>

¹³⁰ <https://kulturgutverluste.de/restitutionsmeldung> [accessed: October 30, 2023]

¹³¹ Rüdiger Mahlo, “Faire und gerechte Lösungen auch in Deutschland? Restitution von NS-Raubkunst,” *Politik & Kultur. Zeitung des Deutschen Kulturrates* (Dezember 2023 – January 2024) [online at: <puk1223-0124.pdf> (kulturrat.de); accessed November 29, 2023]

institution but that compensation be paid to the claimants.¹³² According to experts in the field, the Commission's inability to act if only one party is agreeable has been continuously used to delay needed clarifications. Among the more prominent examples is that of the case of the painting "Madame Soler" by Pablo Picasso. The Bavarian State Painting Collection has until now refused to call on the Advisory Commission to reach an amicable solution,¹³³ even though for the past 10 years, the former owner, the Mendelssohn-Bartholdy family has called on the Bavarian State Government and the Bavarian State Parliament, both of which refused to participate in the proceedings on the grounds that the artwork is not looted art.¹³⁴

In response to these shortcomings, in late 2023, the Advisory Commission released a memorandum calling for several substantial changes to the Commission's structure and creation of a comprehensive restitution law.¹³⁵ At the center of the Commission's criticism is the lack of a legal solution that requires an institution that is responsible for the restitution of Nazi-looted cultural property to find appropriate solutions. The memorandum also criticized the lack of clear political commitment in the form of legally binding guidelines for dealing with cases of looted art that have not yet been restituted. The memorandum consequently outlined three fundamental demands for appropriate and sufficient restitution: 1. Unilateral appeal to the Commission; 2. A binding effect of the Commission's decisions; and 3. The possibility of initiating restitution proceedings even if the cultural object is in private hands. The Advisory Commission would thus become a deciding body.¹³⁶

In 2015, the German government established the German Lost Art Foundation (DZK) in Magdeburg to promote provenance research. The DZK has become Germany's national and international contact partner for all matters pertaining to the illegal seizure of cultural assets in Germany since 1933, with a focus on seizures by the Nazis from Jewish owners. The government funds the DZK by providing 12,4 million Euros from the German Federal Government Commissioner for Culture and the Media and a restricted grant of 62,000 Euros from Saxony-Anhalt. Between 2008 and September 2023, a total of 437 projects that fell under the category of Nazi-looted art,¹³⁷ including long- and short-term projects, were supported with funding totaling more than 48,8 million Euros.¹³⁸

In 2020, the German Lost Art Foundation added a Help Desk as a first point of contact for those seeking to reclaim Nazi-looted art, partially at the recommendation of the Claims Conference.

In August 2023, the German Lost Art Foundation's website was relaunched, with the website now providing basic historical background information relating to the four subject areas covered by the Foundation: Nazi-looted cultural property, cultural goods and collections from colonial contexts, the

¹³² Hans-Jürgen Papier, "Nur 23 Fälle ... und kein Restitutionsgesetz," *Politik & Kultur. Zeitung des Deutschen Kulturrates* (Dezember 2023 – January 2024) [online at: puk1223-0124.pdf ([kulturrat.de](https://www.kulturrat.de)); accessed November 29, 2023]

¹³³ Olaf Zimmermann, "'Der Jud' is wieda doa.' 25 Jahre Washingtoner Konferenz zur Restitution von NS-Raubkunst," *Politik & Kultur. Zeitung des Deutschen Kulturrates* (Dezember 2023 – January 2024) [online at: puk1223-0124.pdf ([kulturrat.de](https://www.kulturrat.de)); accessed November 29, 2023]

¹³⁴ Hans-Jürgen Papier, "Nur 23 Fälle ... und kein Restitutionsgesetz," *Politik & Kultur. Zeitung des Deutschen Kulturrates* (Dezember 2023 – January 2024) [online at: puk1223-0124.pdf ([kulturrat.de](https://www.kulturrat.de)); accessed November 29, 2023]

¹³⁵ https://art.claimscon.org/wp-content/uploads/2023/09/23-09-04_memorandum.pdf [accessed: October 20, 2023]

¹³⁶ *Ibid.*

¹³⁷ Gilbert Lupfer, "Wege in die Zukunft. Zur Entwicklung der Provenienzforschung," *Politik & Kultur. Zeitung des Deutschen Kulturrates* (Dezember 2023 – January 2024) [online at: puk1223-0124.pdf ([kulturrat.de](https://www.kulturrat.de)); accessed November 29, 2023]

¹³⁸ https://kulturgutverluste.de/sites/default/files/2023-09/German%20Lost%20Art%20Foundation_Facts.pdf [accessed: October 15, 2023]

expropriation of cultural property in the Soviet occupation zone and the GDR (SBZ/DDR), and wartime losses during the Second World War.

Although there is no law requiring restitution of Nazi-looted cultural property, Germany's art trade is governed by the Act on the Protection of Cultural Property (*Kulturgutschutzgesetz*, KGSG) which entered into force on August 6, 2016, and serves to protect not only cultural objects that are particularly important for Germany because of their significance for the country's cultural identity ("national valuable cultural property"), but also objects categorized as national cultural property by other countries.¹³⁹

Provenance Research

The *Arbeitskreis Provenienzforschung*, founded in 2000, with about 500 members, is a nonprofit membership organization aimed at promoting provenance research in all its interdisciplinary variety. It is currently the largest organization of professional provenance researchers in the world.¹⁴⁰

Training and development in the field of provenance research is supported by the German Lost Art Foundation in the form of certificate programs organized in conjunction with the *Weiterbildungszentrum* (Further Education Center) at the *Freie Universität* (FU) Berlin and the *Deutsche Bibliotheksverband* e.V. Other professional development events, such as workshops for scientific volunteers at museums, are also carried out. Other academic institutions that provide provenance research training include the University of Bonn, the University of Würzburg, the *Freiburger Akademie für Universitäre Weiterbildung* (FRAUW) and for example the *Zentralinstitut für Kunstgeschichte*. The Europa-Universität Viadrina¹⁴¹ offers courses on the restitution process of looted cultural assets.

Also in 2020, the *Koordinationsstelle für Provenienzforschung in Nordrhein-Westfalen (KPF.NRW)* (coordinating office for provenance research in Nordrhein-Westfalen) was founded.¹⁴² The office serves as the state's contact point for provenance research questions. Other German states have already created central coordination offices in recent years and months, including Bavaria, Lower Saxony, Hesse, Saxony, Saxony-Anhalt, and Thuringia.

Databases

Various research databases exist in Germany, among them the Lost Art Database, which is maintained by the German Lost Art Foundation. As of August 2023, the Lost Art Database contains approximately 180,000 publicly accessible objects, in addition to summaries of other objects, supplied by more than 1,400 German and foreign institutions, as well as individuals. Lost Art also provides information for cultural objects with provenance gaps located in Finland, Israel, Luxembourg, Austria, and Switzerland, as well as objects sought by Italy, Austria, Poland, Czechia, and Ukraine. In addition, Lost Art lists objects categorized as "CCP¹⁴³ remaining holdings." The objects are administered by the Federal Arts

¹³⁹ [https://www.kulturgutschutz-deutschland.de/EN/EverythingAboutTheProtectionOfCulturalProperty/TheActOnTheProtectionOfCulturalProperty/theactontheprotectionofculturalproperty_node.html#:~:text=Photo%2F%20Domenico%20Stinellis-.The%20German%20Act%20on%20the%20Protection%20of%20Cultural%20Property%20\(Kulturgutschutzgesetz,cultural%20identity%20\(%E2%80%9Cnational%20valuable%20cultural](https://www.kulturgutschutz-deutschland.de/EN/EverythingAboutTheProtectionOfCulturalProperty/TheActOnTheProtectionOfCulturalProperty/theactontheprotectionofculturalproperty_node.html#:~:text=Photo%2F%20Domenico%20Stinellis-.The%20German%20Act%20on%20the%20Protection%20of%20Cultural%20Property%20(Kulturgutschutzgesetz,cultural%20identity%20(%E2%80%9Cnational%20valuable%20cultural) [accessed December 15, 2023]

¹⁴⁰ <https://www.arbeitskreis-provenienzforschung.org/en/about-us/> [accessed: November 29, 2023]

¹⁴¹ <https://www.rewi.europa-uni.de/de/lehrstuhl/br/rechtsgeschichte/Recht-ohne-Recht/index.html> [accessed: October 15, 2023]

¹⁴² <https://www.land.nrw/suche?search=provenienzforschung> [accessed: October 15, 2023]

¹⁴³ CCP - Central Collecting Point

Administration (*Kunstverwaltung des Bundes*, KVdB), which was established in February 2020, and manages the art property of the Federal Republic of Germany, and functions as an agency subordinate to the Federal Government's Commissioner for Culture and the Media.¹⁴⁴ The agency maintains a separate database entitled "Provenienzdatenbank.Bund" (Provenance Database.Bund) which provides access to the provenance research results of artworks still in the possession of the Federal Republic.¹⁴⁵

Other research databases include the "Gurlitt Provenance Research" project, which is also part of the German Lost Art Foundation, covering some 1,039 artworks. As of November 2021, 682 case reports are viewable on the German Lost Art Foundation website. In 2021, the Claims Conference-WJRO compiled a statistical review of the research results by the Taskforce Schwabinger Kunstfund as well as by the Gurlitt Provenance Research Project as part of the German Lost Art Foundation.¹⁴⁶

Since 2020, the German Lost Art Foundation additionally provides access to the research database Proveana.¹⁴⁷ Proveana comprises four research areas: cultural property expropriated as a result of Nazi persecution, cultural property displaced as a result of war (wartime losses), expropriation of cultural property in the Soviet occupation zone and the GDR, as well as cultural goods and collections from colonial contexts. The database allows searches for people, corporations, events, collections, provenance information, objects, and further documentary sources. Searches in Proveana also include the contents of the Lost Art Database, as well as links to further databases.

The Brandenburgisches Landeshauptarchiv recently published approximately 42,000 personal files of the record group *Rep. 36A Oberfinanzpräsident Berlin-Brandenburg (II)*. The archival files document the work of the National Socialist "Vermögensverwertungsstelle" (*Asset Realisation Office*) and thus the systematic liquidation of assets of persons persecuted by the Nazis as Jewish or hostile to the Reich. The project is funded by the Federal Government Commissioner for Culture and the Media (BKM) and the Ministry of Science, Research and Culture of the State of Brandenburg (MWFK).¹⁴⁸

The most recent database was posted by the German Maritime Museum which provides information on Jewish belongings that were prevented from leaving the German Reich and as a result were held in the ports in Hamburg and Bremen.¹⁴⁹ The project received funding from the German Lost Art Foundation.

In February 2013, the international project "German Sales 1930-1945: Art Works, Art Markets, and Cultural Policy" was completed. The project has catalogued and digitized more than 3,200 auction catalogs from Germany, Switzerland, and Austria as well as from countries occupied by Nazi-Germany for the years 1930-1945. The data is online available at Heidelberg's University Library and the Getty Research Institute.¹⁵⁰

¹⁴⁴ https://kunstverwaltung.bund.de/EN/Home/home_node.html [accessed: February 21, 2024]

¹⁴⁵

https://kunstverwaltung.bund.de/SiteGlobals/Forms/Suche/Provenienzrecherche/Provenienzrecherche_Formular.html?nn=850008 [accessed: February 21, 2024]

¹⁴⁶ <https://art.claimscon.org/wp-content/uploads/2021/11/Review-of-Gurlitt-Trove-3-Nov-2021.pdf> [accessed: October 15, 2023]

¹⁴⁷ <https://www.proveana.de/en/start> [accessed: October 15, 2023]

¹⁴⁸ <https://blha.brandenburg.de/index.php/the-ofp-project/> [accessed: February 1, 2024]

¹⁴⁹ <https://www.lostlift.dsm.museum/en> [accessed: October 15, 2023]

¹⁵⁰ https://www.ub.uni-heidelberg.de/Englisch/wir/projekt_germansales.html;
https://www.getty.edu/research/tools/provenance/german_sales.html [accessed: February 21, 2024]

Judaica and Jewish Cultural Property

Judaica entered the holdings of German cultural institutions mainly through forced sales of silver to pawnshops, with a number of these objects possibly still in the various museum depots. Additional Judaica collections might have entered the collection of German museums through post-war Judaica markets frequented by dealers, collectors, and museums. Most German Jewish museums were founded in the 1980s.¹⁵¹

In 2016, a number of German libraries with holdings originally owned by individual Jews and Jewish institutions formed the Looted Cultural Assets project. As of October 2023, the database holds 72,330 objects.¹⁵²

In 2018, the German Lost Art Foundation and the Israel Museum cooperated on a project that added more than 1,100 potentially stolen Judaica items to the German Lost Art database. Also in 2018, the Jewish Museum in Berlin organized a conference dedicated to Judaica provenance research in Germany and Israel.¹⁵³

In 2019, the government sponsored a German translation of the Claims Conference-WJRO *Handbook on Judaica Provenance Research: Ceremonial Objects*.

The DZK website notes that it finances, or financed, 18 projects with a focus on Judaica provenance research.¹⁵⁴

¹⁵¹ <https://www.juedische-allgemeine.de/kultur/der-blinde-fleck/> [accessed: October 15, 2023]

¹⁵² <https://db.lootedculturalassets.de/index.php> [accessed: October 15, 2023]

¹⁵³ <https://www.jmberlin.de/en/symposium-stolen-judaica> [accessed: October 15, 2023]

¹⁵⁴ <https://kulturgutverluste.de/projekte/erstcheck-ns-raubgut-von-museumsbestaenden-museum-schloss-bernburg-kreismuseum-bitterfeld> [accessed: October 15, 2023]

GREECE

Statistical Overview	
Population	10,341,277 ¹⁵⁵
Jewish Population	4,100 ¹⁵⁶
Jews as Percentage of Population	0.04%
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	Yes
IHRA (International Holocaust Remembrance Alliance)	Yes
ICOM (International Council of Museums)	Yes

Greece introduced a series of laws for the restitution of property spoliated during the war, including Law no. 2/1948, which called for all Jewish property held by the government to be restituted to their rightful owners. In 1949, the Foundation for the Welfare and Rehabilitation of the Jewish Community in Greece was established to administer heirless property: the Foundation's decree allowed owners or their heirs to bring forward a claim for spoliated property within three months of publication of the objects. If no owner or heir came forward, the property was placed under the Foundation's administration.¹⁵⁷

Greece's cultural institutions generally do not seem to conduct provenance research,¹⁵⁸ but Greece has recently conducted research on archaeological sites and artifacts that were plundered by the Nazis, including by the *Einsatzstab Reichsleiter Rosenberg* in the Thessaly region, and by Heinrich Himmler as part of the *Abnenerbe*. New research was recently published by Vassilios Petrakos-entitled *The Past in Shackles*.¹⁵⁹

Judaica and Jewish Cultural Property

The Jewish Museum of Greece in Athens holds a few looted Judaica objects, with the Central Board of Jewish Communities in Greece being responsible for these items. So far as is known, no provenance research is being conducted on Judaica holdings in Greece's other cultural institutions.

The Jewish Historical Institute of Warsaw, Poland, holds a number of religious artifacts that are reported to have been stolen from Greek Jews by the Nazis and found in the Eckersdorf Castle in Lower Silesia. These items included ritual objects used as important accessories for religious observance (mainly rimonim, the decorated finials or end pieces used to adorn a sacred Torah scroll, and me'ilim, the decorative traditional outer coverings for the Torah). The Thessaloniki community requested the return of these items, but upon investigation, it became clear that the objects held in Warsaw were from all over Greece, not only Thessaloniki. As a result, an understanding was reached that the objects should be sent

¹⁵⁵ Population estimate as of 2023, see: <https://www.worldometers.info/world-population/greece-population/>

¹⁵⁶ Jewish population estimate, see: <https://www.jpr.org.uk/countries/how-many-jews-in-greece>

¹⁵⁷ Norman Palmer, *Museums and the Holocaust*. The Institute of Art and Law. Second Edition, 2020.

[<https://archive.org/details/museumsholocaust0000palm/page/128/mode/2up?view=theater>, accessed: October 2, 2023]

¹⁵⁸ Email exchange with Leon Saltiel, Director of Diplomacy, Representative at UN Geneva and UNESCO, and Coordinator on Countering Antisemitism for the World Jewish Congress, on November 7, 2023.

¹⁵⁹ <https://www.nytimes.com/2022/01/18/arts/design/nazis-antiquities-looted.html>; Anna Roza. "The Quest to Return Nazi-Looted Treasures to Greece." *Art Antiquity & Law*. 25. 3 (Oct. 2020).

[link.gale.com/apps/doc/A645638914/AONE?u=nysl_oweb&sid=googleScholar&xid=8a175b43; accessed: October 2, 2023]

to Athens and then distributed within the country. To date, there has been no restitution of these items by Poland.

Archives

In December 2021, Russia announced that it would return parts of the Greek Jewish archives that were looted in 1942 by the Nazis and subsequently taken by the Soviet Trophy Brigades upon the conquest of Berlin in May 1945.¹⁶⁰ With the outbreak of the war in Ukraine the process was halted again.¹⁶¹

Other parts of the pre-war Greek Jewish archives, which were returned after the war, are now located at the Central Archives for the History of the Jewish People in Jerusalem (CAHJP), at YIVO (Institute for Jewish Research, New York) and the Czech National Archives in Prague. The CAJP in turn arranged for an eighteenth-century Thessaloniki manuscript by Rabbi Samuel Sournaga to be transferred to the National Library of Israel. The latter also holds several original pinkasim from the Jewish community in Salonica.

A few files pertaining to the Jewish community of Thessaloniki found their way to the Amsterdam Municipal Archives but were returned to Thessaloniki in 2008.

After the war, the OAD (Offenbach Archival Depot) amassed about 14,000 pounds of books and archives of Greek provenance. During the restitution process, “interested parties appear to have taken possession of certain archival files returned from the OAD” as the Jewish community was pre-occupied with taking care of its survivor community. “How much of the archives of the Jewish communities of Greece passed into the possession of private individuals during this initial post-war period, may reside in Greek governmental buildings even today, or otherwise disappeared, remains unclear.”¹⁶²

Occasionally, some pre-war community archival objects are offered at auctions.

¹⁶⁰ <https://www.jta.org/2021/12/18/global/greek-jewish-archives-return-home-nearly-80-years-after-they-were-looted-by-the-nazis> [accessed: October 2, 2023]; see also: <https://www.protothema.gr/greece/article/1189991/kise-gia-tin-epistroti-ton-arheion-apo-ti-rosia-i-istoria-mas-epistrefei-spiti/> [accessed: November 7, 2023]

¹⁶¹ Email exchange with Leon Saltiel, Director of Diplomacy, Representative at UN Geneva and UNESCO, and Coordinator on Countering Antisemitism for the World Jewish Congress, on November 7, 2023.

¹⁶² Devin E. Naar, “The Confiscation and Recovery of the Jewish Communities’ Archives and Libraries,” in Eyal Ginio (ed.), *The Book of the Jews of Greece*, Jerusalem: Ben Zvi Institute, 2014, pp. 40-42.

HUNGARY

Statistical Overview	
Population	10,156,239 ¹⁶³
Jewish Population	46,500 ¹⁶⁴
Jews as Percentage of Population	0.46%
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	Yes
IHRA (International Holocaust Remembrance Alliance)	Yes
ICOM (International Council of Museums)	Yes

On November 15, 1946, the post-war Hungarian government passed Law No. XXV, entitled “Law on Condemnation of the Persecution that Befell the Hungarian Jewry and on the Mitigation of its Consequences.” The law was basis for the establishment of a fund, later named the “National Jewish Rehabilitation Fund.” The fund’s main purpose was to identify and dispose of unclaimed and heirless Jewish assets. In addition, Hungary signed the Paris Peace Treaty of February 10, 1947, which among other obligations, committed the Hungarian government to provide compensation to Jewish survivors or their heirs. The Communist takeover of the country impeded all efforts.¹⁶⁵

Although many artworks looted from Hungary were returned to the country between 1945 and 1948, Hungary continues to request the return of a large number of cultural objects, of which many are paintings it believes were looted by Soviet troops from bank vaults after the Second World War. Many of these treasures belonged to prominent Jewish-Hungarian collectors.

Several Hungarian state museums hold looted art and have thus far refused to restitute or to accept the Washington Principles. Some of Hungary’s cultural institutions are publicly known to have done research on looted art in their possession, notably the National Gallery, which created a database referencing these objects. The database is not publicly available, and it is unclear what criteria was followed to list objects in the first place. People familiar with the database note that it might only hold information on two objects.

In 2014, Hungary issued an art protection law that stipulated that "unlawful deposits" must be returned to the rightful owners or heirs. It is assumed that the art protection law is intrinsically tied to the very limited number of objects listed in the above-mentioned database. The art protection law is no longer valid.

Generally speaking, provenance research is not being carried out in Hungary.

The Zekelman Holocaust Center in Detroit recently published online a “Hungarian Documents Microfilm Collection” with an index compiled and edited by Clara Garbon-Radnoti. The index also includes

¹⁶³ Population estimate as of 2023, see: <https://www.worldometers.info/world-population/hungary-population/>

¹⁶⁴ Jewish population estimate, see: <https://www.jpr.org.uk/countries/how-many-jews-in-hungary>

¹⁶⁵ Norman Palmer, *Museums and the Holocaust*. The Institute of Art and Law. Second Edition, 2020.

<https://archive.org/details/museumsholocaust0000palm/page/128/mode/2up?view=theater>, accessed: October 2, 2023).

information on looted cultural property and its disposition.¹⁶⁶

Claims against Hungary

The largest unsettled case of stolen art during and after World War II is the Herzog collection. For more than two decades, Martha Nierenberg and her family have sought the return of artwork that belonged to their great-grandfather Baron Mor Lipot Herzog, a wealthy art collector. Baron Herzog died in 1934, but his heirs hid the collection in the basement of a factory they owned. Nazi and Hungarian officials discovered and looted the collection. Some of the works ended up in the private collection of Adolf Eichmann; others were seized by the Soviets. However, a large number of them are now in the possession of the Museum of Fine Arts, the Hungarian National Gallery, and other state-owned Hungarian museums. On July 27, 2010, heirs to the Herzog Collection filed a lawsuit against Hungary seeking the return of the artworks. The complaint involves more than 40 artworks.¹⁶⁷ Hungary has steadfastly refused to reconstitute the Herzog collection by arguing that the Herzog heirs no longer own the art, citing among other rationales that compensation had been paid in 1973 which resolved any claims made by United States citizens against Hungary, a position the heirs dispute.¹⁶⁸

The collection of Baron Ferenc Hatvany is partially also believed to be in Hungary, with other parts of the collection in various other countries.¹⁶⁹

Judaica and Jewish Cultural Property

Jewish groups report that the Hungarian government has returned all Judaica that it held. In 2006, Russia returned to Hungary more than 100 antique books looted during and after World War II, including some from the 15th century that had been brought to the Lenin Scientific Library in Nizhny Novgorod from the Sarospatak Calvinist College in eastern Hungary; however, Jewish groups maintain that Russia continues to hold extensive amounts of Hungarian Judaica.

On occasion pinkasim of Hungarian origin are auctioned off. In 2021, an auction involving Hungarian, Romanian, Slovakian and Ukrainian Jewish manuscripts was stopped with the involvement of the WJRO, the FBI, and the Department of Homeland Security.¹⁷⁰

¹⁶⁶ <https://hfilm.holocaustcenter.org/visit/library-archive/special-collections/hungarian-documents-microfilm> [accessed: October 10, 2023]

¹⁶⁷ <https://hungarylootedart.com/> [accessed: October 10, 2023]

¹⁶⁸ <https://www.nytimes.com/2020/10/16/arts/design/herzog-art-collection-nazis.html> [accessed: October 10, 2023]

¹⁶⁹ Several restitutions have occurred. For more information see: <https://www.artnews.com/art-news/market/restituted-courbet-hatvany-heirs-sothebys-settlement-1234591549/> [accessed: October 10, 2023]

¹⁷⁰ Email exchange with Tibori Szabo Zoltan on November 17, 2023.

IRELAND

Statistical Overview	
Population	5,056,935 ¹⁷¹
Jewish Population	2,700 ¹⁷²
Jews as Percentage of Population	0.05%
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	Yes
IHRA (International Holocaust Remembrance Alliance)	Yes
ICOM (International Council of Museums)	Yes

The Department of Culture, Heritage, and the Gaeltacht (the Irish language) has confirmed that Ireland experienced only one case in which allegations concerning Nazi-era provenance were made. No formal implementation mechanisms in this regard were enacted. The country's policy is to monitor these issues as they may evolve and to proceed on a case-by-case basis.

The Irish government funded an evaluation group in 2005 and later funded the work of an internationally recognized expert on Nazi-looted art during World War II to investigate allegations made by the Wiesenthal Center in Paris that the Hunt Museum in Limerick held a significant amount of looted artwork. These investigations found no incidence of the Hunt Museum holding looted art.

In 2012-2013, the National Gallery of Ireland received two separate claims for restitution of three paintings in the national collection. The Gallery conducted internal research and commissioned a private provenance researcher; on both claims, the museum declined the requests for return of or a settlement for the items because of insufficient evidence. The museum's website provides information on the three paintings, the research process, and it notes that in the event of new information, the museum is open to re-evaluation.¹⁷³

In June 2023, Ireland announced that it set up a panel to advise on the return of contested cultural heritage. The committee is led by Donnell Deeny, chairman of the UK government's Spoliation Advisory Committee. Other members are expected to include museum workers, members of the civil service, legal and ethical experts, and members of claimant communities and the Department of Tourism and Culture. It is not yet clear whether the committee will solely focus on colonial-era heritage or whether art lost due to Nazi persecution may also fall under its mandate.¹⁷⁴ As of October 2023, there is no further information available on the committee.

There is no known indication of looted Judaica or Jewish cultural property present in Ireland.

¹⁷¹ Population estimate as of 2023, see: <https://www.worldometers.info/world-population/ireland-population/>

¹⁷² Jewish population estimate, see: <https://www.jpr.org.uk/countries/how-many-jews-in-ireland>

¹⁷³ <https://www.nationalgallery.ie/provenance-research> [accessed: October 30, 2023]

¹⁷⁴ <https://www.theartnewspaper.com/2023/06/27/ireland-sets-up-panel-to-advise-on-return-of-contested-cultural-heritage> [accessed: October 20, 2023]

ISRAEL

Statistical Overview	
Population	9,174,520 ¹⁷⁵
Jewish Population	7,200,000 ¹⁷⁶
Jews as Percentage of Population	78.5%
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	Yes
IHRA (International Holocaust Remembrance Alliance)	Yes
ICOM (International Council of Museums)	Yes

Pre-1948 art curators acting on behalf of the Jewish Agency in an effort to preserve Jewish art brought objects to Israel after the Holocaust. The U.S. military transferred thousands of additional Nazi-looted cultural items, which had clearly belonged to Jews, to the Jewish Cultural Reconstruction (JCR) and the Jewish Restitution Successor Organization (JRSO), which then transferred them to Israel.

Some research has been initiated into these collections, primarily by the National Library of Israel, the Israel Museum and the Ein Harod (Mishkan) Museum of Art. Additional research is still outstanding. The Israel Museum and the National Library of Israel have both received some funding from the Ministry of Justice for this research.¹⁷⁷

In 2021, the Administrator General, Adv. Sigal Yaacobi, initiated the creation of an inter-ministerial team on the subject of provenance research. Two years later, in June 2023, the inter-ministerial team published a report and recommendations aimed at regulating Holocaust-era provenance research in Israel. The report, which is available online,¹⁷⁸ notes that museums will be “obligated” to conduct provenance research, unless they submit declarations that they are not in possession of artworks that require provenance research. Funds for provenance research will be provided by the Ministry of Culture. Provenance research will only encompass objects classified as “plastic artworks,” including paintings, drawings, illustrations, or photographs; sculptures or reliefs; engravings, prints, lithographs or graphic artworks; assemblages or montages. The report further notes that an Appeals Committee will be established consisting of three members appointed by the Minister of Justice, and the intention to create a dedicated website that will gather relevant provenance information. It is unclear if and when these recommendations will be implemented and next steps taken. The current war has presumably further delayed that process.

Looted Book Collections

The National Library of Israel received upwards of 200,000 books after World War II and has thus far identified 8,500. In the 1960s some of these books were dispersed into other libraries, including various faculties and department libraries of the Hebrew University in Jerusalem. These books are marked with an OG (*Otzrot HaGolah*) in in the library system. It is estimated that the library holds between 40,000 to

¹⁷⁵ Population estimate as of 2023, see: <https://www.worldometers.info/world-population/israel-population/>

¹⁷⁶ Jewish population estimate as of 2023, see: <https://www.jewishagency.org/jewish-population-rises-to-15-7-million-worldwide-in-2023/>

¹⁷⁷ Information provided by Elinor Kroitoru, Independent Consultant, on November 19, 2023.

¹⁷⁸ https://govextra.gov.il/justice/cultural_assets_exploration_en/home/ [accessed: October 14, 2023]

70,000 items in its library collections. These objects include not only books but also newspapers, manuscripts and even a few maps.¹⁷⁹

Other book repositories have not yet been researched.

Provenance Research

In 2014, Israel and Germany started to cooperate on provenance-related matters. Five years later, in August 2019, the German-Israeli dialogue on provenance research resulted in a conference organized by the German Lost Art Foundation in Berlin.¹⁸⁰ Additional cooperation between the two countries is planned.

On April 13, 2022, on the occasion of the International Day of Provenance Research, the symposium “Digital Research Infrastructures in Germany and Israel” was held.¹⁸¹ During the symposium Israel presented digital tools from Yad Vashem, the National Library of Israel and the Archives of the Leo Baeck Institute in Jerusalem.¹⁸²

Also in 2022, the Israel Museum in Jerusalem was sued by heirs of Holocaust victims over the rare and precious *Birds' Head Haggadah*.¹⁸³ The *Haggadah* has been in the collection of the museum since 1946. The lawsuit was likely the last Holocaust restitution suit in history to be filed by heirs who are themselves Holocaust survivors. In November of that year, the New York Supreme Court dismissed the restitution lawsuit against the Israel Museum in Jerusalem, allowing the institution to maintain ownership of the *Bird's Head Haggadah*.¹⁸⁴ The Israel Museum conducts provenance research and provides the information on its “WWII Provenance Research” site for the following categories: paintings, prints and drawings/paintings, Jewish art, and restituted art. The objects listed were received from the JRSO, the Jewish Restitution Successor Organization. The Wiesbaden Central Collecting Point number is generally noted as well.

Additional museums in Israel also conduct provenance research, among them the Museum of the Bible,¹⁸⁵ which is creating a publicly accessible database of all objects on display as well as in storage, the Tel Aviv Museum of Art, which already received a restitution claim that was resolved,¹⁸⁶ as well as the Ein Harod (Mishkan) Museum of Art and the Museum of Islamic Art. There is no overview of all museums and other cultural institutions conducting provenance research, including how well or little any of these provenance research efforts are funded.

¹⁷⁹ Daniel Lipson, “Searching for Nazi-Looted Books at the National Library of Israel,” *transfer – Zeitschrift für Provenienzforschung und Sammlungsgeschichte*. 1 (2022): 168-174. [<https://journals.ub.uni-heidelberg.de/index.php/transfer/article/view/91524/87466>; accessed: October 14, 2023]

¹⁸⁰ <https://www.bundesregierung.de/resource/blob/974430/1878126/59ddef194671dc5bfca7360cb549abbf/2021-02-bkm-provenance-research-on-nazi-looted-art-in-germany-data.pdf?download=1> [accessed: October 14, 2023]

¹⁸¹ https://kulturgutverluste.de/sites/default/files/2023-04/2022-04-12_Programm_TdPF2022_L.pdf [accessed: October 14, 2023]

¹⁸² <https://kulturgutverluste.de/veranstaltungsdocumentation/digital-research-infrastructures-germany-and-israel-tagung-anlaesslich> [accessed: October 14, 2023]

¹⁸³ <https://www.theartnewspaper.com/2022/04/14/israeli-museum-jerusalem-sued-restitute-nazi-looted-haggadah-holocaust-survivors> [accessed: October 14, 2023]

¹⁸⁴ <https://www.weil.com/articles/weil-secures-dismissal-of-replevin-action-regarding-14th-century-jewish-manuscript> [accessed: October 14, 2023]

¹⁸⁵ <https://www.museumofthebible.org/provenance> [accessed: October 14, 2023]

¹⁸⁶ <https://www.timesofisrael.com/tel-aviv-museum-restituting-artwork-as-items-of-huge-berlin-collection-found/> [accessed: October 14, 2023]

Training in provenance research was provided by Tel Aviv University in cooperation with the University of Bonn.¹⁸⁷

¹⁸⁷ https://www.ims.tau.ac.il/tal/syllabus/Syllabus_L.aspx?course=1411764901&year=2021 [accessed: October 30, 2023]

ITALY

Statistical Overview	
Population	58,870,762 ¹⁸⁸
Jewish Population	27,000 ¹⁸⁹
Jews as Percentage of Population	0.046%
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	Yes
IHRA (International Holocaust Remembrance Alliance)	Yes
ICOM (International Council of Museums)	Yes

In December 1998, the Italian government created the Anselmi Commission, a technical body whose mandate was to investigate the confiscation and restitution of Jewish assets during the Holocaust. The Commission found evidence of at least 7,847 local and national government decrees expropriating Jewish assets during the Fascist era and analyzed 7,187 of them. Governmental institutions have not followed up on the Anselmi Commission’s recommendations to try to identify survivors or their heirs entitled to unclaimed property. The decrees affected approximately 8,000 individuals and 230 companies.

Italy has not instituted specific laws regulating the restitution of movable property, rather has treated such claims in the same manner as immovable property. Past efforts on behalf of the Italian government were lacking: In January 1999, the Inter-Ministerial Commission for the Restitution of Artworks Seized During World War II concluded there were no artworks belonging to Jews in Italian museums or institutions based solely on examination of the “Siviero archives.” Rodolfo Siviero was director of the Ministry of Culture’s office dedicated to recovering the artworks and had created the archive while tracing and helping to return to Italy pieces that had been illegally exported between the 1930s and 1980s. Experts acknowledge that Siviero’s efforts are not complete by modern provenance standards.

Looted cultural Jewish property is assumed to be in several of Italy’s cultural institutions, foremost in many smaller galleries, including private galleries, as well as in private collections. Italy’s cultural institutions, as well as auction houses, generally do not conduct provenance research. The only exception is the private institution Castello di Rivoli in Turin which had a project to reconstruct the provenance of a group of artworks.¹⁹⁰

It is known that some Italian cultural institutions have received looted art claims, but that the relevant institutions generally do not respond to requests by the heirs of the former owner(s).¹⁹¹ In the case of the Galleria d’Arte Moderna in Milan, however, which owns a painting by Eduard Manet, the museum and the heirs seemed to have come to an agreement.¹⁹² Also, in 2020, the Cerruti collection restituted a Nazi-

¹⁸⁸ Population estimate as of 2023, see: <https://www.worldometers.info/world-population/italy-population/>

¹⁸⁹ Jewish population estimate, see: <https://www.jpr.org.uk/countries/how-many-jews-in-italy>

¹⁹⁰ Information provided by Katharina Hüls-Valenti, Art Historian-Provenance Researcher, Johannes Gutenberg-Universität Mainz, on December 23, 2023.

¹⁹¹ <https://www.youtube.com/watch?v=8KV7bhovTgA> (5:18:50) [information provided by Katharina Hüls-Valenti; accessed: December 23, 2023]

¹⁹² <https://www.lostart.de/en/lost/object/portrait-mr-arnaud->

looted Renaissance painting to the Arens family.¹⁹³

One additional restitution took place in 2021, involving the statue of Mary Magdalene from the Uffizi to the A.S. Drey heirs.¹⁹⁴ The agreement, however, seems to have been conditioned on the Uffizi reaching an agreement with the German government to receive a Van Huysum flower painting that had been stolen by a German soldier from the Uffizi during World War II.¹⁹⁵ A museum in Udine is in the process of arranging for the restitution of three paintings to the heirs of Filippo Brunner.¹⁹⁶

According to experts, comprehensive estimates and overviews of both the looting and restitution processes are lacking. However, due to Italy's strict art export/trafficking laws, cultural institutions are compelled to always check every artwork purchase against the Carabinieri looted art database, which is currently being updated in collaboration with historians, the Commission for Looted Art in Europe, and the Working Group.

In summer 2020 the Ministry of Culture established a Working Group for the study and the restitution of cultural property looted or confiscated from Jewish citizens by the Fascists or the National Socialists in the period 1938-1945. The Working Group functions as a sub-committee of the Restitution Committee, which is mostly devoted to reclaiming antiquities and artworks that were removed from Italian territory. The Working Group has a consultative-only role, i.e., it can advise but not directly implement restitution, and includes representatives from the UCEI (Union of Jewish Communities), namely Micaela Procaccia and Amedeo Spagnoletto, and a number of representatives of some of the main institutions involved in the research into the topic (Central Archives, Central Library, etc.), which is the main aim of the Working Group at the moment. The Working Group currently lacks any funding and is limited because of that. However, it has managed to block an auction of two Nazi-looted artworks and has successfully organized provenance research training seminars that were open to all employees of the Ministry of Culture.

Aside from the Working Group, the *Arbeitskreis Italien* (working group Italy) within the *Arbeitskreis Provenienzforschung* (working group provenance research) is committed to pushing for the implementation of provenance research in public and private institutions.

Several recent projects and conferences were held in Italy aimed at bringing some attention to Italy's political and historical position: Between February 2018 and 2022, the project "The Restitution of Looted Cultural Property in the Federal Republic of Germany, Italy and Austria, 1945–1998", funded by the German Research Foundation (DFG), took place.

In March 2022, Italy was host to a conference entitled "Why are we still looking for Nazi-looted art in

[horseback/438015?term=manet%20arnaud&filter%5Btype%5D%5B0%5D=Objects&position=0](https://www.theartnewspaper.com/2020/02/21/italy-hands-nazi-looted-renaissance-sculpture-from-the-uffizi-to-germany) [accessed: December 23, 2023]

¹⁹³ <https://www.artnews.com/art-news/news/cerruti-collection-unger-restitution-jacopo-del-sellaio-1202695619/> [accessed: October 30, 2023]

¹⁹⁴ <https://www.theartnewspaper.com/2020/02/21/italy-hands-nazi-looted-renaissance-sculpture-from-the-uffizi-to-germany> [information provided by Katharina Hüls-Valenti; accessed: December 23, 2023]

¹⁹⁵ <https://www.nytimes.com/2019/07/19/arts/italy-looted-painting.html> [information provided by Katharina Hüls-Valenti; accessed: December 23, 2023]

¹⁹⁶ <https://www.openstarts.units.it/server/api/core/bitstreams/0e55c2ac-bdf9-444e-a5f7-ac19dd66b9ae/content> [information provided by Katharina Hüls-Valenti; accessed: December 23, 2023]

Italy? The importance of provenance research and negotiated solutions.”¹⁹⁷ The conference concluded that Italy needs to do more in terms of provenance research considering that there were very few examples of restitution involving an Italian cultural institution. A recent exception is the already mentioned settlement reached by Fondazione Federico Cerrutti in Turin with the Arens Unger family who lost a painting by Jacopo del Sellaio during the Nazi era. The conference further lamented that Italy’s public institutions, both on the state and municipal level, refuse to engage with heirs, thereby ignoring the Washington Principles. Currently, there is no legal provision for the restitution of looted cultural property.¹⁹⁸

In June 2023, Italy was home to a provenance research training course in Amelia. The class was organized by the Association for Research into Crimes against Art (ARCA) and the US-based Holocaust Art Restitution Project (HARP).¹⁹⁹

Also earlier in 2023, Italy’s Scuderie del Quirinale in Rome was home to the exhibition “Liberated Art: Masterpieces Saved from War, 1937—1947.”²⁰⁰ The exhibition offered a selection of over one hundred masterpieces saved during the Second World War, most notably by the superintendents and officials of the Fine Arts Administration.

The EU has sponsored the “TransCultAA-Transfer of Cultural Objects in the Alpe Adria Region in the 20th Century” project which focused part of its research on Italy in an attempt to trace not only the tangible movement of objects, but also their role as symbolic capital.²⁰¹

Despite of these recent research efforts, according to experts in the field, the history of looted cultural property in Italy is still a dramatically under-researched field. Work is underway on a comprehensive monograph on the subject which will focus on the restitution of cultural property in Italy in comparison to countries such as Austria and Germany.

Judaica and Jewish Cultural Property

In 1943 and 1944, Nazi German and Fascist Italian officers burned or destroyed archives of many local Jewish communities, which made it all the more difficult to track cultural property and its ownership. In Turin and Alessandria, both the archives and the libraries were vandalized or destroyed. In Turin, parts of the confiscated Jewish library were returned after the war.

The Jewish community in Rome, which comprised almost half of the country’s Jewish population before the war, successfully hid many historical artifacts, but some items in the community’s archive were confiscated or destroyed. In 1943, the Nazis seized the contents of two libraries located in Rome in the same building: the library of Rome’s Jewish community (4,728 books, 28 incunabula, and 183 books printed in the 16th century) and the library of the Italian Rabbinical College, a collection originally from

¹⁹⁷ <https://www.artmarketstudies.org/conf-why-are-we-still-looking-for-nazi-looted-art-in-italy-the-importance-of-provenance-research-and-negotiated-solutions-venice-ateneo-veneto-25-mar-2022-also-online/#:~:text=The%20objective%20of%20this%20conference,stolen%20by%20the%20Nazis%20or> [accessed: October 30, 2023]

¹⁹⁸ <https://www.artatlaw.com/nazi-looted-art-in-italy/> [accessed: October 30, 2023]

¹⁹⁹ <https://www.artcrimereasearch.org/provenance-and-the-challenges-of-recovering-looted-assets/> [accessed: October 30, 2023]

²⁰⁰ <https://scuderiequirinale.it/en/exhibition/arte-liberata-1937-1947/> [accessed: October 30, 2023]

²⁰¹ <https://www.transcultaa.eu/> [accessed: January 31, 2024]

Florence but later transferred to Rome (comprising 6,580 books and 1,760 booklets). The libraries contained prayer books, documents, prints, and manuscripts from all periods of Jewish history in Italy. The Rabbinical College library's collection was recovered in Germany after the war, but the majority of the contents of the Rome community library disappeared. In 2003, the Italian government established a committee of inquiry. It was unable to determine the fate of most of the contents, although it identified some manuscripts held in the collections of the Jewish Theological Seminary in New York and the Hebrew Union College in Cincinnati as having come from the Rome library. UCEI representatives noted that there was little hope of recovering the books, as they did not contain permanent markings identifying them as part of the library and were most likely dispersed worldwide.

LATVIA

Statistical Overview	
Population	1,830,211 ²⁰²
Jewish Population	4,300 ²⁰³
Jews as Percentage of Population	0.23%
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	Yes
IHRA (International Holocaust Remembrance Alliance)	Yes
ICOM (International Council of Museums)	Yes

On February 10, 2022, the Latvian Parliament adopted a historic law on religious and communal property restitution. President Egils Levits signed the bill into law on February 21, 2022.²⁰⁴

During the Holocaust, the ERR (*Einsatzstab Reichsleiter Rosenberg*) was active in Riga, Latvia. According to Patricia Kennedy Grimsted, the Latvian capital of Riga became a sorting center for book shipments to the west, and the ERR also netted a significant amount of Judaica there. At one point, about one million books were gathered in Riga, 90,000 of which had already been catalogued for the *Ostbücherei*, a special ERR library on Bolshevism.²⁰⁵

It doesn't appear that Latvia's cultural and religious institutions conduct provenance research: Neither the State Art Museum in Riga nor the Association of Latvian Museums have thus far dealt with the issue of works of art spoliated during the Holocaust and provenance research needed as a result.²⁰⁶

Latvia's National Library unsuccessfully carried out a project on looted/lost libraries which was partially aimed at tracing books that might have originated from the Jewish Club in Riga.

In the 1990s and 2000s, Jewish books with stamps from various Jewish congregations appeared in antiquity shops, with some of these books being ultimately purchased by the Museum "Jews in Latvia". Some Judaica objects, mostly ceremonial objects (i.e. mass-produced Kiddush cups) were placed in various Latvian museums after the war. While the property of these ceremonial objects is not settled, the general attitude is that the objects are well cared for in these museums and can be loaned at any time if the need arises.²⁰⁷

²⁰² Population estimate as of 2023, see: <https://www.worldometers.info/world-population/latvia-population/>

²⁰³ Jewish population estimate, see: <https://www.jpr.org.uk/countries/how-many-jews-in-latvia>

²⁰⁴ <https://wjro.org.il/our-work/restitution-by-country/latvia/> [accessed: October 15, 2023]

²⁰⁵ https://www.errproject.org/guide/ERR_Guide_Introduction.pdf [accessed: October 15, 2023]

²⁰⁶ Norman Palmer, *Museums and the Holocaust*. The Institute of Art and Law. Second Edition, 2020.

[<https://archive.org/details/museumsholocaust0000palm/page/128/mode/2up?view=theater>, accessed: October 2, 2023]

²⁰⁷ Information provided by Ilya Lensky, Director, Museum "Jews in Latvia," on October 17, 2023.

LITHUANIA

Statistical Overview	
Population	2,718,352 ²⁰⁸
Jewish Population	2,300 ²⁰⁹
Jews as Percentage of Population	0.08%
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	Yes
IHRA (International Holocaust Remembrance Alliance)	Yes
ICOM (International Council of Museums)	Yes

Lithuania has implemented a claims program for the restitution of, or compensation for, confiscated private property, but the program excluded most Lithuanian Jews living abroad. Lithuania enacted legislation providing for compensation for certain confiscated, formerly Jewish owned, communal property. Lithuania has no law for the restitution of heirless private property.²¹⁰

In 2011, the Government of Lithuania passed legislation regarding compensation for a portion of confiscated, formerly Jewish-owned communal property in the amount of €36 million to be paid out over a 10-year period and provided approximately \$1.1 million to fund one-time symbolic payments to surviving Lithuanian Jewish Holocaust victims worldwide.

Lithuania has 35 museums. Little or no provenance research is carried out in them. The Lithuanian National Museum of Art in Vilnius and the Mykolas Žilinskas Art Collection of the M. K. Čiurlionis National Museum of Art in Kaunas are thought to contain looted artworks.

Judaica and Jewish Cultural Property

Of the 35 museums, eight national and 24 local museums are responsible for preserving and researching Jewish heritage.

As of 2022, the “Edward Blank YIVO Vilna Online Collections” project has effectively been completed. The online collection project has aimed to virtually reunite YIVO’s prewar library and archival collections as well as the collection of the Strashun Library that are located in New York City and Lithuania, specifically the Lithuanian Central State Archives, the Martynas Mažvydas National Library of Lithuania, and the Wroblewski Library of the Lithuanian Academy of Sciences and Vilnius, Lithuania.²¹¹

The Vilna Gaon State Jewish Museum is a consortium of museums in Lithuania dedicated to preserving, displaying, and informing the public about Lithuanian Jewish art, culture, and history. In 2021, the Lithuanian government announced that it will renovate the building in the former Jewish ghetto in Vilnius to create a separate Jewish Culture and Identity Museum. This new museum will become a branch of the

²⁰⁸ Population estimate as of 2023, see: <https://www.worldometers.info/world-population/lithuania-population/>

²⁰⁹ Jewish population estimate, see: <https://www.jpr.org.uk/countries/how-many-jews-in-lithuania>

²¹⁰ <https://wjro.org.il/our-work/restitution-by-country/lithuania/> [accessed: October 29, 2023]

²¹¹ <https://vilnacollections.yivo.org/> [accessed: November 9, 2023]

Vilna Gaon State Jewish Museum consortium.²¹² Completion of the museum was expected by the end of 2023.

²¹² <https://www.jmuseum.lt/en/about-the-museum-2/i/415/museum-of-culture-and-identity-of-lithuanian-jews-upcoming/>
[accessed: October 29, 2023]

LUXEMBOURG

Statistical Overview	
Population	655,768 ²¹³
Jewish Population	700 ²¹⁴
Jews as Percentage of Population	0.1%
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	Yes
IHRA (International Holocaust Remembrance Alliance)	Yes
ICOM (International Council of Museums)	Yes

In 2009, the Special Commission for the Study of the Spoliation of the Property of Luxembourg's Jews During the War Years (1940-1945), under the leadership of historian Paul Dostert, released its final report. The Dostert Commission report found that occupying forces sold or gave away movable property to collaborating civil servants and German military forces. While some movable property was returned to its legal owners after the war, much was never recovered, having been either destroyed or lost during its transfer to Germany.

In February 2019, the government agreed to create a “Working Group on Outstanding Holocaust Asset Issues” with the Luxembourg Jewish Community and the World Jewish Restitution Organization (WJRO).

There is no official catalogue of looted art in Luxembourg, but the National Museum of Archaeology, History and Art (MNAHA) details the provenance of art acquired during WWII in an accessible online catalogue. The museum conducts case-by-case in-depth provenance research when questions arise.²¹⁵

On January 27, 2021, International Holocaust Remembrance Day, an agreement was signed between the State of the Grand Duchy of Luxembourg and the Consistoire Israélite de Luxembourg, co-signed by the WJRO and Luxembourg Foundation for the Remembrance of the Shoah. In the agreement, the Grand Duchy of Luxembourg committed to pay a one-time payment to survivors of the Shoah who are living in or were persecuted in the Grand Duchy of Luxembourg. The agreement provided a total amount of EUR 1,000,000, to be distributed equally to approved applicants. The agreement designated the Claims Conference as the entity responsible for administering the fund and distributing the funds for the eligible survivors. In March 2022, the Claims Conference completed distributing the €1,000,000 from the Luxembourg Fund to eligible Holocaust survivors from 13 countries who had applied to the program by the final deadline of January 31, 2022.²¹⁶

The agreement also provides that Luxembourg will address key restitution issues, including dormant bank accounts, insurance, and looted art, through separate working groups with WJRO and the Luxembourg Jewish Community. The agreement specifically noted that in accordance with the Washington Conference Principles and the Terezin Declaration, the relevant institutions will conduct provenance research.

²¹³ Population estimate as of 2023, see: <https://www.worldometers.info/world-population/luxembourg-population/>

²¹⁴ Jewish population estimate, see: <https://www.jpr.org.uk/countries/how-many-jews-in-luxembourg>

²¹⁵ <https://www.mnaha.lu/en/about> [accessed: October 30, 2023]

²¹⁶ <https://wjro.org.il/our-work/restitution-by-country/luxembourg/> [accessed: October 30, 2023]

Provenance research is being carried out in the three main cultural institutions: the National Museum of Archeology, History and Art; the History Museum of the City of Luxembourg (and its extension for fine arts, the “Villa Vauban”); and the National Library. In addition, a dissertation is in preparation that focuses on Luxembourg and Nazi-looted cultural property.²¹⁷

The collection of the Museum of Natural History has not yet been subject to any provenance research but should be investigated, according to experts in the field.

Judaica and Jewish Cultural Property

There is no national catalogue of Nazi-looted Judaica in Luxembourg. However, the Dostert Commission report stated that one object, labeled as previously belonging to a synagogue, was returned to the National Museum in 1941. The National Museum informed the Jewish community, but the object has remained unclaimed.

Provenance research on Judaica objects is generally not carried out. However, research at the National Library revealed that the institution might hold looted books and art pieces from the synagogue as well as from the professional library of the rabbi of Luxembourg.²¹⁸

²¹⁷ Information provided by Blandine Landau on December 1, 2023.

²¹⁸ Information provided by Blandine Landau on December 1, 2023.

MALTA

Statistical Overview	
Population	535,064 ²¹⁹
Jewish Population	100 ²²⁰
Jews as Percentage of Population	0.02%
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	No
IHRA (International Holocaust Remembrance Alliance)	No
ICOM (International Council of Museums)	Yes

Malta does not have legislation that specifically addresses heirless movable property belonging to victims of the Holocaust. Malta's cultural institutions do not seem to conduct provenance research.

In 2019, the Tayar Foundation for Jewish Heritage in Malta (TFJHM) was established in order to promote interest in Maltese Jewish life, history, and culture.²²¹

²¹⁹ Population estimate as of 2023, see: <https://www.worldometers.info/world-population/malta-population>

²²⁰ Jewish population estimate, see: <https://www.jpr.org.uk/countries/how-many-jews-in-malta>

²²¹ <https://jewishheritagemalta.org/> [accessed: October 28, 2023]

MOLDOVA

Statistical Overview	
Population	3,435,931 ²²²
Jewish Population	1,900 ²²³
Jews as Percentage of Population	0.05%
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	Yes
IHRA (International Holocaust Remembrance Alliance)	No, observer status
ICOM (International Council of Museums)	yes

Prior to the Holocaust, approximately 230,000 Jews lived in present-day Moldova. It is estimated that 130,000 of them were murdered during the Holocaust. Jewish property was systematically looted and nationalized, including homes, religious sites, synagogues, and educational institutions.

Moldova does not have laws on restitution of, or compensation for, movable communal or individual cultural property expropriated during the Holocaust, nor are there any official reports available on the status of any claims. Cultural institutions in Moldova do not seem to conduct provenance research regarding art or other items that may have been confiscated or looted by the Nazis. In Moldova, where there are no legal heirs to property, its ownership passes to the Moldovan state.²²⁴

The main focus of the Jewish community in Moldova is for the time being on communal property. There has been an article published on how pianos and other cultural property was taken to the National Bank of Romania in Bucharest.²²⁵

²²² Population estimate as of 2023, see: <https://www.worldometers.info/world-population/moldova-population/>

²²³ Jewish population as of 2023, see: <https://www.worldjewishcongress.org/en/about/communities/MD>

²²⁴ https://wjro.org.il/wp-content/uploads/2020/11/moldova-report_12.13.2016.pdf [accessed: October 20, 2023]

²²⁵ Svetlana Suveica, "Pianos and Paintings from Transnistria: The Plunder of 'Cultural Trophies' During the Romanian Occupation (1941-1944)." *The Journal of Holocaust Research* 36.4 (2022): 261-280.

MONTENEGRO

Statistical Overview	
Population	626,485 ²²⁶
Jewish Population	500 ²²⁷
Jews as Percentage of Population	0.08%
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	Yes
IHRA (International Holocaust Remembrance Alliance)	No
ICOM (International Council of Museums)	Yes

It is not known but assumed that no provenance research is being carried out by cultural institutions in Montenegro.

Montenegro's Jewish community was only officially registered in July 2011. Prior to World War II, only 30 Jews lived in Montenegro.²²⁸

²²⁶ Population estimate as of 2023, see: <https://www.worldometers.info/world-population/montenegro-population/>

²²⁷ Jewish population as of 2023, see: <https://www.worldjewishcongress.org/en/about/communities/ME>

²²⁸ <https://balkaninsight.com/2021/01/08/chief-rabbi-montenegro-is-thankfully-free-from-anti-semitism/> [accessed: October 20, 2023]

THE NETHERLANDS

Statistical Overview	
Population	17,618,299 ²²⁹
Jewish Population	29,700 ²³⁰
Jews as Percentage of Population	0.17%
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	Yes
IHRA (International Holocaust Remembrance Alliance)	Yes
ICOM (International Council of Museums)	Yes

On September 17, 1944, the decree on the restitution of legal rights was passed by the Dutch government. The decree obligated every Dutch individual with information on spoliated property to report it as such. A Council for the Restitution of Legal Rights was established to administer claims, while the Netherlands Art Property Foundation was created to deal with the restitution of cultural objects. Of the approximate 20,000 works of art that were repatriated to the Netherlands, most were returned to their original owners. However, 3,000 artworks were not restituted and were placed under the custodianship of the Netherlands Art Property Foundation,²³¹ which became part of the State Art Collection (NK Collection).

In 1997, the Dutch government set up the Origins Unknown Committee, also known as the Ekkart Committee, in order to research and publicize the origins of the over 4,000 looted works in the possession of the Dutch government. By decree of November 16, 2001, the Dutch government set up an Advisory Committee on the Assessment of Restitution Applications for Items of Cultural Value and the Second World War. The Restitution Committee provides recommendations to the Minister for Education, Culture and Science regarding claims to items of cultural value in the possession of the national government.

In 2013, the Netherlands Museum Association published a report entitled “Museum Acquisitions from 1933 onwards” detailing provenance research in Dutch museums. This research, as well as the research of an earlier project, ‘Museum Acquisitions 1940-1948,’ is now accessible on the WW2 portal.²³²

In May 2017, the medieval Bergkerk cathedral hosted an exhibition entitled “Looted Art – Before, During and After WWII.” The show featured 75 looted art works.

In 2020, the Minister of Education, Culture and Science called for a reassessment of the Netherlands policy regarding the restitution of looted art. This was partly in response to criticism and discussions the Netherlands had with the Claims Conference-WJRO (e.g., in the Dutch newspaper *NRC Handelsblad*). In December 2020, the Committee for the Evaluation of the Restitution Policy for Cultural Heritage Objects from the Second World War published the report *Striving for Justice*. The report argued that more provenance research should be carried out, that a new and unambiguous framework should be put in place

²²⁹ Population estimate as of 2023, see: <https://www.worldometers.info/world-population/netherlands-population/>

²³⁰ Jewish population estimate, see: <https://www.jpr.org.uk/countries/how-many-jews-in-the-netherlands>

²³¹ Norman Palmer, *Museums and the Holocaust*. The Institute of Art and Law. Second Edition, 2020.

[<https://archive.org/details/museumsholocaust0000palm/page/128/mode/2up?view=theater>, accessed: October 2, 2023]

²³² <https://www.musealeverwervingen.nl/1685/> [accessed: February 1, 2024]

to handle restitution applications for artworks looted by the Nazis, and that a helpdesk should be established regarding restitution matters. More specifically, the report made the following recommendations:

1. Resumption of systematic research into the provenance of artworks in the NK Collection and into the original owners and their heirs; Update the relevant databases and trace rightful owners wherever possible. Ensure that archives relevant to provenance research are as accessible as possible.
2. Incorporate an unambiguous assessment framework into the Decree Establishing the Restitutions Committee that, in accordance with the Washington Principles, focuses as much as possible on restitution or finding alternative solutions.
3. Improve the way applicants are treated and communication about restitution procedures and change the procedure to make it less formalistic and, where necessary, to allow scope for the Restitutions Committee to play a more mediating role.
4. Establish a helpdesk under the responsibility of the Minister that ensures information is provided, both passively and actively, about restitution policy nationally and internationally. The Committee added its opinion that no termination date should be set for Dutch restitution policy at this time.²³³

The Minister of Education, Culture, and Science has since recommended concrete steps to be taken in regard to restitution policies that are not only in accordance with the report but even go beyond it. In the late spring 2021, the Minister established a series of progressive policies and increased funding in provenance research, such as the need to address the recovery of cultural goods from other countries, for example those paintings looted from Dutch Jews that went through the Nazi art market to Poland. All recommendations of the Advisory Board are online.²³⁴

In 2021, the Restitution Committee launched a new website: the renewed WWII portal²³⁵ brings together information on cultural goods in the NK Collection on a single platform. The data includes photographs, descriptions, provenance history and restitution status. Recently, the results of the Museum Association's Museum Acquisitions Project have also been added, along with the details of objects reported after the war which have yet to be recovered or returned. The portal also provides access to restitution forms files with the Netherlands Art Property Foundation (SNK) shortly after the war. There are about 15,000 forms as well as around 2,000 photographs that are searchable within the database.²³⁶

The *Collection Centre Netherlands* (CC NL) in Amersfoort opened in the summer of 2021, jointly by the Netherlands Open Air Museum, the Loo Palace National Museum, the Rijksmuseum, and the Cultural Heritage Agency of the Netherlands. The CC NL manages and preserves Dutch national collections and is expected to serve as a leading center for research. The CC NL also holds objects from the Second World War that are held by the Dutch State.²³⁷

At the same time, the Claims Conference and WJRO sponsored research work by Dr. Patricia Kennedy

²³³ https://provenienzforschung.gv.at/wp-content/uploads/Newsletter_Network_Nr-8_2021-01.pdf [accessed: October 18, 2023]

²³⁴ <https://www.restitutiecommissie.nl/en/recommendations/> [accessed: October 18, 2023]

²³⁵ <https://wo2.collectienederland.nl> [accessed: October 18, 2023]

²³⁶ <https://english.cultureelerfgoed.nl/topics/restitution-policy/publications/publications/2023/01/01/newsletter-cultural-goods-world-war-ii-05-2023> [accessed: October 18, 2023]

²³⁷ <https://www.rijksmuseum.nl/en/about-us/what-we-do/ccnl> [accessed: October 18, 2023]

Grimsted for her major article entitled “A Goudstikker van Goyen in Gdansk: A Case Study of Nazi Looted Art in Poland” published in the *International Journal of Cultural Property* (Vol. 27, Nr. 1, 2020).

In 2022, the Amsterdam School for Heritage, Memory and Material Culture initiated a research and network group dedicated to provenance research and restitution of looted art in the Netherlands. The main goal of the group Looted Art: Provenance Research and Restitution in the Netherlands is to organize lectures, expert meetings, and discussions on a regular basis about ongoing (PhD) research and other current issues.²³⁸

Also in 2022, the government authorized a new “Independent Colonial Collections Restitutions Committee,” with a budget of 2.4 million euros for the year 2022.²³⁹

The Mauritshuis museum in The Hague recently opened an exhibition entitled “Loot - 10 stories,” showcasing how museums respond to establishing that they hold looted property in their possession. The exhibition focus is on stolen objects from three periods: art looted by French revolutionaries in 1795, art taken from Jewish owners by the Nazis, and colonial looted art.²⁴⁰

The National Holocaust Museum is scheduled to open on March 11, 2024.²⁴¹

Judaica and Jewish Cultural Property

There are four institutions in the Netherlands with Jewish holdings that have conducted research on their Judaica collections: the Bibliotheca Rosenthaliana (Ros), the Biblioteca Ets Haim (“Tree of Life” Library) of the Portuguese Community of Amsterdam, the Amsterdam municipal archives, and the Jewish Historical Museum in Amsterdam. The University of Amsterdam hid part of the Ros collection during the war; the other part of the collection, which had been looted, was returned to Amsterdam almost intact in 1946. The Ets Haim Library has identified those objects from its pre-war collection that are missing and continues to search for them. The Amsterdam municipal archives are also missing important items, according to its survey of looted Dutch-Jewish archives that were returned to Amsterdam from the period after WWII through 2003.

The Jewish Historical Museum conducted a survey of the 180-200 returned objects and 430-450 missing objects from its pre-war collection. The museum established an online database of missing pre-war objects and provided links to those of other Jewish museums. The Dutch government conducted provenance studies on archives that Russia returned between 2000 and 2002, transferring records to the Organizations of Jewish Communities in the Netherlands. NIOD established that there were still gaps in the available information, including the fate of the library of the Netherlands-Israelite Seminary in Amsterdam and many private collections.

²³⁸ <https://ahm.uva.nl/content/research-groups/looted-art-provenance-research-and-restitution-in-the-netherlands/looted-art-provenance-research-and-restitution-in-the-netherlands.html?cb> [accessed: October 18, 2023]

²³⁹ <https://www.rijksoverheid.nl/actueel/nieuws/2022/07/15/lilian-goncalves--ho-kang-you-voorzitter-commissie-teruggave-koloniale-collecties> [accessed: October 18, 2023]

²⁴⁰ <https://www.mauritshuis.nl/en/what-s-on/exhibitions/loot/#journey-through-history> [accessed: October 18, 2023]

²⁴¹ <https://jck.nl/en> [accessed: October 18, 2023]

NORTH MACEDONIA

Statistical Overview	
Population	2,084,679 ²⁴²
Jewish Population	100 ²⁴³
Jews as Percentage of Population	0.005%
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	Yes
IHRA (International Holocaust Remembrance Alliance)	Yes
ICOM (International Council of Museums)	Yes

In 2000, the Law on Denationalization was issued covering mostly communal property, however, private property confiscated after August 1944 was also covered. However, claimants had to be Macedonian citizens on the date of the law's enactment; and government bonds were issued as compensation, equal to the value of the property, when restitution *in rem* was not possible. In 2002, pursuant to the Law on Denationalization, the government set up a Holocaust Fund. The fund is responsible for managing formerly Jewish-owned heirless property (or related compensation), creating a Holocaust Museum and Education Center.

On March 11, 2011, the Holocaust Memorial Centre was inaugurated in Skopje and hosted an exhibition entitled "Macedonian Chronicle: The Story of Sephardic Jews in the Balkans".

There is no information if public institutions in North Macedonia are conducting provenance research.

Research has been carried out on behalf of the Claims Conference-WJRO aimed at documenting the expropriation of property in North Macedonia, which then was part of greater Bulgaria. Documents revealed how what has become Skopje's Museum of the Republic of North Macedonia, as well as the National Library in Skopje and municipal libraries in Shtip and Bitol, greatly benefited from the expropriation of its Jewish community.²⁴⁴

²⁴² Population estimate as of 2023, see: <https://www.worldometers.info/world-population/north-macedonia-population>

²⁴³ Jewish population estimate, see: <https://www.jpr.org.uk/countries/how-many-jews-in-north-macedonia>

²⁴⁴ Steven Sage, "The Holocaust in Bulgaria. Rescuing History from 'Rescue'," *Dapim: Studies on the Holocaust* 31.2 (2017): 139-145.

NORWAY

Statistical Overview	
Population	5,474,360 ²⁴⁵
Jewish Population	1,300 ²⁴⁶
Jews as Percentage of Population	0.02%
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	Yes
IHRA (International Holocaust Remembrance Alliance)	Yes
ICOM (International Council of Museums)	Yes

In the fall of 1942, all Jewish property and assets were confiscated for the benefit of the state treasury, and the so-called Liquidation Board was established for further confiscation and administration during the war. After the war, all confiscated property – whether owned by Jews or non-Jews – became subject to restitution. Immovable property was returned to those rightful owners who survived the war and returned to Norway to claim it. In contrast, government policies at that time made it difficult for heirs to recover or claim compensation for the confiscated private property of relatives who died during the Holocaust.

This situation persisted until 1998, when the government approved a comprehensive settlement (“the Settlement”) with the Jewish community that covered all private, communal, and heirless property claims and provided compensation to both individual claimants and the Norwegian Jewish community as a whole.

While art and other cultural property plundered from Jews during the Nazi occupation have generally been accounted for and compensated, the artworks that entered Norway through the art trade during and since the Holocaust for the most part have not.

Norwegian museums do not seem to conduct provenance research on their collections, though the National Library did examine its collection during the work of the restitution committee in 1996-1997. There is no public information available on any current and ongoing provenance research carried out by most cultural institutions in Norway. However, Norway’s National Museum lists on its homepage about 70 objects with a note indicating that “provenance research [is] ongoing,” though without any clarifying information.²⁴⁷ Upon further consultation with the museum, representatives of the National Museum noted that the 70 ongoing provenance research cases do not indicate that these objects are connected to Nazi-looted art, rather that this is routine museum research. Nonetheless, among these artworks there are 3 objects that are related to World War II but without (thus far) any identifying information whether the objects in question originated from Jewish families or from Norwegian and/or German Nazis. In addition, the museum holds 7 artworks that might be looted art, yet further research is necessary.

In general, research into the misappropriation of Jewish property is only rarely carried out, with one ongoing project at the Department of Modern History and Society, at the Norwegian University of Science

²⁴⁵ Population estimate as of 2023, see: <https://www.worldometers.info/world-population/norway-population>

²⁴⁶ Jewish population estimate as of 2023, see; <https://www.worldjewishcongress.org/en/about/communities/NO>

²⁴⁷ <https://www.nasjonalmuseet.no/en/collection/search/?query=provenance> [accessed: November 3, 2023]

and Technology (NTNU) as part of a PhD dissertation.²⁴⁸ The topic of looted cultural property is among a wider range of research topics addressed in this research and not investigated separately.

Norway returned some of the Torahs, Judaica, and other Jewish artifacts that were safeguarded by members of the Jewish community, as well as by sympathetic non-Jewish individuals and several Christian churches, during the Nazi occupation. Remaining claims for lost or confiscated Judaica and Jewish cultural property were satisfied as part of the collective payments to the Jewish community under the Settlement. The Jewish Museum in Oslo notes on its homepage that “many objects of cultural value were lost during the war, stolen and/or confiscated by the Quisling regime and their Nazi-friendly collaborators.”²⁴⁹

²⁴⁸ Information provided by Elise Barring Berggren, PhD candidate, NTNU, November 3, 2023.

²⁴⁹ <https://www.jodiskmuseumoslo.no/en-gb/samlinger-og-arkiv> [accessed: October 21, 2023]

POLAND

Statistical Overview	
Population	41,026,067 ²⁵⁰
Jewish Population	4,500 ²⁵¹
Jews as Percentage of Population	0.01%
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	Yes
IHRA (International Holocaust Remembrance Alliance)	Yes
ICOM (International Council of Museums)	Yes

Poland endorsed the Washington Conference Principles but openly defies the principles by interpreting them to reclaim national property looted, lost, and displaced during World War II. In doing so, Poland has often reverted to judiciary and police forces rather than mediation as stipulated in the Washington Principles.²⁵²

Poland also remains the only member state of the European Union without a law to address the restitution of, or compensation for, private property seized by the Nazis and/or later nationalized by the Communist regime. In September 2021 a Polish law amending the Administrative Procedure Code took effect that prevents claimants from challenging administrative decisions older than 30 years, including decisions issued without legal basis or issued in gross violation of the law. In practice, it will become virtually impossible for all former Polish property owners – including Holocaust survivors and their descendants, many of whom have had claims pending for years – to secure redress under the current Polish law for property illegally stolen during the Communist era and which remains in Poland to this day. In December 2021, the Polish Ombudsman filed a motion to the Constitutional Court to declare unconstitutional a provision of the amended Administrative Procedure Code that would discontinue pending cases.²⁵³

Nazi Confiscated and Looted Art

In 1945, the Polish Ministry of Culture created the Bureau for Revindication and Reparations in order to identify cultural losses and prepare restitution claims, primarily for the repatriation of national cultural property. On March 8, 1946, the Polish government passed a law that declared that all Polish property not claimed before December 31, 1947 (later extended to December 1948), was to become the property of the State.²⁵⁴

Poland has not passed a law to address heirless Holocaust-era property. In 2017, an amendment to the Polish Act on the Restitution of National Cultural Goods (Restitution Act) defines restitution as efforts undertaken by the Polish state to recover only Polish national cultural property unlawfully removed from its territory, including looted and displaced assets during the Nazi era, as “Polish war losses.” Under the

²⁵⁰ Population estimate as of 2023, see: <https://www.worldometers.info/world-population/poland-population/>

²⁵¹ Jewish population estimate, see: <https://www.jpr.org.uk/countries/how-many-jews-in-poland>

²⁵² Ewa Manikowska. “The Washington Principles à rebours: Explaining Poland’s current restitution policy.” *International Journal of Cultural Property*. 30.1 (2023): 43.

²⁵³ <https://wjro.org.il/our-work/restitution-by-country/poland/> [accessed: October 30, 2023]

²⁵⁴ Norman Palmer, *Museums and the Holocaust*. The Institute of Art and Law. Second Edition, 2020. [online available: <https://archive.org/details/museumsholocaust0000palm/page/128/mode/2up?view=theater>, accessed October 2, 2023].

Restitution Act, the Culture Ministry's Department for Cultural Heritage Abroad and Wartime Losses (MCNH) is the only authority empowered to make restitution claims, represent Poland in litigations, and/or pursue research of national war-time assets, both in Poland and abroad."²⁵⁵

The Culture Ministry's Department for Cultural Heritage Abroad and Wartime Losses is responsible for the recovery of Nazi-looted artwork, libraries, and cultural heritage items taken from inside the post-WWII borders of Poland. The Department maintains a catalogue of some 100,000 such objects and an online "Database of Objects Lost as a Result of World War II" containing more than 63,000 items. The catalogue does not note whether the objects were destroyed, survived, or were looted from Jews.²⁵⁶

The objects listed in the database, including those with a presumed Jewish provenance, are solely considered "Polish war losses" to which the Polish state is entitled today. Basic provenance information is available; with more detailed provenance data and information on sources being limited to officials working for the Department.²⁵⁷ Approximately 44 percent of the assets listed in the catalogue have a public provenance, and about 20 percent come from pre-war private collections (including the holdings of private museums and associations), while about 30 percent refer to pre-war religious communities, and about 4 percent have an unverified provenance.²⁵⁸

There have been a number of successful restitutions of artworks from abroad to Poland in recent years. 2023 alone saw several restitutions, among them the January 25 repatriation of two Flemish paintings from Spain to Poland, the May 31 restitution of a painting by Alessandro Turchi "Madonna with Child," after it resurfaced at an auction house in Tokyo. Additionally, eleven works were restituted to Poland on June 20, the painting "Portrait of an Older Man in a Wig with a Cane" by Godfried Schalcken on September 26 and lastly, a candle holder from the Palace on the Isle in Royal Łazienki Park, which was returned on October 5. According to Poland's culture minister Piotr Gliński, who had launched the "Empty Frames" campaign, aimed at bringing attention to artwork stolen from the country, the restitution of artworks to Poland remains a priority.²⁵⁹ Altogether, Poland estimates that it has recovered nearly 700 objects, both war losses and monuments stolen contemporaneously, within the last few years.²⁶⁰

There is no equivalent research effort within Poland's cultural institutions in terms of provenance research: In 2012, the professional Yearbook *Muzealnictwo* (Museology) published a set of guidelines outlining how provenance research in regard to looted cultural objects should be carried out. The guidelines were put forth by the then deputy culture minister Tomasz Merta. According to experts in the field, while the guidelines were received by Polish museums, no concrete actions followed, and no Polish museum implemented provenance research guidelines. In addition, the Expert Group that originally put forth these recommendations, was soon dissolved.²⁶¹

²⁵⁵ Manikowska, p. 53.

²⁵⁶ <https://www.nytimes.com/2020/01/12/arts/design/poland-nazi-looted-art.html> [accessed: November 2, 2023]

²⁵⁷ Manikowska, pp. 42–61.

²⁵⁸ Ibid, p. 53.

²⁵⁹ <https://www.townandcountrymag.com/leisure/arts-and-culture/a42660309/repatriated-artwork-timeline-2023/> [accessed: November 2, 2023]

²⁶⁰ "Poland recovers nearly 700 lost, stolen art pieces: culture minister," *TVP World* (November 6, 2023).

<https://tvpworld.com/73925540/poland-recovers-nearly-700-lost-stolen-art-pieces-culture-minister>, accessed November 8, 2023]

²⁶¹ Manikowska, p. 48.

Several public museums in Poland hold looted cultural property owned by Jews. Along with aristocracy and landowners, Jews belonged to the largest group of private collectors in pre-war Poland. Furthermore, they were generous patrons of Polish and Jewish museums, libraries, and other cultural institutions.²⁶² Some estimates suggest that 1% of all items in Polish museums are previously Jewish-owned.²⁶³ There is a lack of research into lost, looted and destroyed Jewish cultural and ceremonial objects from Poland. In many respects, the 1946 Tentative List of Jewish Cultural Treasures in Axis-occupied Countries, which was prepared by the Commission on European Jewish Cultural Reconstruction – remains the most complete and reliable source on looted and destroyed Jewish heritage in Poland.²⁶⁴ Jewish collections were often placed in Polish museums for safeguarding or were simply looted. Several objects, including artworks of Jewish provenance, appeared on the Polish art market during the war and in its aftermath. Postwar nationalization laws did not make distinctions and labeled such property simply as “post-Jewish” (mienienie żydowskie), thereby abandoned and allegedly ownerless. Many collections were split between two and more institutions.²⁶⁵

In 2020, a *New York Times* article noted that seven Dutch works that researchers have identified as missing are held by a museum in Gdansk. Scholars say they suspect dozens more are in art institutions in other Polish cities where the Nazis stored cultural artifacts they had looted, or bought under dubious circumstances, from the Netherlands. A report from 2018, prepared by the Dutch organization “Origins Unknown” notes that 81 works seized in the Netherlands by the Nazis or their agents most likely ended up in occupied Poland. There is no information whether any research into these 81 works has taken place.

Case Studies

National Museum in Krakow: In 1946, Feliks Kopera, the then director of the National Museum in Krakow, confirmed at a hearing of the Polish Security Office that his institution held a large share of Jewish assets left during the war for safeguarding (generally reflecting initial post-war efforts to document wartime losses, including Jewish moveable property losses). Sixty years later, in 2006, his successor Marek Świca stated with equal conviction that the problem of Jewish assets does not concern this institution.²⁶⁶

Gdansk State Museum: The Gdansk State Museum organized a conference in June 2020 to examine the origins of art collections in Polish museums, at which Patricia Kennedy Grimsted presented her research on a van Goyen painting seized by the Nazis from the Dutch art dealer Jacques Goudstikker, the only presentation concerning art currently in Poland that was looted from Jews in countries outside of Poland.²⁶⁷

Judaica and Jewish Cultural Property

There is no law in place covering the restitution of Jewish-owned cultural and religious movable property. Cultural institutions in Poland generally do not conduct provenance research on their own collections and, in the few cases where they have done so, have not made the findings publicly available.

²⁶² Ibid, p. 45.

²⁶³ https://holocausteraassets.eu/files/200000234-bbc68460b8/WG_LA_2_1_Cieslinska_Lobkowicz.pdf [accessed: November 2, 2023]

²⁶⁴ Manikowska, pp. 44-45.

²⁶⁵ Ibid, pp. 44-45.

²⁶⁶ Ibid, pp. 46-47.

²⁶⁷ <https://art.claimscon.org/work-provenance-research-archives/a-goudstikker-van-goyen-in-gdansk-a-case-study-of-nazi-looted-art-in-poland/> [accessed: October 18, 2023]

Much of the Judaica that ended up in what is now Polish territory was turned over by the Polish government to the Jewish Historical Institute in Warsaw. The Jewish Historical Institute, a public institution, was founded on the grounds of the Jewish Historical Commission, an organization established in August 1944 to document the Nazi crimes against the Jews and to save as much Jewish legacy in Poland as possible. In the mid-to late 1940s and early 1950s, the Jewish Historical Museum and Library became the repository of former collections of Jewish communities in Poland discovered by the Institute itself or by Polish authorities in the former German depots in the Western Territories, in the American occupation zone in Germany and Czechoslovakia, and in several Polish public institutions. In 1949, the Polish Ministry of Culture transferred to the Institute a rich collection of Judaica, Jewish books, and archives with a Berlin provenance, which had been found in the ex-German depots in the Castle of Bożków in Silesia.²⁶⁸

Additional collection objects originally belonged to foreign Jewish communities. In particular, the Greek government has requested the return of Nazi-looted ritual objects and artifacts that were taken by the ERR from the Jewish community in Thessaloniki and other Jewish communities in Greece. Periodically, the Institute has exhibited certain items, and the Institute includes on its website: “A significant part of the collection of sacred art of the Jewish Historical Institute is the legacy of Greek Jews murdered in the extermination centers at Auschwitz and Majdanek.”

The Jewish Historical Institute provides online access to its holdings, including 122 Judaica objects.²⁶⁹

²⁶⁸ Manikowska, p. 46.

²⁶⁹ https://cbj.jhi.pl/?q=&m=metadata&categories_filter=961373 [accessed: October 18, 2023]

PORTUGAL

Statistical Overview	
Population	10,247,605 ²⁷⁰
Jewish Population	3,500 ²⁷¹
Jews as Percentage of Population	0.03%
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	Yes
IHRA (International Holocaust Remembrance Alliance)	Yes
ICOM (International Council of Museums)	Yes

Unlike research that was initiated into Nazi gold that reached Portugal, very little attention has thus far been paid to the fate of Nazi-confiscated art that went through Portugal or possibly stayed in the country. A recently published book entitled *Cashing Out. The Flight of Nazi Treasure, 1945-1948* touches upon this part of Portugal's history and highlights the dealings of Ricardo Espirato Santo, who was a central person connected to wolfram trade between Portugal and the Third Reich. Neill Lochery, the author, asserts that Santo was a leading banker during the day and a passionate collector of artworks and antiquities at night. While Santo himself did not loot, he certainly took advantage of the low prices and general business-friendly situation. Santo's collection, which he bequeathed to the Portuguese state in 1955, remains the most important collection in Lisbon today.²⁷² In addition to Santo, a second collector living in Portugal at the time, the Armenian Calouste Gulbenkian, is noteworthy. Gulbenkian used his lucrative oil business to set up a foundation in Lisbon. Among the artworks he collected were works originally owned by Baron Henri de Rothschild, whom he also befriended. Parts of Gulbenkian's collection have remained in Lisbon until today. However, much of the art that was sold at auctions in the final months of the war remains locked away or is on display in private houses in Lisbon and Estoril.²⁷³

Portugal's cultural institutions are not conducting provenance research. It is further not known if Portuguese institutions have ever received a Nazi-looted art restitution claim.²⁷⁴ While no apparent provenance research is being carried out, Portugal's historic role might suggest otherwise: Artists such as Marc Chagall, Max Ernst, Fernand Leger, etc., as well as art dealers, and collectors, some of whom chose to settle in Portugal, were among thousands of refugees and foreign nationals who entered the country between 1940 and 1945. Some art dealers only stayed for a short while in Portugal, but other art dealers opted to stay, among them Kurt Buchholz.²⁷⁵ In 1943, Kurt Buchholz founded *Livraria Buchholz* in Lisbon.

²⁷⁰ Population estimate as of 2023, see: <https://www.worldometers.info/world-population/portugal-population>

²⁷¹ Jewish population estimate, see: <https://www.jpr.org.uk/countries/how-many-jews-in-portugal>

²⁷² Neill Lochery, *Cashing Out. The Flight of Nazi Treasure, 1945-1948*, New York: Public Affairs, 2023, pp 75-76.

²⁷³ Ibid, pp. 77-83.

²⁷⁴ Inês Fialho Brandão. "What's in Lisbon? Portuguese Sources in Nazi-era Provenance Research." *Journal of Contemporary History*. 52.3 (July 2017): 569.

²⁷⁵ See the Art Looting Intelligence Unit (ALIU) Reports 1945-1946 and ALIU Red Flag Names List and Index: Portugal notes for Karl Buchholz: "Buchholz, Karl. Lisbon, 50 avda da Liberdade. Berlin book dealer who opened a branch in Lisbon in 1943. Suspected of having worked for von Ribbentrop and Goebbels, and of possible traffic in loot. Partner of Lebrfeld, Portuguese national. Pre-war Berlin partner of Curt Valentin, German refugee dealer now established in New York (Buchholz Gallery, East 57th Street). Valentin is believed to have had no contact with Buchholz during the war." [<https://www.openartdata.org/p/red-flag-names-from-art-looting.html>; accessed October 27, 2023]

It has been established that some of his art dealings involved a few paintings that were brought into the country, most likely through diplomatic routes. However, more research is still necessary.²⁷⁶ Adelphe Weiss, who had served as Portugal's consul in Switzerland, is suspected of selling to Portugal's government art that had potentially been looted through Switzerland.²⁷⁷

In addition, there is some evidence that taking advantage of the strong pharmaceutical trade between Portugal and Latin America, Portugal's ports might have functioned as transfer hubs for artworks between the continents. The existing trade routes may have provided ample cover for the smuggling of artworks.²⁷⁸ One known example is the S.S. Excalibur, which was seized by British authorities in Bermuda in October 1940. Onboard the ship were five hundred Impressionist and post-Impressionist artworks as well as rare books enroute from Portugal intended for the United States.²⁷⁹ The artworks had been obtained in Lisbon by Martin Fabiani, who later was found guilty for having collaborated with the *Einsatzstab Reichsleiter Rosenberg*.²⁸⁰

It has been argued that Portugal's' reluctance to conduct provenance research is based on numerous inhibiting factors: cultural institutions face financial constraints, but the most inhibiting factor seems to be that the vast majority of acquisitions for public museums are based on the fact that private collections, namely those of the crown and by the Catholic Church as well as religious orders were confiscated by the Portuguese State in 1834 and in 1910. Another inhibiting element is Portugal's colonial history.

²⁷⁶ Brandã, p. 586.

²⁷⁷ Lochery, pp. 110-111.

²⁷⁸ Ibid, p. 119.

²⁷⁹ See for example: "Looted Art in Occupied Territories, Neutral countries and Latin America: Preliminary Report," Foreign Economic Administration. External Economic Security Staff, May 5, 1945. (<http://docproj.loyola.edu/laiot.html>) [accessed: December 16, 2023]

²⁸⁰ Brandã, p. 569.

ROMANIA

Statistical Overview	
Population	19,892,812 ²⁸¹
Jewish Population	8,700 ²⁸²
Jews as Percentage of Population	0.04%
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	Yes
IHRA (International Holocaust Remembrance Alliance)	Yes
ICOM (International Council of Museums)	Yes

Over the years, the Federation of Jewish Communities in Romania (FEDROM) and the World Jewish Restitution Organization (WJRO) have worked together to address impediments in Romania's restitution law. Nonetheless, there continue to be significant problems with the restitution process, including delays, overly narrow interpretations of the law, and frequent requests for unnecessary, and often unavailable additional documentary evidence.²⁸³

During the Holocaust, government officials, including representatives of the National Bank of Romania, were responsible for the confiscation of artwork, jewels, foreign currency, bank accounts, and share certificates, as well as for the forced conversion of Romanian currency and forced sale of precious metals at lower exchange rates or prices. Recently conducted research revealed that cultural property owned by Jews, primarily in Odessa, part of the Transnistria region, was widely looted as part of a deliberate action by various officials, contrary to the long-held assumption that any looting was based on sporadic acts of plunder.²⁸⁴

Law 641/1944 allowed for the restitution of movable property confiscated during the Holocaust. However, historians and representatives of the Jewish community report that the government has not implemented these provisions. These sources assert that valuable objects were either withheld by corrupt officials or transferred to the National Bank of Romania. The Jewish community has raised this issue, but the Bank asserts that no records are available. Historians speculate the evidence was likely destroyed.

Romanian cultural institutions do not conduct provenance research on their collections. The same is true for Romania's Judaica and Jewish religious objects, ceremonial or ritual artifacts.

Judaica and Jewish Cultural Property

In 2021, the Jewish community of Cluj claimed a pinkas that was looted during World War II. The pinkas, a 19th-century handwritten registry of burials, was initially offered by the auction house Kestenbaum & Co. for February 18, 2021, but was then seized by US authorities and restituted to Romania. Also, pinkasim

²⁸¹ Population estimate as of 2023, see: <https://www.worldometers.info/world-population/romania-population>

²⁸² Jewish population estimate, see: <https://www.jpr.org.uk/countries/how-many-jews-in-romania>

²⁸³ <https://wjro.org.il/our-work/restitution-by-country/romania/> [accessed: October 16, 2023]

²⁸⁴ Svetlana Suveica, "Pianos and Paintings from Transnistria: The Plunder of 'Cultural Trophies' During the Romanian Occupation (1941-1944)." *The Journal of Holocaust Research* 36.4 (2022): 261-280.

from Iassi and from Timosoara were put on auction around that time in Israel but were also eventually withdrawn.²⁸⁵

More recently, in March 2023, the New York based auction house Kestenbaum & Co offered a manuscript within the frame of “Auction 1010 Sale of Fine Judaica.” The object in question was listed as a “group of four manuscript ledgers (pinkasim) all from the Jewish Community of Karlsburg, Transylvania.” These four manuscripts included the “Sepher Zikaron HaZahav shel HaChevra Kadisha Carslburh,” the “Tempelsitz Grundbuch der Israelitischen Kultusgemeinde in Karlburg” [with entries between 1876 and 1944], “Statistik” [covering the years 1876 until 1885] and the “Cassa Controle,” a ledger of community income and expenses dated between 1866 and 1885. According to a scholarly opinion, published among other institutions by the Institute for Holocaust and Genocide Studies, the manuscripts belong to the Jewish Community of Alba Iulia, the community which owned the manuscripts prior to the Holocaust. The opinion is based on provisions of the Paris Peace Treaty of February 19, 1947, with Romania, which stipulated that the entire Jewish immovable and movable property, community property as well as heirless or unclaimed private property had to be handed over to the communities of the survivors. This provision was confirmed by the Terezin Declaration of 2009, which was also endorsed by Romania.²⁸⁶ By June 2023, the Department of Homeland Security, which was involved in that matter, signaled that the manuscripts will be restituted once all due diligence procedures are completed.²⁸⁷

Several other Judaica auctions have involved communal Jewish property from Romania offered on the market.

It is not known if there are any other outstanding issues with Judaica and Jewish cultural property. Some ceremonial objects and Torah scrolls that were preserved are currently located in the Jewish Museum in Bucharest.

²⁸⁵ Information provided by Zoltan Tibori Szabo, January 2024.

²⁸⁶ Information provided by Adrian Ciofanca, Director at the Center for Jewish History (CSIER) on November 14, 2023.

²⁸⁷ Email exchange with Tibori Szabo Zoltan on November 17, 2023.

RUSSIAN FEDERATION

Statistical Overview	
Population	144,444,359 ²⁸⁸
Jewish Population	145,000 ²⁸⁹
Jews as Percentage of Population	0.1%
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	Yes
IHRA (International Holocaust Remembrance Alliance)	No
ICOM (International Council of Museums)	Yes

After WW II, Soviet Trophy Brigades brought enormous numbers of artworks, library collections, and archives into the USSR, mostly to Moscow, from the Soviet-occupied areas of Germany and its allies as “compensatory restitution” for the huge losses of cultural property inflicted on Soviet territory. Some estimates go as high as a million artworks taken from Germany by the Red Army at the end of the war that are still being held in Moscow and St Petersburg.²⁹⁰

These “trophy” objects included items that had been plundered from Jews and other victims of the Nazis. Many, though not all, such items were returned to the communist governments of certain east European countries in the 1950s and 1960s.

In 1998, Russia adopted a federal law “On the objects of cultural value transferred to the USSR as a result of the Second World War and located on the territory of the Russian Federation.” The law stipulates “protection of the specified cultural values from plunder, prevention of their illegal export outside of the Russian Federation, as well as unlawful transfer.” However, the law contains many exceptions under which no restitution is possible, including art that “belongs” to legal entities or museums. In addition, the law specified that some art may stay in Russia as “partial compensation for damage caused to the cultural heritage of the Russian Federation as a result of the looting and destruction of its cultural property by Germany and its military allies.” The law does not generally permit the return of objects to countries that were enemies of the USSR in WWII. Exceptions were made – i.e. the return of the Pergamon Altar to the former GDR - but generally items that came from German museums and museums in other Axis countries were not subject to return under the law.

Despite a law passed by the Duma and signed by President Putin in 2000 in support of some of the major provisions of the Washington Principles, Russia retains Nazi-confiscated art. Defacto amendments by the Duma under Putin effectively nationalized all such property, making restitution impossible. The main exception prior to the present period of war with Ukraine, etc. was the return of archives.

In 2015, the Claims Conference-WJRO sponsored the publication of the catalog and album *Art in the Flames of War: Western European Paintings in the Collection of the Simferopol Art Museum* by S.I. Kot of the

²⁸⁸ Population estimate as of 2023, see: <https://www.worldometers.info/world-population/russia-population/>

²⁸⁹ Jewish population estimate, see: <https://www.jpr.org.uk/countries/how-many-jews-in-russia>

²⁹⁰ <https://www.apollo-magazine.com/red-army-trophy-art-germany/> [accessed: February 1, 2024]

National Academy of Sciences of Ukraine and L.V. Kudriashiva of the Simferopol Art Museum.²⁹¹ This catalog and album is the only list of holdings of a museum in the former Soviet Union coming from the Soviet Trophy Brigades. The Simferopol Museum is located in Crimea, and the publication occurred just before the annexation of Crimea by Russia in 2014, after which L.V. Kudriasheva was fired from her post as director of the Simferopol Art Museum. (The objects subsequently looted by Russia from the Kherson Art Museum in Ukraine were brought to the Simferopol Art Museum in occupied Crimea.)²⁹²

A growing body of evidence suggests Russian forces are systematically stealing art and cultural artifacts from Ukraine on a scale not seen in Europe since the Nazi plunder of World War II, according to researchers and experts documenting the damage.²⁹³

The Ministry of Culture of the Russian Federation on its website entitled “Cultural Values-Victims of War” in a section on “Moved Cultural Values” has published a partial list of paintings, drawings, graphics, archaeological objects, musical instruments, and other categories of objects that were brought into Russia by the Soviet Trophy Brigades at the end of World War II.

So far, the objects listed have overwhelmingly been objects taken from museums and repositories in Germany and other states that were enemies of the Soviet Union during the war, which under Russian legislation are not subject to restitution. So far as is known, specialists in Germany trying to track what was taken from the various German museums after the war that still is in Moscow and elsewhere in the former Soviet Union are almost the only ones outside of Russia following the listings. Since much of what the Soviet Trophy Brigades took included many objects looted by the Nazis and their allies from Jews and others of their victims, it is not impossible, however, that some such objects may be in the listings, although in all likelihood only by accident. Although parts of the website are in German, English, and French, the catalog of the objects is exclusively in Russian. To make the listing better known to non-Russian speakers, in 2021, the Claims Conference-WJRO presented on its website a translation into English by Yagna Yass-Alston of all the listings of paintings (paintings 2016, paintings 2018) as well as those graphics (works on paper 2016) that are by known artists.²⁹⁴

Known Cases

Hatvany Collection: To this day, works taken from Hatvany’s collection are known to be in various institutions, including Moscow’s Pushkin State Museum of Fine Arts, which holds Jacopo Tintoretto’s *Portrait of a Venetian Nobleman* (ca. 1563–65) and Camille Corot’s *Portrait of Madam Gambey* (ca. 1869–70), as well as examples by Degas and Manet.²⁹⁵

Schneersohn Collection: Chabad of the United States has a long-running case in U.S. courts seeking the recovery of the Schneersohn collection. Some of these religious books and manuscripts were nationalized by the Soviet Union shortly after the 1917 Bolshevik Revolution, while others were first seized by the

²⁹¹ S.I. Kot, Institute of History of Ukraine, National Academy of Sciences of Ukraine, and L.V. Kudriasheva, Research Center for Problems of Return and Restitution of Cultural Values, Simferopol Art Museum, *Art in the Flames of War: Western European Paintings in the Collection of the Simferopol Art Museum: Catalogue and Album*. Simferopol-Kiev: Zheribor Publishers, 2015 (in Russian, English, and German).

²⁹² <https://www.nytimes.com/2023/01/14/world/asia/ukraine-art-russia-steal.html> [accessed: 1 February 2024]

²⁹³ <https://www.nbcnews.com/news/world/russia-stealing-art-ukraine-nazi-level-world-war-2-rcna77879> [accessed: October 24, 2023]

²⁹⁴ https://art.claimscon.org/wp-content/uploads/2021/09/lostart.ru_translation-paintings-2016-September-2021.pdf; https://art.claimscon.org/wp-content/uploads/2021/09/lostart.ru_translation-paintings-2018-September-2021.pdf; https://art.claimscon.org/wp-content/uploads/2021/09/lostart.ru_translation-works-on-paper-2016-September-2021.pdf [accessed February 1, 2024]

²⁹⁵ <https://www.artnews.com/art-news/market/restituted-courbet-hatvany-heirs-sothebys-settlement-1234591549/> [accessed: October 24, 2023]

Nazis in Poland during World War II and later taken by the Red Army.

Judaica and Jewish Cultural Property

Much Judaica looted by the Nazis and their allies was among the vast numbers of items brought to Russia after the war. In addition to the holdings of the Russian State Military Historical Archive in Moscow (RGVA), Judaica brought to Russia is known to include Torahs and ceremonial objects. RGVA returned some Judaica to the governments of France, Belgium, the Netherlands, Luxembourg, and Austria. RGVA reportedly has scanned parts of the Schneersohn collection it retains but has not made the documents accessible. Meanwhile, the Russian State Library, which houses the majority of the Schneersohn collection, has made the books available online and at a specially created branch of the Russian State Library that is at the Jewish Museum and Museum of Tolerance in Moscow.²⁹⁶

²⁹⁶ <https://www.jewish-museum.ru/en/libraries/schneerson-library/> [accessed February 1, 2024]

SERBIA

Statistical Overview	
Population	7,149,077 ²⁹⁷
Jewish Population	1,400 ²⁹⁸
Jews as Percentage of Population	0.02%
Endorsed the Washington Conference Principles	No
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	Yes
IHRA (International Holocaust Remembrance Alliance)	Yes
ICOM (International Council of Museums)	Yes

Serbia has laws and mechanisms in place that have addressed the restitution of or compensation for wrongfully seized or nationalized private property, communal/religious property, and heirless property. In practice, there were obstacles to timely filing under the 2006 and 2011 laws addressing communal/religious property and private property, respectively, while Jewish community representatives in Serbia report general satisfaction with the filing process for heirless and unclaimed property under a 2016 law.

The 2016 Holocaust Heirless Property Law is specifically limited to items that were taken in Serbia and excludes looted art that was brought into the country. This exclusion has raised concerns by restitution experts and curators since it is clear that looted art from abroad is in the country's institutions.

Serbia's Restitution Agency has reported receiving no claims with regard to confiscated movable property, art, Judaica, and Jewish cultural property dating from the Holocaust era. Under the law, such claims have yet to be filed by the Jewish communities in the country.

There is no detailed historical research on the expropriation of cultural property in Serbia.²⁹⁹ The only archival research is based on ERR records, the main looting agency in Serbia, and is entitled "The Looting of Jewish and Cultural Objects in Former Yugoslavia: The HAG Südosten & The Einsatzstab Reichsleiter Rosenberg in Belgrade, Agram (Zagreb) and Ragusa (Dubrovnik)."³⁰⁰ Aside from the ERR, the Kunstschutz, the Gestapo and the Wehrmacht equally looted cultural objects in Serbia. The records of the Grand Lodges of B'nai B'rith as well as of the Jewish Synagogue and School Community of Belgrade, for example, were plundered by the Nazis in Serbia, later seized by the Soviet Trophy Brigades and transferred on Stalin's orders to Minsk to compensate for the enormous library losses that had taken place there.

Additional research has been conducted on behalf of the Claims Conference and the WJRO aiming at documenting the expropriation of Jewish property of Bulgaria, which included the Serbian city of Pirot.³⁰¹

²⁹⁷ Population estimate as of 2023, see: <https://www.worldometers.info/world-population/serbia-population/>

²⁹⁸ Jewish population estimate, see: <https://www.worldjewishcongress.org/en/about/communities/RS>

²⁹⁹ <https://art.claimscon.org/wp-content/uploads/2015/03/Wesley-Fisher-Restitution-Godina-XI-2014.pdf> [accessed: October 17, 2023]

³⁰⁰ <https://forms.claimscon.org/art/ERR-Looting-Yugoslavia-Oct2013.pdf> [accessed: October 17, 2023]

³⁰¹ Steven Sage, "The Holocaust in Bulgaria. Rescuing History from 'Rescue,'" *Dapim: Studies on the Holocaust* 31.2 (2017): 139-145.

Serbian institutions are known to hold looted cultural property:

The Geca Kon collection: The National Library of Serbia, for example, is holding books from the Geca Kon collection, among them 796 books that were restituted to the library in 2011. Geca Kon perished in the Holocaust without apparent heirs.³⁰² The Historical Archives of Belgrade also hold parts of the Geca Kon collection.³⁰³

The Ante Topic Mimara collection: By December 1948, the work at the U.S. Army's Central Collecting Point in Munich was in its last stages, and most of the claims had been processed, when Ante Topic Mimara claimed to be the Yugoslav government's representative in charge of restitution and asked for 166 objects, described in seven lists. The 166 objects mentioned in the seven lists — including 56 paintings — were released to Mimara in late May and early June of 1949. Some of these items are now located in the National Museum of Serbia and were presumably looted by the Nazis from Holocaust victims in France, the Netherlands, and elsewhere.

The Šlomović collection: The collection is currently held by the National Museum in Belgrade. This very valuable collection, stolen from Erih Šlomović, a Jewish Croatian who moved to Belgrade when he was 4 years old and who was murdered during the Second World War, consists of acclaimed French impressionist paintings. Mr. Šlomović's personal diary was stolen and is believed to be in possession of a private collector in Belgrade. In 2012, the Šlomović heirs sued the museum in Belgrade.³⁰⁴

It is assumed that Serbia is holding Torah scrolls, religious books and manuscripts in libraries and archives and possibly churches beyond the very few that are in the possession of the Federation of Jewish Communities in view of the number of synagogues in Serbia prior to World War II and taking into account the destruction and/or removal from the country of such Torah scrolls, religious books and manuscripts.

³⁰² While transfer to the National Library of Serbia may be an appropriate “return” of the books, the failure to involve the Federation of Jewish Communities of Serbia and/ or the Conference on Jewish Material Claims Against Germany in the transfer is troublesome, as is the fact that, so far as is known, the National Library of Serbia has not done provenance research on its own holdings. Additional libraries are holding books from the Geca Kon collection: the Prussian Federal Library (*Preussische Staatsbibliothek*) in Berlin, the Bavarian State Library (*Bayrische Staatsbibliothek*) in Munich, and the City and University Library of Breslau (Wrocław).

³⁰³ <https://www.yerusha-search.eu/viewer/metadata/HAB-0061/1/> [accessed: October 17, 2023]

³⁰⁴ <https://reliapenezic.com/Slomovic/Timeline.html> [accessed: October 17, 2023]

SLOVAKIA

Statistical Overview	
Population	5,795,199 ³⁰⁵
Jewish Population	2,600 ³⁰⁶
Jews as Percentage of Population	0.045%
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	Yes
IHRA (International Holocaust Remembrance Alliance)	Yes
ICOM (International Council of Museums)	Yes

Immediately after the war, the restored Czechoslovakia issued Decree No. 5/1945 and passed Act No. 128/1946, which invalidated all property transfers occurring under pressure of Nazi occupation between 1939 and 1945. The Slovak National Council, however, resisted implementation of the law and suspended its entry into force. Czechoslovakia fell under Soviet Communist control in 1948, and all restitution efforts halted for the next 40 years. On January 1, 1993, Czechoslovakia split into two sovereign states, the Czech Republic and the Slovak Republic.

The country enacted laws partially facilitating the restitution of, or compensation for, certain immovable private and communal/religious property in the 1990s. However, several provisions in the relevant laws limited both the amount of property returned and the number of eligible and successful claimants. As a result, many survivors and their families have faced difficulties in recovering their property or receiving compensation. Since Slovakia endorsed the Terezin Declaration in 2009, no new laws have been passed relating to the restitution of private or communal/religious property.

Compared to other European countries, where auctions of valuable works of art confiscated from Jewish citizens were well documented, Slovakia has no such public records. Works of art owned by Slovak Jews were usually stolen by private individuals and Nazi sympathizers, rather than in a coordinated government confiscation effort. There is an absence of relevant archival documents.

In 1999, the Slovak government directed the Ministry of Culture to prepare a database of works of art taken from the territory of Slovakia during and after WWII, which was undertaken in cooperation with the Slovak National Gallery and the Slovak National Museum. In May 1999, the Ministry of Culture requested that all state institutions with art collections scrutinize the acquisition process of their collections and report any works of art that had previously belonged to Jewish citizens who were deported from the territory of present-day Slovakia during WWII. Except for one museum, the Lubovniansky Region Museum in Stara Lubovna, all of the organizations responded that they did not have any confiscated or looted art. The Stara Lubovna Museum returned to its rightful owner artwork it had identified as confiscated. Although the government repeated its request to state institutions in 2007 after a meeting of

³⁰⁵ Population estimate as of 2023, see: <https://www.worldometers.info/world-population/slovakia-population/>

³⁰⁶ Jewish population estimate, see: <https://www.jpr.org.uk/countries/how-many-jews-in-slovakia>

Slovak government representatives with local Jewish organizations and representatives of the Claims Conference-WJRO, no additional artwork was identified. Nevertheless, some looted art sold at auctions may have entered museum collections.

Artefacts appropriated from the Jewish families in Slovakia were recorded and evaluated by two art historians Alžbeta Güntherová-Mayerová and Vladimír Wagner. The transfer to the state collection included only 14 paintings and 433 coins, the rest ended up at auctions, the profit from which was claimed by the state. After the war, three more paintings came to the state collections. One of them depicting Lot and two angels was sold to the Slovak National Gallery by Alžbeta Güntherová-Mayerová. The painting of praying miners by Gyula Szent Istvány was sold to the National Gallery by its rightful owner Ing. Eugen Bárkány from Prešov, who managed to obtain it back after the war. Except for this case, the original owners of the artefacts have not been traced.³⁰⁷

In 2013, the “The Shadow of the Past” exhibition at the Jewish Community Museum showcased 14 works in the Slovak National Gallery that were suspected of being plundered Jewish property, including one by Rembrandt.³⁰⁸ The original owners are not known. Research was primarily carried out in 2009 and 2010 where the documents from the Archive of the Monuments Institute of the Slovak Republic are located. The exhibition catalogue is available both in Slovak and English and includes a list of aryanized works of art.³⁰⁹ No further provenance research has been carried out by the Jewish Community Museum since. It is not known if Slovakia’s cultural institutions continued with their provenance research.

Judaica and Jewish Cultural Property

As with confiscated and looted works of art, the restitution of stolen Judaica and Jewish cultural property in Slovakia has been complicated by a lack of archival documents. Representatives of Slovakia’s Jewish Community (UZZNO) have reported that most Judaica disappeared without a trace during WWII, stolen by private individuals. The Museum of Jewish Culture, which falls under the Slovak National Museum, currently holds the largest collection of Judaica in the country. Named for architect Eugen Barkany, a pioneer of Jewish heritage preservation in Slovakia, the collection includes more than 3,000 items dating from before and after WWII.

In 2007, Slovak government representatives and Jewish organizations discussed the creation of a website with information on the origin of the items in Slovak museums and galleries and an online database of Judaica in the country; they also discussed making archives related to Holocaust issues available for further historical research. The Ministry of Culture later launched an electronic version of the central register of the collections of museums and galleries in Slovakia, which was implemented by the Slovak National Museum and the Slovak National Gallery. As of August 2019, work continued on both the register of collection items and the database of Judaica.

The Slovak Jewish Cultural Heritage Center has carried out documentation activities and worked to create a database of Jewish buildings and monuments in Slovakia. The outcomes of the Synagoga Slovaca project, a database of photographs and other documents related to Jewish cultural heritage in Slovakia, are

³⁰⁷ <https://www.webumenia.sk/en/kolekcia/310> [accessed: October 29, 2023]

³⁰⁸ https://kundelltravelnews.files.wordpress.com/2013/07/press_release-the-shadow-of-the-past_exhibition_bratislava.pdf [accessed: October 29, 2023]

³⁰⁹ <https://www.webumenia.sk/en/kolekcia/310> [accessed: October 29, 2023]

accessible and continuously updated online. Currently the database provides information on four collections: Jewish Museum Presov, Synagogues, Cemeteries and Jewish Museum Bratislava.³¹⁰

On occasion Pinkasim of Slovak origin are auctioned off. In 2021, an auction involving Hungarian, Romanian, Slovakian and Ukrainian Jewish manuscripts was stopped with the involvement of the Department of Homeland Security, and in 2023 an auction of a pinkas from Vasilov, Slovakia, was similarly stopped.³¹¹

³¹⁰ <https://database.slovak-jewish-heritage.org/collections/browse> [accessed: October 29, 2023]

³¹¹ Email exchange with Tibori Szabo Zoltan on November 17, 2023.

SLOVENIA

Statistical Overview	
Population	2,119,675 ³¹²
Jewish Population	100 ³¹³
Jews as Percentage of Population	0.005%
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	Yes
IHRA (International Holocaust Remembrance Alliance)	Yes
ICOM (International Council of Museums)	Yes

After the war, the Federal People’s Republic of Yugoslavia (of which the People’s Republic of Slovenia was a constituent republic) nationalized much of the Jewish property seized by the Nazis.

Although Slovenia has a framework for private property restitution, most Holocaust-era property claims in the country are categorized as heirless property for which there is no provision in the law for restitution or compensation. Private property restitution provisions included in the Denationalization Act of 1991 required claimants to have had Yugoslav citizenship at the time their property was confiscated, and with some exceptions, it generally excluded property confiscated before 1945. As a result, Slovenian Jewish Holocaust survivors and descendants of those who perished were largely unable to benefit from the law’s property restitution procedures.

Slovenia’s federal collecting center was established in September 1945 in the Sugar Refinery building in Ljubljana. However, earnest inventorying only began as of April 1947. Initial research revealed that between 1945 and 1947, there were many thefts, in addition to loans made to major figures. Slovenia’s head of the Committee for Evaluating War Damage to Cultural Monuments, who then became head of the Federal Collecting Center, was later imprisoned for theft. The collecting center distributed some 30,000 artworks and 50,000 books. Museums in Slovenia are not permitted to carry out restitutions, consequently a legal change permitting deaccessioning is needed.

Provenance research was carried out with Slovenia’s participation in the EU-sponsored project “TransCultAA - Transfer of Cultural Objects in the Alpe Adria Region in the 20th Century.” Despite previous assertions from Slovenia’s government that there are no artworks in state-owned/public collections that had been seized previously by the Nazi occupying authorities, this is not the case. In fact, Nazi looted art from 1941 to 1945 remained in Slovenia’s museums after the war with some seizures even continuing in 1945, as one totalitarian regime replaced another.³¹⁴ Despite major difficulties, the research project was completed in 2022 with the publication of the book *Transfer of Cultural Objects in the Alpe Adria Region in the 20th Century* (<https://www.vr-elibrary.de/doi/book/10.7788/9783412518899>), as well as with the publication of an online book on archival sources *Contested Space - Contested Heritage: Sources on the*

³¹² Population estimate as of 2023, see: <https://www.worldometers.info/world-population/slovenia-population/>

³¹³ Jewish population estimate, see: <https://www.jpr.org.uk/countries/how-many-jews-in-slovenia>

³¹⁴ “Addendum. Provenance Research in Slovenia: An Interview with Barbara Murovec.” *Network of European Restitution Committees on Nazi Looted Art Newsletter* 7 (September 2020) [https://provenienzforschung.gv.at/wp-content/uploads/Newsletter_Network_Nr-7_2020-09.pdf; accessed: February 1, 2024]

Research into Nazi looted art in Slovenia tends to be problematic because of the country's subsequent communist regime that confiscated and nationalized and, in some instances, even committed crimes to obtain artworks (i.e. the murder of Ferdinand Attems, owner of one of the most important baroque collections in Bistrica Castle in Slovenska Bistrica).

The collections seized by the Germans in Slovenia generally remained in the museums, and staff often continued in public institutions, such as Franz Basch/Franjo Baš, the then director of the municipal museum in Maribor. Franz Basch participated first in the Nazi seizures and then, after the war, obtained/collected artworks seized and nationalized by the communist government.³¹⁵

Cultural institutions in Slovenia are generally not conducting provenance research, nor have there been any restitutions.

Judaica and Jewish Cultural Property

Between September 1, 2018, and August 31, 2020, the Slovenian-Israeli bilateral project "Digitization of the Jewish Heritage in Slovenia" was carried out. The project aimed to document and to digitize preserved Jewish material and associated immaterial heritage in Slovenia and its inclusion in the Bezalel Narkiss Index of Jewish Art, the largest online depository of Jewish art and visual culture in the world, accessible to anyone.

The documentation and digitization included Jewish synagogues, cemetery chapels, medieval Jewish quarters, historical and modern buildings, important Jewish settlements, relevant facilities connected to economic activity, Jewish tombstones and fragments of tombstones in museums, existing Jewish cemeteries and military cemeteries, Holocaust memorials, ritual and cultural items kept in museums, in the Jewish community and in private collections, Hebrew manuscripts and Hebrew books in archives and libraries, as well as archival material testifying to Slovenia's Jewish heritage (old photographs, documents). The project is the first systematic study of Jewish heritage in the region, based on archival and other research of material heritage, as well as artistic and historical objects and collections, and places it in the context of Central European and global Jewish heritage.³¹⁶

³¹⁵ "Addendum. Provenance Research in Slovenia: An Interview with Barbara Murovec." *Network of European Restitution Committees on Nazi Looted Art Newsletter* 7 (September 2020) [https://provenienzforschung.gv.at/wp-content/uploads/Newsletter_Network_Nr-7_2020-09.pdf; accessed: October 30, 2023]

³¹⁶ <https://uifs.zrc-sazu.si/en/programi-in-projekti/digitization-jewish-heritage-slovenia> [accessed: October 16, 2023]

SPAIN

Statistical Overview	
Population	47,519,628 ³¹⁷
Jewish Population	12,900 ³¹⁸
Jews as Percentage of Population	0.03%
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	Yes
IHRA (International Holocaust Remembrance Alliance)	Yes
ICOM (International Council of Museums)	Yes

The government formed a Commission on Holocaust-era Assets in 1997 to investigate Spain's economic relations with the Third Reich during WWII. In 1999, the Commission's work expanded to include an investigation regarding works of art bought or sold in Spain during the Holocaust. The Commission concluded that, in terms of economic cooperation and movable property, Spain's role was very limited. An estimated one percent of all the art dealers operating in Europe conducted business in Spain during World War II. Some Jewish groups and researchers criticized the Commission's findings; specifically, they pointed out that the Commission did not conduct an investigation regarding the movement of looted works through Spain or sufficiently research existing art collections in Spain to ascertain whether they included works of art looted by Nazi Germany.

A recently published book entitled *Cashing Out. The Flight of Nazi Treasure, 1945-1948*, asserts that Franco's regime remained indifferent to looted art, gold, or jewelry reaching Spain. Much of the art sales at the time took place in international hotels.³¹⁹

Camille Pissarro Restitution Claim

The painting "Rue Saint-Honoré" by Camille Pissarro, was originally owned by Lilly Cassirer Neubauer. In 1939, she was forced to sell the painting to a Nazi appraiser so that she and her husband could obtain exit visas and flee Germany. Spain's Thyssen Museum acquired the painting in 1993 through a private purchase. The museum stance is that the painting had been acquired transparently and legally and that the family's restitution claim had been addressed with the German government in 1958. In an April 2019 decision, the appellate court in California ruled in favor of the Thyssen Museum on the basis that the painting's ownership was bound by Spanish law, which allows buyers to retain works purchased if they did not possess "actual knowledge" the works had been stolen. In April 2022, however, the US Supreme Court³²⁰ vacated Spain's lower court victory in a dispute over the painting. In its decision, the court ruled that the sale was an unlawful forced sale, but it did not decide who the owner of the work is.³²¹ Most recently, on January 9, 2024, the Ninth Circuit Court of Appeals in California addressed the issue of procedural law and concluded that the Thyssen-Bornemisza Collection Foundation is the owner of

³¹⁷ Population estimate as of 2023, see: <https://www.worldometers.info/world-population/spain-population/>

³¹⁸ Jewish population estimate, see: <https://www.jpr.org.uk/countries/how-many-jews-in-spain>

³¹⁹ Neill Lochery, *Cashing Out. The Flight of Nazi Treasure, 1945-1948*, New York: Public Affairs, 2023.

³²⁰ https://www.supremecourt.gov/opinions/21pdf/20-1566_15gm.pdf [accessed: October 17, 2023]

³²¹ <https://www.theartnewspaper.com/2022/04/22/us-supreme-court-decision-cassirer-camille-pissarro-nazi-loot-museo-nacional-thyssen-bornemisza> [accessed: October 17, 2023]

the painting.³²² The Jewish community of Spain has since protested against the way Spain has not dealt with the matter.

Spain has restituted paintings that were confiscated by the Franco regime. The Museo del Prado in Spain is home to over 3,700 pieces of art that were confiscated and deposited in Spanish museums after the Civil War.³²³ In addition, in 2023, Spain restituted two looted paintings to Poland. The works, titled “Mater Dolorosa (Mother of Sorrows)” and “Ecce Homo”, were painted by the students of Flemish painter Dieric Bouts, who was born in 1410.³²⁴ But there has not been restitution of Nazi-looted art.

³²² <https://www.theartnewspaper.com/2024/01/12/nazi-looted-pissarro-painting-spain> [accessed: February 1, 2024]

³²³ <https://www.alaskacommons.com/expert-over-3700-confiscated-works-from-franco-regime-in-spanish-museums/110543/> [accessed: February 7, 2024]

³²⁴ <https://www.artnews.com/art-news/news/spanish-museum-returns-nazi-looted-paintings-to-poland-1234655285/> [accessed: October 17, 2023]

SWEDEN

Statistical Overview	
Population	10,612,086 ³²⁵
Jewish Population	14,900 ³²⁶
Jews as Percentage of Population	0.14%
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	Yes
IHRA (International Holocaust Remembrance Alliance)	Yes
ICOM (International Council of Museums)	Yes

A recently published book on the Nazi art trade asserts that Sweden, to some extent, conducted art business with the Third Reich, albeit not as “briskly” as other countries, in particular Portugal. By 1944, some of Sweden’s auction houses conducted business with looted cultural property, and it is known that an exhibition took place in 1945 in Stockholm that included looted artworks.³²⁷

Sweden has no legislation that specifically addresses heirless movable property belonging to victims of the Holocaust. As a result, such property is treated as any other heirless property and transferred to the State Inheritance Fund, which liquidates the estate. The State Inheritance Fund grants funding each year to civil society organizations, with a particular focus on people with disabilities. The law regulating the fund does not earmark grants for assistance to needy Holocaust survivors, but the fund has provided grants to at least one Holocaust education project.

The Final Report on Sweden and Jewish Assets, published by the Commission on Jewish Assets in Sweden at the Time of the Second World War as the “Slutrapport Sverige och judarnas tillgångar” on March 3, 1999, was subsequently updated on April 2, 2015, and is online accessible.³²⁸ The inquiry found that “dealings in looted art in Sweden during WWII were relatively modest, viewed in an international perspective.” Although there were reports of looted art and jewelry entering Sweden during that time, including reports from the U.S. embassy in Stockholm, the inquiry could neither prove nor disprove the veracity of such reports.

In September 2018, Swedish museums called for a panel to advise on Nazi-looted claims. Consequently, the Swedish National Heritage Board (*Riksantikvarieämbetet*) was tasked with drawing up guidelines for the identification, repatriation, and restitution of cultural property in museums and to take particular ethical considerations into account.³²⁹ As of January 2024, this has not happened. The initiative for an independent panel came from Daniel Birnbaum, the director of the Moderna Museet in Stockholm, which

³²⁵ Population estimate as of 2023, see: <https://www.worldometers.info/world-population/sweden-population/>

³²⁶ Jewish population estimate, see: <https://www.jpr.org.uk/countries/how-many-jews-in-sweden>

³²⁷ Neill Lochery, *Cashing Out. The Flight of Nazi Treasure, 1945-1948*, New York: Public Affairs, 2023, pp 116.

³²⁸ https://lootedart.com/web_images/pdf2020/slutrapport-sverige-och-judarnas-tillgangar.pdf [accessed: October 17, 2023]

³²⁹ Radegundis Lanser Eriksson, “KUNSTRAUB UND RESTITUTION Erinnerung – Enteignung – Entschädigung,” Dissertation Eingereicht an der Leopold-Franzens-Universität Innsbruck, Philosophisch-Historische Fakultät zur Erlangung des akademischen Grades Doktorin der Philosophie, Innsbruck, December 2020, p. 140; online available at: <https://ulb-dok.uibk.ac.at/ulbtirolhs/download/pdf/5636554?originalFilename=true> [accessed December 31, 2023] p. 140.

was already involved with a Nazi looted claim for an Oskar Kokoschka painting, claimed by the heirs of Alfred Flechtheim, and from Olle Granath, a former director of both the Moderna Museet and the Nationalmuseum.³³⁰ Aside from the Kokoschka painting, the Moderna Museet was confronted with another claim involving the Emil Nolde painting “Blumengarten.” Both paintings were ultimately restituted.³³¹ Since then, the Moderna Museet has not faced another restitution claim, yet it has been conducting provenance research on additional questionable objects.³³² There is no provenance information available on the museum’s website.

In June 2019, the government initiated an assessment of Swedish compliance with the objectives of the Terezin Declaration in response to concerns among Swedish state museums over their ability to repatriate art acquired under questionable circumstances (more expansive than only Nazi-confiscated artifacts). The government was supposed to report its findings in October 2020, as well as host a government-level event focusing on Holocaust remembrance and combating antisemitism. Due to the outbreak of the worldwide covid epidemic this did not take place.

Since release of the Just Act report, research revealed in 2020 that Sweden maintained a close relationship with Nazi Germany regarding the transfer of possible looted cultural property into the country. The archive of the *Flyktkapitalbyrå*, for example, holds “blacklists” indicating persons, companies, parties and institutions that maintained close contact with Nazi Germany and through that possibly smuggled looted cultural property into the country. The archive includes for example the Eric von Rosen archive, whose family was in close contact with Hermann Göring himself, as well as the archive of the German legation in Stockholm, in addition to other organizations and companies that conducted business with Germany at the time. The companies were suspected of having either directly taken over or passed on money, securities, and valuable art objects. Further research revealed that suspicion is warranted of the dealings of the Swedish art, jewelry, and antique dealers that could have brought looted property bona fide (“acquisition in good faith”) into the country, and that looted goods might have been smuggled into Sweden in exchange for very good money.³³³

In 2021, the Institute for Holocaust Research in Sweden was founded, and in June 2022, the Swedish Holocaust Museum was inaugurated.

³³⁰ <https://www.theartnewspaper.com/2018/09/25/swedish-museums-call-for-panel-to-advise-on-nazi-loot-claims>
[accessed: October 17, 2023]

³³¹ Eriksson, p. 7.

³³² Ibid, p. 135.

³³³ Ibid, pp. 139-140.

SWITZERLAND

Statistical Overview	
Population	8,796,669 ³³⁴
Jewish Population	18,800 ³³⁵
Jews as Percentage of Population	0.2%
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	Yes
IHRA (International Holocaust Remembrance Alliance)	Yes
ICOM (International Council of Museums)	Yes

Following the adoption of the Washington Principles, on January 26, 1999, the Swiss government established the Contact Bureau for Looted Art.³³⁶

Three years earlier, in December 1996, the Swiss Federal Assembly created the “Independent Commission of Experts Switzerland-Second World War” (ICE), which was headed by Jean-Francoise Bergier. In 2001, the ICE published its report on looted cultural assets, with an emphasis on works of art in Switzerland focusing primarily on the country’s role as an art dealing center and conduit for cultural assets during World War II.

In January 2011, the FDHA (Federal Department of Home Affairs) and the FDFA (Federal Department of Foreign Affairs), released a report on the state of work on Nazi-looted art, in particular on the subject of provenance research. This was followed by the launch of a new website devoted to provenance research in June 2013.

In October 2016, the Swiss Federal Office of Culture released a report entitled “FDHA/FDFA Report on the status of work of the Swiss Confederation in the field of Nazi-looted art in the period from 2011 to 2016” which outlined provenance research conducted by the Federation between 2011 until 2016. A subsequent report was released that covered the time period between 2017 and 2021.³³⁷

At the beginning of October 2020, the Claims Conference-WJRO raised with the Federal Department of Foreign Affairs and the Contact Bureau on Looted Art of the Federal Office of Culture of Switzerland – and through them with the State Secretariat for International Finance – concern that under the Swiss Escheat Law enacted in 2015, as of the end of 2020 banks are able to give over works of art and other valuables that are in their safety deposit vaults to the heirs of account-holders and to sell or otherwise dispose of items that are unclaimed, with the proceeds going to the Federal government. The Swiss Banks Settlement did not go into the question of looted artworks, and it is likely that works that had been looted from Jews and were deposited by Nazis or by persons collaborating with them, as well as by Jews who then perished, are in the relevant safety deposit boxes.

³³⁴ Population estimate as of 2023, see: <https://www.worldometers.info/world-population/switzerland-population/>

³³⁵ Jewish population estimate, see: <https://www.jpr.org.uk/countries/how-many-jews-in-switzerland>

³³⁶ <https://www.bak.admin.ch/bak/en/home/cultural-heritage/looted-art-from-the-nazi-period/contact-bureau-on-looted-art.html> [accessed: October 19, 2023]

³³⁷ Ibid.

As a result of the Claims Conference-WJRO inquiry in 2020, the Swiss Federal Office and the Legal Service of the General Secretariat of the Federal Department of Finance have been exchanging information on a regular basis within the framework of a working group on the subject of dormant assets (in the form of works of art) in Swiss banks. The aim of this exchange is to coordinate the Confederation's work in this area. In the future, the Swiss Bankers Association will also be involved.³³⁸

In February 2022, the Commission for Science, Education and Culture of the Swiss National Council convened a consultation on provenance research in Switzerland which included members of Switzerland's working group on provenance research. In autumn 2022, the Swiss Parliament adopted two motions: one calling for the establishment of an independent commission for cultural property seized as a result of Nazi persecution, and the other for the creation of a digital platform for provenance research on cultural property in Switzerland.³³⁹

On November 22, 2023, the Federal Council decided to create an independent expert commission for contaminated cultural heritage by adopting the decree entitled *Verordnung über die unabhängige Kommission für historisch belastetes Kulturerbe* (Decree on the Independent Commission for Historically Burdened Cultural Heritage). The Commission will deal with cases of both Nazi-looted art and colonial art and will come into force on January 1, 2024.³⁴⁰

Provenance Research

In 2022, a new large-scale research project at the Swiss Institute for Art Research (SIK-ISEA) in Zurich was initiated focusing on Switzerland's role in the art trade.³⁴¹ The research project is divided into three sub-sections and is planning on publishing its findings in 2026 by using Open Access. In addition a monograph is planned on the broad history of the art trade in Switzerland, a database of players in the Swiss art trade, and three doctoral dissertations.

The *Stiftung für Kunst, Kultur und Geschichte* (SKKG)– Foundation for Art, Culture and History – which was founded in 1980 in Winterthur is responsible for the collection Bruno Stefanini (1924–2018), a Swiss estate owner and collector of art and cultural artefacts. In an initial phase (July 2022 – end of 2023), the SKKG³⁴² is planning on researching up to a maximum of 700 paintings, out of a collection of more than 100,000 objects.³⁴³ The main phase of the research project will start in January 2024 and is expected to last 5-6 years with the aim to research many more paintings. The collection further includes sculptures, drawings and a very few Jewish cultural and ritual objects.³⁴⁴ Following the research results, an independent commission³⁴⁵ of the SKKG, presided over by Andrea Raschèr, will assess how to deal with the results of

³³⁸ Bericht des Eidgenössischen Departements des Innern (EDI) zu Handen des Bundesrats Die Arbeiten des Bundes im Bereich der NS-Raubkunst im Zeitraum von 2017–2021. June 10, 2022, p. 16.

³³⁹ https://provenienzforschung.gv.at/wp-content/uploads/Network_Newsletter_Nr-15_2023-01-24.pdf, p. 39 [accessed: October 19, 2023]

³⁴⁰ <https://www.admin.ch/gov/de/start/dokumentation/medienmitteilungen.msg-id-98818.html> [accessed: February 7, 2024]

³⁴¹ <https://www.sik-isea.ch/en-us/Research-publications/Research/Research-projects/detail/projekt/7327> [accessed: October 19, 2023]

³⁴² <https://www.skkg.ch/stories/provenance> [accessed: October 19, 2023]

³⁴³ Catherine Hickley, "Is Nazi Loot Amid His 6,000 Oils, Some Grenade and Napolepn's Toothbrush?" *The New York Times* (February 7, 2023). [<https://www.nytimes.com/2023/02/07/arts/bruno-stefanini-collection-looted-art.html>; accessed: November 2, 2023]

³⁴⁴ Information provided by Severin Rüegg, Head of Collection, November 2, 2023.

³⁴⁵ <https://www.skkg.ch/stories/provenance#independentcommission> [accessed: October 19, 2023]

the provenance research. The Independent Commission's work is subject to the SKKG's principles for dealing with cultural objects lost due to Nazi persecution, as well as its procedural rules and is composed of five to seven people per term, with the option of a one-time re-election for another three years. All decisions by the independent commission will be published. SKKG is expecting to publish its first decisions by late summer 2024. In an initial assessment published on December 6, 2023, SKGG announced that 414 works have been initially reviewed, of which work is ongoing for 2019 objects; in 14 cases, an in-depth research will be initiated following the initial check; in 44 cases there are no indications of a problematic provenance; and in 160 cases, the provenance remains unclear, as the data situation does not allow a decision on the part of the Independent Commission SKKG.³⁴⁶

In November 2023, the museum Langmatt in Baden announced that it was selling three paintings by Cezanne to raise money for its museum. Among the paintings is the work entitled "Fruits et pot de gingembre" (1890-93). The painting was once partially owned by a Jewish art dealership, and the sale is consequently also in part due to the fact that the museum needs to pay compensation to the family.³⁴⁷

Gurlitt Collection

After half a year of deliberation, on November 24, 2014, the *Kunstmuseum Bern* declared that it accepts the Cornelius Gurlitt inheritance. Consequently, an agreement was signed between the Federal Republic of Germany, the Free State of Bavaria, and the *Stiftung Kunstmuseum Bern*. The *Kunstmuseum Bern* established a provenance research department, headed by Dr. Nikola Doll. In December 2021, the Art Museum Bern published the "Gurlitt Estate Database." The database provides information on 1,663 artworks falling into the following categories: books (4), objects (22), sculptures (37), crafts (67), paintings (134), drawings (611) and prints (788). The art objects are also searchable by provenance category: green (155), red (9), yellow-green (1,442), yellow-red (29) and post 1945 (26).

Bührle Collection

In November 2021, former members and staff of the Independent Commission of Experts: Switzerland – Second World War (ICE), the so-called "Bergier Commission", called for a just and fair solution in dealing with the artworks of the Bührle Collection Foundation by following the principles outlined in the Washington Conference Principles of 1998 as well as in the Terezín Declaration of 2009. This call for more research was in response to the publication of the research report "Kriegsgeschäfte, Kapital und Kunsthaus. Die Sammlung Emil Bührle im historischen Kontext" and the exhibition as well as presentation of the Emil Bührle collection at the Kunsthaus Zürich.

In August 2022, the City and Canton of Zurich and the *Zürcher Kunstgesellschaft* set up a Round Table to define the content of the mandate for an independent evaluation of the provenance research conducted to date into the Emil Bührle Collection, and to propose to the City and Canton of Zurich and the *Zürcher Kunstgesellschaft* an expert or team of experts to carry out that evaluation. As of January 2023, an interim report and recommendation of the Round Table is available. A final report is expected to be available in spring 2024.

³⁴⁶ https://cms.skkg.ch/uploads/231206_MM-Abschluss-Initiierungsphase-Provenienzforschung-SKKG_DEF.pdf [accessed December 8, 2023]

³⁴⁷ Catherine Hickley, "Amid Criticism, a Museum Says It Must Sell Its Cezannes to Survive," *New York Times* (November 8, 2023). [accessed: November 29, 2023]

Kunstmuseum Basel

For years, the *Kunstmuseum Basel* rejected any negotiations with the heirs of Curt Glaser, the Jewish former director of the state art library in Berlin. In 2020, however, the *Kunstmuseum Basel* reached an agreement about works from Glaser's collection bought by the museum in 1933. Part of the agreement involved an exhibition on the history of the collection and the collector Curt Glaser at the *Kunstmuseum Basel*, which lasted from October 2022 to February 2023.³⁴⁸

Schweizerischer Arbeitskreis Provenienzforschung³⁴⁹

In October 2020, the Swiss Provenance Research Working Group was founded. On its website, the working group offers useful tools for provenance research on Nazi looted art as well as colonial collections and provides a survey of Swiss archives with relevant holdings.

Judaica and Jewish Cultural Property

Switzerland received 7,843 books from Jewish Cultural Reconstruction (JCR), including part of the Breslau collection that had been stored in the U.S. Army's collection point in Wiesbaden, Germany, and which was deposited into the Geneva, Zurich, and Basel libraries. Switzerland's Independent Commission of Experts was not specifically tasked with researching Judaica that might have entered the country during the war; however, information regarding Judaica also did not surface in the course of the Commission's work. Various museums in Switzerland hold isolated Judaica pieces in their collections.

³⁴⁸ <https://www.lexology.com/library/detail.aspx?g=2e7af35a-be46-49cf-b2b2-2dd94d6a32c2> [accessed: February 7, 2024]

³⁴⁹ <https://provenienzforschung.ch> [accessed: October 19, 2023]

TÜRKIYE

Statistical Overview	
Population	85,816,199 ³⁵⁰
Jewish Population	14,300 ³⁵¹
Jews as Percentage of Population	0.016%
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	No
IHRA (International Holocaust Remembrance Alliance)	No
ICOM (International Council of Museums)	Yes

Türkiye has legal mechanisms to address Holocaust-era property returns, although with no known current cases, these mechanisms remain untested.

Turkish Holocaust scholars and sources within the local Jewish community are unaware of any claims related to Nazi-looted art or other movable property in Türkiye. While admitting the possibility that private individuals may hold such property and recognizing that Nazi-confiscated and looted art is a global problem, these sources were neither aware of the presence of such pieces in the country nor of their transit through it.

The *Staatliche Museen zu Berlin – Stiftung Preußischer Kulturbesitz* (SMB – SPK) and Koç University’s Research Center for Anatolian Civilizations (ANAMED) initiated a joint fellowship provenance research program with emphasis on the circumstances of the excavation of archaeological objects from Sam’al, Didyma, and Samarra in the Ottoman Empire and their export to Berlin during the late 19th/early 20th century.³⁵²

Judaica and Jewish Cultural Property

According to the members of the local Jewish community, there are no known Judaica or Jewish cultural property items in Türkiye looted from Europe during the Holocaust era. The community emphasized that any potential claims could be pursued with the government – specifically, with the Ministry of Culture as the first point of contact – in the event an item was brought to their attention. Representatives from the Jewish Museum of Türkiye emphasized they can account for all items in their collection and trace items’ origins to communities in Türkiye or reputable partners.

³⁵⁰ Population estimate as of 2023, see: <https://www.worldometers.info/world-population/turkey-population/>

³⁵¹ Jewish population estimate, see: <https://www.jpr.org.uk/countries/how-many-jews-in-turkey>

³⁵² <https://www.artmarketstudies.org/job-2-joint-fellowships-provenance-research-sm-berlin-koc-universitys-research-center-for-anatolian-civilizations-istanbul/> [accessed: October 18, 2023]

UKRAINE

Statistical Overview	
Population	36,744,634 ³⁵³
Jewish Population	45,000 ³⁵⁴
Jews as Percentage of Population	0.1%
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	Yes
IHRA (International Holocaust Remembrance Alliance)	No
ICOM (International Council of Museums)	Yes

Ukrainian law does not regulate the restitution of Nazi-confiscated and looted art to private individuals, and the government has not indicated whether it plans to introduce such legislation.

The State Archives in Ukraine hold the largest collection of ERR documents in the world. The Claims Conference arranged for these 140,000 pages, held by Ukraine since 1945 (in secret before 1990), to be digitized and adapted for the Internet in 2010, with cooperation from the *Bundesarchiv*, the German Federal Archives. Many documents describe individual items, while others list the number of crates from specific museums or libraries, detailing their origin, date of plunder and where they were stored or relocated by the Nazis.

The online access to the ERR documents was interrupted for a while; however, it is now back online after having to shift from Russian software and servers and despite the current war, with improved finding-aids under development. The available fonds (fonds 3674, 3676 and 3206³⁵⁵) not only document the ERR's plunder in Ukraine itself but hold valuable information on other countries, including Belgium and the looting of the Julius Gess collection from Estonia. The website is being mirrored in the West, and the Claims Conference holds hard disks of the information.

In 2015, Ukraine launched the internet project “Forgotten Heritage” devoted to cultural property that was taken out of the country. The project provides online access to three catalogs: art, archeological and ethnographic collection as well as libraries and archives.³⁵⁶

Judaica and Jewish Cultural Property

The majority of Torah scrolls confiscated by the Soviet regime are now owned by the Ukrainian government and remain with the country's National Archives. Jewish community leaders estimate the Ukrainian government is in possession of about 1,000 scrolls and their fragments.

³⁵³ Population estimate as of 2023, see: <https://www.worldometers.info/world-population/ukraine-population/>

³⁵⁴ Jewish population estimate as of 2023, see: <https://www.worldjewishcongress.org/en/about/communities/UA>

³⁵⁵ <https://err.tsdavo.gov.ua/> [accessed: October 23, 2023]

³⁵⁶ <http://lostart.org.ua/en/catalog.htm> [accessed: October 23, 2023]

In 2007, the President of Ukraine issued a decree to transfer the scrolls to the Jewish community; however, the Law on the National Archival Fund and Archives allows their transfer to congregations only for temporary use. In 2009, the National Archives returned 357 fragments of Torah scrolls that were beyond repair to the Jewish community for burial according to Jewish tradition. The UCSJ suggested that the National Archives should keep the remaining unsalvageable fragments of the historic scrolls available for proper academic research before returning them to the Jewish community for burial. In 2010, the Kyiv municipal government permitted the city's Jewish community to retain 18 Torah scrolls it had received for temporary use from the Central State Historical Archive. In 2013, the Kyiv Economic Appellate Court rejected a petition by the Archive to revoke the municipal government's decision.

On occasion pinkasim with Ukrainian origin are auctioned off. In 2021, an auction in the United States involving Hungarian, Romanian, Slovakian and Ukrainian Jewish manuscripts was stopped with the involvement of the Department of Homeland Security.³⁵⁷

In 2015, the Claims Conference-WJRO sponsored the publication of the catalog and album *Art in the Flames of War: Western European Paintings in the Collection of the Simferopol Art Museum* by S.I. Kot of the National Academy of Sciences of Ukraine and L.V. Kudriashiva of the Simferopol Art Museum.³⁵⁸ This catalog and album is the only list of holdings of a museum in the former Soviet Union coming from the Soviet Trophy Brigades. The Simferopol Museum is located in Crimea, and the publication occurred just before the annexation of Crimea by Russia in 2014, after which L.V. Kudriasheva was fired from her post as director of the Simferopol Art Museum. (The objects subsequently looted by Russia from the Kherson Art Museum in Ukraine were brought to the Simferopol Art Museum in occupied Crimea.)³⁵⁹ A growing body of evidence suggests Russian forces are systematically stealing art and cultural artifacts from Ukraine on a scale not seen in Europe since the Nazi plunder of World War II, according to researchers and experts documenting the damage.³⁶⁰ Ironically, Russian forces looted the Kherson Art Museum in Ukraine and brought the artworks to the Simferopol Art Museum in occupied Crimea.³⁶¹

³⁵⁷ Email exchange with Tibori Szabo Zoltan on November 17, 2023.

³⁵⁸ S.I. Kot, Institute of History of Ukraine, National Academy of Sciences of Ukraine, and L.V. Kudriasheva, Research Center for Problems of Return and Restitution of Cultural Values, Simferopol Art Museum, *Art in the Flames of War: Western European Paintings in the Collection of the Simferopol Art Museum: Catalogue and Album*. Simferopol-Kiev: Zheribor Publishers, 2015 (in Russian, English, and German).

³⁵⁹ <https://www.nytimes.com/2023/01/14/world/asia/ukraine-art-russia-steal.html> [accessed: 1 February 2024]

³⁶⁰ <https://www.nbcnews.com/news/world/russia-stealing-art-ukraine-nazi-level-world-war-2-rcna77879> [accessed: October 24, 2023]

³⁶¹ <https://www.nytimes.com/2023/01/14/world/asia/ukraine-art-russia-steal.html> [accessed 1 February 2024]

UNITED KINGDOM

Statistical Overview	
Population	67,736,802 ³⁶²
Jewish Population	292,000 ³⁶³
Jews as Percentage of Population	0.4%
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	Yes
IHRA (International Holocaust Remembrance Alliance)	Yes
ICOM (International Council of Museums)	Yes

In 1997 Lord Janner of the Holocaust Education Trust stipulated how British museums should carry out provenance research. In the following year, in June 1998 the National Museum Director's Conference (NMDC) chaired by Nicholas Serota established a working group to examine issues surrounding the spoliation of art during the Holocaust and World War II period.

In 2000, the government established the Spoliation Advisory Panel to consider claims from owners or their heirs to items held by British national institutions. The panel's proceedings are an alternative to litigation. On 12 April 2010 the Panel was dissolved and reconstituted as a group of expert advisers which continues under the name 'Spoliation Advisory Panel'. The Panel remains the advisory body designated by the Secretary of State under Section 3 of the Holocaust Act.

Between 2014 and 2015, the government reviewed and assessed the Panel and issued recommendations.

Under its Terms of Reference, the Panel can consider claims from anyone, or their heirs, who lost possession of a cultural object during the Nazi era, where such an object is now in the possession of a UK public collection. It may also advise on claims for privately-owned items but only where this is jointly requested by the claimant and the owner. To date, the Panel has advised on 8 claims for items in national museums and 12 in non-nationals. No claims for privately-owned items have been received. The Panel's advice, which is published and presented to the UK Parliament, is not binding on the parties, although its advice has always been adopted by the institution thus far.³⁶⁴

Currently, the Spoliation Panel is considering claims for three paintings in the collection of the Samuel Courtauld Trust.³⁶⁵

³⁶² Population estimate as of 2023, see: <https://www.worldometers.info/world-population/uk-population/>

³⁶³ Jewish population estimate, see: <https://www.jpr.org.uk/countries/how-many-jews-in-united-kingdom>

³⁶⁴ Florian Schönfuß, "Interview with The Right Honourable Sir Donnell Deeny and The Right Honourable Sir Alan Moses, Chairmen of the Spoliation Advisory Panel," *transfer – Zeitschrift für Provenienzforschung und Sammlungsgeschichte / Journal for Provenance Research and the History of Collection*, 2 (2023): 10-13.

³⁶⁵ <https://www.gov.uk/government/groups/spoliation-advisory-panel#current-claims> [accessed: October 23, 2023]

In 2001, the Commission for Looted Art in Europe (CLAE) with its Central Registry of Looted Cultural Property 1933-1945 (www.lootedart.com) was founded as an independent charitable body under the auspices of the Oxford Centre for Hebrew and Jewish Studies.³⁶⁶

In 2009, the Holocaust (Return of Cultural Objects) Act was signed into law to allow 17 national institutions to return items that were lost, stolen, looted, or seized from 1933 to 1945 to the rightful owners or their heirs. Prior to this, national institutions were under a binding statutory obligation not to deaccession such items. The Act extended to England, Wales, and Scotland, but not to Northern Ireland. There are no national institutions in Wales to which the act applies, and there are no national institutions in Northern Ireland. In July 2019, the Holocaust Act was amended to extend the act indefinitely.

Between 2019 and 2021, the V&A South Kensington ran an exhibition entitled “Concealed Histories: Uncovering the Story of Nazi Looting,” the first exhibition in a UK museum to focus on uncovered stories of Jewish collectors and their families whose collections were looted.³⁶⁷

Although many curators and registrars are actively researching Nazi-era provenances, there is currently only one full-time post at a national museum. In addition to this post at the Victoria & Albert Museum, there is a part-time post at the Burrell Collection in Scotland.³⁶⁸

In August 2022, the Arts Council England, with assistance from the Institute of Art & Law, released new restitution and repatriation guidelines: “Restitution and Repatriation: A Practical Guide for Museums in England”. The new recommendations are replacing the old guidelines from 2000 which were then issued by the Museums and Galleries Commission (“Restitution and Repatriation: Guidelines for good practice”).

Judaica and Jewish Cultural Property

The United Kingdom received 20 percent of the heirless items distributed by Jewish Cultural Reconstruction after WWII. Items were provided to institutions such as the Jewish Museum in London. The National Museum Directors Conference’s “searchable list of objects with incomplete provenance for the period 1933 to 1945” also lists museums with Judaica holdings. The British Library holds up to 12,000 books seized from German libraries and institutions between June 1944 and 1947 that may include looted Judaica. Libraries at major universities, such as the Cambridge University Library, the Trinity College and Girton College libraries, and the Bodleian Law Library at Oxford University hold large Judaica collections.

³⁶⁶ <https://www.lootedartcommission.com/> [accessed: February 1, 2024]

³⁶⁷ <https://www.vam.ac.uk/exhibitions/concealed-histories-uncovering-the-story-of-nazi-looting> [accessed: October 23, 2023]

³⁶⁸ Florian Schönfuß, “Interview with The Right Honourable Sir Donnell Deeny and The Right Honourable Sir Alan Moses, Chairmen of the Spoliation Advisory Panel,” *transfer – Zeitschrift für Provenienzforschung und Sammlungsgeschichte / Journal for Provenance Research and the History of Collection*, 2 (2023): 10-13.

In June 2023, the Jewish Museum London was forced to close due to a lack of revenue.³⁶⁹

³⁶⁹ <https://www.museumsassociation.org/museums-journal/news/2023/06/jewish-museum-london-to-close-camden-site/#> [accessed: October 23, 2023]

UNITED STATES

Statistical Overview	
Population	339,996,563 ³⁷⁰
Jewish Population	7,600,000 ³⁷¹
Jews as Percentage of Population	2%
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	N/A
IHRA (International Holocaust Remembrance Alliance)	Yes
ICOM (International Council of Museums)	Yes

In 2013, the New York chapter of the Federal Bar Association put forward a resolution calling for the creation of an American commission to deal with looted art claims.³⁷² Given the legal status of most museums in the United States, which are overwhelmingly private institutions, such a commission is unlikely to be created, and the matter has now been overtaken by the passage of the HEAR Act.

In 2015, the World Jewish Restitution Organization (WJRO), issued the Report Concerning Approaches of United States Museums to Holocaust-Era Art Claims.³⁷³ A year later, in 2016, President Barack Obama signed into law the Holocaust Expropriated Art Recovery (HEAR) Act to aid recovery of Nazi-looted art.³⁷⁴

In 2017, the German/American Provenance Research Exchange Program for Museum Professionals (PREP) was launched, bringing together museum professionals from both sides of the Atlantic who specialize in World War II-era provenance projects for a three-year, systematic exchange. PREP is co-organized by the Smithsonian Institution, Washington, D.C., and the *Zentralarchiv der Staatlichen Museen zu Berlin, Stiftung Preussischer Kulturbesitz* (Central Archives of the National Museums in Berlin, Prussian Cultural Heritage Foundation, SPK).

The 2018 JUST Act, introduced in the Senate by Sen. Tammy Baldwin (D-Wis.) and Sen. Marco Rubio (R-Fla.), and in the House of Representatives by Rep. Joseph Crowley (D-N.Y.) and Rep. Chris Smith (R-N.J.), required the State Department to investigate and submit a report to Congress on the extent to which endorsees of the 2009 Terezin Declaration on Holocaust Era Assets and Related Issues are

³⁷⁰ Population estimate as of 2023, see: <https://www.worldometers.info/world-population/us-population/>

³⁷¹ Jewish population estimate as of 2021, see: <https://jewishjournal.org/2021/04/22/new-brandeis-study-estimates-7-6-million-jews-living-in-u-s/>

³⁷² <https://www.nytimes.com/2013/07/01/arts/design/museums-faulted-on-efforts-to-return-art-looted-by-nazis.html> [accessed: February 1, 2024]

³⁷³ <https://wjro.org.il/wp-content/uploads/2015/12/ReportMuseums.pdf> [accessed: February 1, 2024]

³⁷⁴ <https://art.claimscon.org/advocacy/holocaust-expropriated-art-recovery-hear-act-signed-u-s-law/> [accessed: February 1, 2024]

meeting their pledges to adopt national laws and policies to help Holocaust survivors identify and reclaim their properties.

In March 2020, the Just Act Report was released by the Office of the Special Envoy for Holocaust Issues in the Bureau of European and Eurasian Affairs.³⁷⁵

Also in 2020, the Claims Conference-WJRO compiled and published a memorandum regarding the history of U.S. restitution policies in regard to the Holocaust to counter historical errors in an amicus curiae brief submitted by the U.S. Solicitor General to the U.S. Supreme Court in the Philipp v. Federal Republic of Germany case (Welfenschatz-Guelph Treasure case).³⁷⁶

On August 10, 2022, New York became the first state to mandate institutions to label works of art by the Nazis through implementing the New York Senate Bill S117A.³⁷⁷

In September 2023, the Manhattan district attorney, Alvin L. Bragg, handed over seven works by the Austrian Expressionist Egon Schiele to the heirs of the Viennese cabaret artist who had owned them before he was murdered by the Nazis.³⁷⁸

³⁷⁵ <https://www.state.gov/reports/just-act-report-to-congress/> [accessed: February 1, 2024]

³⁷⁶ <https://www.claimscon.org/wp-content/uploads/2020/09/2020.9.23-The-U.S.-Role-in-Holocaust-Compensation-.pdf> [accessed: February 1, 2024]

³⁷⁷ <https://www.nysenate.gov/legislation/bills/2021/S117> [accessed: October 4, 2023]

³⁷⁸ <https://www.nytimes.com/2023/09/20/arts/schiele-fritz-grunbaum-nazis.html>;
<https://www.theartnewspaper.com/2023/09/22/egon-schiele-works-returned-fritz-grunbaum-heirs-nazi-loot>
[accessed: October 4, 2023]

URUGUAY

Statistical Overview	
Population	3,423,108 ³⁷⁹
Jewish Population	16,500 ³⁸⁰
Jews as Percentage of Population	0,5%
Endorsed the Washington Conference Principles	Yes
Endorsed the Terezin Declaration	Yes

Organization Name	Membership
EHRI (European Holocaust Research Infrastructure)	No
IHRA (International Holocaust Remembrance Alliance)	No
ICOM (International Council of Museums)	Yes

It is suspected that Uruguay received looted cultural property via Argentina and Brazil during the war.³⁸¹

It is not known if cultural institutions in Uruguay conduct provenance research.

Uruguay received 1,670 books from the Jewish Cultural Reconstruction.

³⁷⁹ Population estimate as of 2023, see: <https://www.worldometers.info/world-population/uruguay-population/>

³⁸⁰ Jewish population estimate as of 2020, see: <https://www.worldjewishcongress.org/en/about/communities/UY>

³⁸¹ Neill Lochery, *Cashing Out. The Flight of Nazi Treasure, 1945-1948*, New York: Public Affairs, 2023, pp 110-111.