

HOLOCAUST ERA ASSETS CONFERENCE

Prague, June 2009

Holocaust-Era Looted Art: A World-Wide Preliminary Overview

Presented by the Conference on Jewish Material Claims Against Germany (Claims Conference) and the World Jewish Restitution Organization (WJRO)

The following is an overview based on preliminary data. It 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 Claim Conference/WJRO to date. It may contain factual or other errors. Governments, non-government organizations, and individual experts are invited to make corrections and comments on the website of the Claims Conference at www.claimscon.org.

Major intergovernmental conferences and resolutions during the past decade established international principles regarding the restitution of art and other cultural property, most notably the **Washington Conference Principles on Nazi-Confiscated Art** (1998), **Resolution 1205** of the Parliamentary Assembly of the Council of Europe (1999), and the **Declaration of the Vilnius International Forum on Holocaust-Era Looted Cultural Assets** (2000). As a result, there have been some positive steps towards the restitution of movable artwork and cultural and religious property plundered from Jews, but progress has been slow, and there remains a very considerable amount of looted movable artwork cultural and religious property that has not been recovered and that is still in private and public hands.

No mechanism was established to monitor progress by the over 40 governments that endorsed the Washington Conference Principles.

The main organizations of the world Jewish community active in the restitution of property looted from victims of the Holocaust, namely the Conference on Jewish Material Claims Against Germany (Claims Conference) and the World Jewish Restitution Organization (WJRO), have been focusing on the systemic issues involved in art restitution throughout the world with the intent of improving and creating processes to enable more owners and heirs to recover their property. They have been working with Jewish communities around the world to bring increased attention to the restitution of looted artwork and movable cultural and religious property and in this regard have conducted extensive research over the past years on the status of provenance research and of claims processes for the restitution of artworks in most, if not all, relevant countries.

The variations among countries' historical experiences and legal systems, as well as the complexities of provenance research and the establishment of claims processes, are such that it is not easy to make generalizations. It is clear, however, that some sort of independent examination of progress is necessary, both within individual countries and among them. When in 2005 the Claims Conference requested the Association of American Museums (AAM) to survey the progress of U.S. museums in adhering to guidelines that the AAM had established for provenance research and restitution procedures, the AAM responded that it was not a policing organization and would not do such research. The Claims Conference response was that the Claims Conference also was not a policing organization but in the absence of any other choice, it would undertake to ask U.S. museums to provide information themselves regarding implementation of the guidelines (the result, *Nazi-Era Stolen Art and U.S. Museums: A Survey*, may be seen at <http://www.claimscon.org/forms/U.S. Museum Survey Report.pdf>).

As part of the Claims Conference/WJRO Looted Art and Cultural Property Initiative, research has been carried out on a large number of countries, including all countries expected to participate in the Holocaust Era Assets Conference in Prague in June 2009, as well as some additional ones. Brief summaries for 50 countries of the very basic information relevant to implementation of the Washington Conference Principles on Nazi-Confiscated Art may be found at the end of the present report.

OVERVIEW OF COUNTRIES' PROGRESS IN IMPLEMENTING THE WASHINGTON CONFERENCE PRINCIPLES

Based on the information gathered by the Claims Conference as summarized below, each country was placed into one of four broad categories: a) countries that have made *major progress* towards implementing the Washington Conference Principles on Nazi-Confiscated Art; b) countries that have made *substantial progress* towards implementing the Washington Conference Principles on Nazi-Confiscated Art; c) countries that have taken *some steps* towards implementing the Washington Conference Principles on Nazi-Confiscated Art; and d) countries that *do not appear to have made significant progress* towards implementing the Washington Conference Principles on Nazi-Confiscated Art. The placement of a country in one or another category was based on available data regarding whether or not during the past decade a country put in place mechanisms to carry out provenance research and to process claims for restitution.

Of the 50 countries for which summaries are appended to this report, only 4 may be said to have made major progress towards implementing the Washington Conference principles, while an additional 11 have made substantial progress in this regard. Of the remaining countries, 6 have taken some steps, while fully 23 appear not to have made significant progress towards implementing the Washington Conference principles. For 6 of the countries there is not enough information to be able to make a judgment. Put differently, **only 34% of the 44 countries for which there is at least some information have made major or substantial progress towards implementing the Washington Conference Principles.**

Obviously the situations faced by countries vary greatly. Perhaps the most obvious divide is between countries on whose territory the killings and robbery of the Holocaust took place

and those countries that may have been involved in the history of the Holocaust and its aftermath but were not sites of the genocide as such. Whether perpetrator or victim nations, countries where the local Jewish population was robbed face greater complications and generally larger quantities of looted art in their museums than do countries that were simply the recipients of looted art. Thus the challenges facing countries such as Germany and Ukraine are far greater than those facing countries such as Portugal and Canada.

Judgments regarding some of the countries may be open to question, but the fact remains that about two-thirds of the countries participating in the Holocaust Era Assets Conference in Prague in June 2009, most of which also participated in the Washington Conference in 1998, may be said only to have taken at least some steps or do not appear to have made significant progress towards putting the Washington Conference Principles on Nazi-Confiscated Art into practice. These countries may have taken important steps – e.g., the extensive work by the Russian Federation documenting the cultural losses of Russia – but they have not yet put in place the mechanisms necessary for provenance research and restitution of Nazi-confiscated art.

Note that in addition to most of them having endorsed the Washington Conference Principles, the countries in question – almost without exception – are signatories to the Code of Ethics of the International Council of Museums (ICOM), which calls for provenance research to be done on collections.

WHAT IS TO BE DONE?

In addition to the specific recommendations made by the Working Group on Looted Art, there needs to be international mechanisms to encourage countries to make progress in this area. The development of international laws may not be possible in the short term, but the further establishment of international guidelines and best practices, of regular reporting on progress, of an international association of provenance researchers, and of funding sources both within and across borders should help.

The return of plundered artworks and religious artifacts often has meaning beyond that of the restitution of other types of assets. These were personal possessions valued for their beauty and cultural significance, often handed down through several generations. In many cases, these artworks or artifacts are the last personal link heirs may have to families destroyed in the Holocaust. But beyond obligations to those from whom these artifacts were taken, our obligations to human civilization must include ensuring that our art collections are not based on robbery and genocide.

The following represent the recommendations of the Claims Conference and WJRO:

- ❑ Where they have not done so, institutions and states should be encouraged to undertake provenance research. Where it has commenced, efforts should be intensified in order that provenance research can be completed in an expeditious timeframe. Adequate funding for provenance research including grants to institutions and independent researchers is needed.
- ❑ Include, in what is deemed confiscated art and cultural property, transfers arising from looting, plunder, theft, coercion, abandonment, loss or other forms of taking,

as well as transfers of property, including ‘forced sales’ which resulted from the direct or indirect effects of persecutory measures enacted into law or implemented by other political action by the Nazis and their collaborators during the Holocaust and its aftermath, whether such transfers were voluntary or involuntary

- ❑ All countries should ensure the ongoing publication over the internet of provenance information including full details and images of looted objects and those with gaps in their provenance between 1933 and 1945.
- ❑ Provenance research requires full access to archives and documentation should be unhindered for all parties. The States should encourage private institutions and individuals, e.g. auction houses, art-dealers, galleries and banks also to provide access to their records. Funding should be given to private entities to encourage accessibility of archives. There must also be free access to all archives dealing with the institutions involved in the plunder of the artwork.
- ❑ There should establish national claims procedures for fair and just solutions encompassing decisions on their merits, that is, on a moral basis and not on technical defences such as the passage of time.

Procedures should include:

- ❖ Sharing of evidence by both the current possessor and the claimant
 - ❖ Presumption of confiscation in favour of the claimant (the onus is on the later owner to rebut this presumption)
 - ❖ Relaxed standards of evidence for the original owner
 - ❖ The burden of proof should not rest only on the claimant; the present possessor has also to prove the rightfulness of his possession
 - ❖ Claimants should not be burdened by financial requirements
- ❑ Export, citizenship, de-accession laws, statute of limitations laws, inheritance and cultural heritage laws should not be used to prevent the restitution of property to claimants.
 - ❑ States should support and encourage the establishment of public or private organizations which advise, support and assist claimants in provenance research, legal, restitution and other matters.
 - ❑ States should actively support the establishment and operation of an international association of all provenance researchers. The association should encourage cooperation between researchers, the exchange of information, the setting of standards and education.
 - ❑ Institutions should be encouraged to provide provenance information in all exhibitions or other public presentation that includes looted cultural property.
 - ❑ Countries should establish mechanisms for the resolution of disputed claims – these could include commissions, advisory panels, or other alternative dispute resolution mechanisms comprised of balanced membership – including representation of victim groups – as an alternative to judicial proceedings to determine ownership issues and

rights of claimants to confiscated property. Such mechanisms should have full transparency, include clear rules and procedures, and require the publication of decisions, recommendations and terms of reference.

- ❑ Where necessary, states should enact or modify legislation in order to ensure the identification and recovery of looted artwork and cultural assets by original owners or their legal successors and to implement the principles contained herein.
- ❑ The Participating States should report on the implementation of these principles – including, but not limited to, the state of provenance research and its publication and the status of the restitution of artwork and cultural property – to an appropriate international entity. These reports should be publicly available.

I. CLASSIFICATION OF COUNTRIES

COUNTRIES THAT HAVE MADE MAJOR PROGRESS TOWARDS IMPLEMENTING THE WASHINGTON CONFERENCE PRINCIPLES ON NAZI-CONFISCATED ART

Countries in which the Holocaust took place:

Austria, Czech Republic, Germany, Netherlands

Other countries involved in the history of the Holocaust and its aftermath:

COUNTRIES THAT HAVE MADE SUBSTANTIAL PROGRESS TOWARDS IMPLEMENTING THE WASHINGTON CONFERENCE PRINCIPLES ON NAZI-CONFISCATED ART

Countries in which the Holocaust took place:

Belgium, France, Luxembourg, Norway, Slovakia

Other countries involved in the history of the Holocaust and its aftermath:

Canada, Israel, Liechtenstein, Switzerland, United Kingdom, United States

COUNTRIES THAT HAVE TAKEN SOME STEPS TOWARDS IMPLEMENTING THE WASHINGTON CONFERENCE PRINCIPLES ON NAZI-CONFISCATED ART

Countries in which the Holocaust took place:

Croatia, Denmark, Russian Federation

Other countries involved in the history of the Holocaust and its aftermath:

Australia, Finland, Ireland

COUNTRIES THAT DO NOT APPEAR TO HAVE MADE SIGNIFICANT PROGRESS TOWARDS IMPLEMENTING THE WASHINGTON CONFERENCE PRINCIPLES ON NAZI-CONFISCATED ART

Countries in which the Holocaust took place:

Belarus, Bosnia, Bulgaria, Estonia, Greece, Hungary, Italy, Latvia, Lithuania, Macedonia, Poland, Romania, Serbia, Slovenia, Ukraine

Other countries involved in the history of the Holocaust and its aftermath:

Argentina, Brazil, Holy See, Portugal, Spain, Sweden, Turkey, Uruguay

COUNTRIES FOR WHICH THERE IS INSUFFICIENT INFORMATION TO MAKE A JUDGMENT

Albania, Cyprus, Kosovo, Malta, Moldova, Montenegro, as well as various other countries – e.g., Japan - involved in the world art trade

II. SUMMARIES BY COUNTRY

Country Name: ALBANIA

Albania has no restitution law in place that covers movable property.

Albania's cultural institutions do not conduct provenance research, and it is not known if restitution of any objects from cultural institutions has taken place.

Albania participated in the 1998 Washington Conference on Holocaust-Era Assets and is a signatory to ICOM's Code of Ethics.

Country Name: ARGENTINA

In 1997, Argentina created the "Argentine Commission of Inquiry into the Activities of Nazism in Argentina" (CEANA). CEANA concluded that no looted art was or is held by the Museo Nacional de Bellas Artes but 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. The work of the Commission as well as its final report was criticized by several historians.

Argentina's cultural institutions do not conduct provenance research. No restitutions of cultural and religious objects have taken place.

Argentina participated in the 1998 Washington Conference on Holocaust-Era Assets and is a signatory to ICOM's Code of Ethics.

Country Name: AUSTRALIA

No research has thus far been conducted on looted cultural and religious artworks that might have entered Australia during or after World War II. Due to the lack of research it is not possible to determine if looted cultural and religious artworks are currently held in Australia except for the findings by those of Australia's major museums that have launched provenance research. The organization Museum Australia has not issued any guidelines concerning provenance research.

Australia's cultural institutions do conduct provenance research. It is not known if any restitution has taken place.

Australia participated in the 1998 Washington Conference on Holocaust-Era Assets and is a signatory to ICOM's Code of Ethics.

Country Name: AUSTRIA

While Austria had some restitution laws in place immediately after the war had ended, it did not provide a hospitable climate for claimants trying to retrieve their artworks. The situation changed with the 1996 *Mauerbach Auction*, at which the remaining looted artworks kept by the Austrian state were auctioned off for the benefit of its Jewish community. This was followed by the creation of the 1998 Federal Art Restitution Law, the establishment of a Historical Commission, the creation of a Commission for Provenance Research, and the formation of a Restitution Committee that *de facto* decides on specific restitution cases. While the Restitution Law has several shortcomings and will potentially be revised by Austria's current government, it allows state-run museums to de-accession artworks if they are proven to have been looted or otherwise misappropriated. Thus far, Austria's museums, federal and non-federal alike, have restituted approximately 13,000 objects.

Heirless objects, in accordance with the Federal Art Restitution Law, are to be transferred to the National Fund of the Republic of Austria for Victims of National Socialism. In 2006, the National Fund posted an online database of some these heirless objects (www.kunstrestitution.at) to allow additional claimants to come forward. Currently some 9,000 objects are listed.

Austria's state-run cultural institutions, mostly museums, but also libraries and archives, are conducting provenance research and have restituted objects. However, some private or semi-private museums, notably the Foundation Leopold, are not restituting spoliated objects. Some research has indicated that the Foundation Leopold might hold up to eight (8) paintings that were looted by the Nazis.

Austria participated in the 1998 Washington Conference on Holocaust-Era Assets and is a signatory to ICOM's Code of Ethics.

Country Name: BELARUS

Belarus has no restitution law in place that covers movable property. However, some cultural institutions hold objects of unclear provenance, including the State Museum of History and Culture of Belarus in Minsk, the National Library of Belarus, and the State Historical Archive of Belarus.

Belarus' cultural institutions do not conduct provenance research. It is not known if any restitution has taken place.

Belarus participated in the 1998 Washington Conference on Holocaust-Era Assets and is a signatory to ICOM's Code of Ethics.

Country Name: BELGIUM

In 2001, the "Commission for the Indemnification of Members of the Belgian Jewish Community Whose Assets Were Plundered, Surrendered or Abandoned during World War II" was created. In 2008, the Commission released its final report. The Commission was preceded by the so-called "Study Commission on Jewish Assets" which had as its goal research on the provenance of objects held in cultural institutions. The Study Commission unveiled 331 objects with unclear provenance in state institutions, but noted that its provenance research was not completed and that further research was required.

Subsequently, additional research was carried out, and a number of Belgian museums are planning on publishing their research results in the course of the current year. At the same time, no provenance research has been carried out on private and foreign museums and galleries in Belgium.

Belgium participated in the 1998 Washington Conference on Holocaust-Era Assets and is a signatory to ICOM's Code of Ethics.

Country Name: BOSNIA AND HERZEGOVINA

Bosnia and Herzegovina has no restitution law in place that covers movable property.

Bosnia and Herzegovina's cultural institutions do not conduct provenance research, and it is not known if restitution of any objects from cultural institutions has taken place. At the same time, some museums, notably the National Museum of Bosnia and Herzegovina, hold

artifacts of unclear provenance.

Bosnia and Herzegovina participated in the 1998 Washington Conference on Holocaust-Era Assets and is a signatory to ICOM's Code of Ethics.

Country Name: BRAZIL

In 1997, Brazil set up a "Commission for the Investigation of Nazi Assets" that tried to establish if illicitly confiscated assets were transported into the country, including more than a hundred works of art which were known to have been exported and sold in Brazil. It is not known if the Commission published a final report or issued any recommendations.

Brazil's cultural institutions do not conduct provenance research, and it is not known if restitution of any objects from cultural institutions has taken place.

Brazil participated in the 1998 Washington Conference on Holocaust-Era Assets and is a signatory to ICOM's Code of Ethics.

Country Name: BULGARIA

In 1992, Bulgaria passed the Law on Restoration of Property Rights, but it is not clear to what extent there has been restitution of moveable property.

Bulgaria's cultural institutions do not conduct provenance research, and it is not known if restitution of any objects from cultural institutions has taken place.

Bulgaria participated in the 1998 Washington Conference on Holocaust-Era Assets and is a signatory to ICOM's Code of Ethics.

Country Name: CANADA

In 2001, the Canadian Museums Association, together with the Canadian Jewish Congress, sponsored the conference "A Matter of Justice" that proposed recommendations on Holocaust-era cultural property. Five years after the fact, a subsequent meeting was held with the participation of the Claims Conference/WJRO at which the decision was made to survey Canadian cultural institutions in regard to their efforts at provenance research.

Consequently, the Department of Canadian Heritage commissioned the Canadian Art Museum Directors' Organization (CAMDO) to conduct a survey of 84 member institutions. While the survey only yielded twelve completed surveys, the total number of works that require provenance research was estimated to be 822, which includes 378 paintings and sculptures. The survey also showed that none of the responding museums have a dedicated provenance research budget. Only three institutions have had claims made against works in their collections, with one carrying out the restitution. The findings were summarized in a report entitled "Report on Provenance Research Needs for Holocaust-Era Cultural Property in Canadian Art Museums – Summary" (February 2008).

Canada's cultural institutions conduct provenance research and have restituted objects that were previously spoliated. In addition, the "Canadian Heritage Information Network" (CHIN), which is maintained by the Government of Canada, allows cultural institutions to post objects with provenance gaps.

Canada participated in the 1998 Washington Conference on Holocaust-Era Assets and is a signatory to ICOM's Code of Ethics.

Country Name: CROATIA

In 1997, the government of Croatia not only established a Historical Commission to investigate the fate of property of victims of National Socialism but also adopted the Law on Restitution and Compensation for Property Seized During and After World War II. In 1989, some libraries that had been looted from Jews and handed over to the National and University Library were restituted to the Jewish community.

It does not appear that Croatia's cultural institutions conduct provenance research. It is not known if restitutions from museums have taken place. Nonetheless, according to experts, it is very likely that some museums in Zagreb, but especially the "Muzej za umjetnost i obrt" (Museum of Arts and Crafts) hold looted cultural and ritual objects.

Croatia participated in the 1998 Washington Conference on Holocaust-Era Assets and is a signatory to ICOM's Code of Ethics.

Country Name: CYPRUS

It is unknown if any cultural property looted from Jews is located in Cyprus. No research has taken place, and it seems unlikely that cultural institutions in Cyprus are conducting provenance research.

Cyprus participated in the 1998 Washington Conference on Holocaust-Era Assets and is a signatory to ICOM's Code of Ethics.

Country Name: CZECH REPUBLIC

In 1998, the Czech Republic formed a Joint Working Commission aimed to mitigate property injustices inflicted on Holocaust victims. Two years later, in 2000, the Parliament passed Restitution Act No. 212/2000, which stipulates the responsibility of the director of a contacted cultural institution to return art objects if they were looted. In case of a dispute, the ruling by an independent court is decisive. The original deadline of December 2006 for presenting claims has since been abolished. The database "Restitution-Art", sponsored by the Ministry of Culture, lists about 3,400 cultural objects with provenance gaps.

A year after the restitution law was passed, the "Documentation Centre of Property Transfers of Cultural Assets of WW II. Victims" was founded. The Center's major aim is to research historical and economic questions regarding confiscated Jewish cultural property, in particular art objects.

Cultural institutions in the Czech Republic are conducting provenance research and have restituted objects that were spoliated. However, some looted artifacts, notably hundreds of thousands of books that went to the National Library in Prague, have not been researched or restituted. Some private museums, which are not bound by the restitution law, particularly the Jewish Museum, are also conducting provenance research and have restituted objects. Objects that have been restituted may nonetheless be subject to export restrictions.

The Czech Republic participated in the 1998 Washington Conference on Holocaust Era-Assets and is a signatory to ICOM's Code of Ethics.

Country Name: DENMARK

At a meeting in 2007 with the Claims Conference/WJRO and the Jewish Community of Denmark, the Ministry of Culture of Denmark pledged to make public an investigation of the holdings of the national institutions that was done in 2001. The investigation showed that none of the Danish museums had relevant objects in their collections, and the Ministry of Culture concluded that it is not necessary to have museums research their entire collections, in view of the perception that Denmark does not in fact have any looted items. Provenance research will only be carried out by Danish museums if they are faced with a restitution claim.

Denmark participated in the 1998 Washington Conference on Holocaust-Era Assets and is a signatory to ICOM's Code of Ethics.

Country Name: ESTONIA

At the time Estonia regained its independence in 1991, illegally alienated property was largely restored to former legal owners or compensation was paid. There was no distinction drawn between Jewish property that was nationalized and non-Jewish property, especially since no information is available if valuable works of art belonging to Jews in 1940-1941 or expropriated in 1941 after the German occupation had begun were nationalized.

In 1998 the "Estonian International Commission for Investigation of Crimes Against Humanity" was formed. The specific topic of looted cultural property was not part of the Historical Commission's research task. It does not seem that cultural institutions in Estonia are conducting provenance research.

Estonia participated in the 1998 Washington Conference on Holocaust-Era Assets and is a signatory to ICOM's Code of Ethics.

Country Name: FINLAND

Finnish museums have very recently begun to conduct provenance research. A brief overview of provenance research being conducted in Finland's cultural institutions may be found at: <http://www.museot.fi/provenance-research-in-finnish-museums>. Until funding ran out, the DEAL project (Distributors of European Art Legacy - Finland as Relocation Region of Nazi-Looted Art), founded in 2001, was carrying out research into spoliated art in Finland.

Finland has no restitution law, and no artwork has been restituted. At least two museums are believed to hold looted artworks: the Sinebrychoff Art Museum and the Kuopio Art Museum.

Finland participated in the 1998 Washington Conference on Holocaust-Era Assets and is a signatory to ICOM's Code of Ethics.

Country Name: FRANCE

Following the end of World War II, France enacted a number of restitution laws. In 2000, a Historical Commission, chaired by Jean Mattéoli (“Mattéoli Commission”), was formed. One of the Historical Commission’s recommendations was for the creation of an office dealing specifically with spoliated Jewish property. In 1999, the “Commission for the Compensation of Victims of Spoliation (CIVS)” was formed. The CIVS office deals, among other claims, with requests for looted cultural property, however, it can only provide for monetary compensation payments and does not exert any influence over the restitution of objects held in French cultural institutions.

As there is no restitution law or clear procedure that allows for the restitution *in rem* of a looted cultural object in France’s museums, requests for artworks held by France’s cultural institutions have to be pursued through lawsuits. The situation is slightly different concerning the approximately 2000 MNR objects (“Musées Nationaux Récupération”), all of which were recovered from Germany after World War II and given to the custody of the French National Museums. Most MNR objects are thought to be heirless, although the French government does not question the fact that the Germans acquired or “appropriated” them in France between 1940 and 1944. Today the remaining MNR artworks are still to be found in museums throughout France, including in the Louvre, the Musée d'Orsay, and the Centre Georges-Pompidou. In 1996, the Museums Department of the French Ministry of Culture and Communication (www.culture.gouv.fr) published an online listing of its MNR collection. Eight years later, in 2004, a Catalogue raisonné of some of the MNR collection still being held in France’s cultural and governmental institutions was published. Since 1997, 41 MNR paintings, including works by Picasso or Monet, have been restituted.

More recently, in 2008, some of the MNR’s were exhibited at the Israel Museum in Jerusalem and then in Paris. The exhibition, entitled “*Looking for Owners: Custody, Research and Restitution of Art Stolen in France during World War II*,” aimed to potentially find more pre World War II owners. French museums have yet to do provenance research on their collections more generally.

France participated in the 1998 Washington Conference on Holocaust-Era Assets and is a signatory to ICOM's Code of Ethics.

Country Name: GERMANY

After the end of World War II, Germany passed several restitution laws that, among other issues, also covered looted cultural objects – e.g., the 1957 Federal Restitution Law (BRÜG). More recently, in 1999, Germany announced a mutual statement and agreement aimed at the identification and restitution of Nazi-looted cultural items, especially if they had belonged to Jews. This mutual agreement is a request, and therefore not binding. It does not obligate Germany's museums to investigate their cultural assets. However, for a number of museums, in addition to the regional finance office (*Oberfinanzdirektion*), the mutual agreement was an impetus to start provenance research.

In 1994, the Coordination Office of the States for the Return of Cultural Treasures was established, and in 2001, the Central Office for the Documentation of Lost Cultural Assets was inaugurated in Magdeburg. 2001 also marked the launch of the web-based database www.lostart.de, which serves as a depository for information on public losses, trophy art, and on cultural goods which were transported or stolen as a result of Jewish persecution. One listing deals exclusively with Jewish collectors and their losses. Only very few restitutions have resulted from www.lostart.de

Also in 2001, Germany issued the legally non-binding “Handreichung” (*Handreichung zur Umsetzung der Erklärung der Bundesregierung, der Länder und der kommunalen Spitzenverbände zur Auffindung und zur Rückgabe NS-verfolgungsbedingt entzogenen Kulturgutes, insbesondere aus jüdischem Besitz*) or guidelines outlining ways to discover and restitute looted cultural property. In November 2007, the handout was revised following the disputed restitution of a painting by Ernst Ludwig Kirchner.

In 2003, the Advisory Commission on the Return of Cultural Property Seized as a Result of Nazi Persecution, especially from Jewish possession, also known as the "Looted Art Commission", was inaugurated. The Commission's aim is to serve as a mediator between the current owner of an artwork in question and former owner(s). As both parties need to agree to have the Commission serve as a mediator, until now it has only made recommendations in four cases.

Since 2006, the “Federal Office for Central Services and Unresolved Property Issues (BADV)” (Bundesamt für zentrale Dienste und offene Vermögensfragen [BADV]) deals with looted art that is still in German governmental possession, including the Remainder of Stock CCP (Restbestand Central Collecting Point) covering among other objects, approximately 2,300 paintings, sculptures, or graphics. Most paintings were collected for Hitler's planned museum in Linz or belonged to Hermann Göring's vast art collection. In 2007, BADV published an online database.

A number of Germany's cultural institutions conduct provenance research, and restitutions have taken place.

Germany participated in the 1998 Washington Conference on Holocaust-Era Assets and is a signatory to ICOM's Code of Ethics.

Country Name: GREECE

Greece initiated a number of directives and restitution laws at the end of World War II and in 1944 was the first European government to clearly state that the Greek state should under no circumstances benefit from abandoned or confiscated Jewish property.

Greece's biggest loss of Jewish cultural property covers the archives of various Jewish communities in Greece, including the archives of Athens, Ioannina, Larissa, Volos, Didymoteicho, Kavala and Salonika; all of which were looted by the Nazis. Most of these archives are believed to be in the Russian State Military Archive. However, part of the Salonika cultural property can be found in Poland.

Little to no provenance research is being conducted by Greece's cultural museums, and no restitutions have taken place. Recently the Ministry of Culture has sent a request for information on the subject to the museums.

Greece participated in the 1998 Washington Conference on Holocaust-Era Assets and is a signatory to ICOM's Code of Ethics.

Country Name: HOLY SEE

Little to no research has been done on the extent to which the Vatican may have received looted artworks. It does not appear that the Vatican museum conducts provenance research. It is not known if any restitution has taken place.

The Holy See participated in the Washington Conference on Holocaust-Era Assets but is not a signatory to ICOM's Code of Ethics.

Country Name: HUNGARY

Hungary claims to have lost more than 40,000 objects of art, including paintings, decorative art and other objects such as medals during World War II. However, about 90-92 % of the artworks taken out of the country were returned between 1945 and 1948, with approximately 20% remaining in Hungary's cultural institutions – including artworks looted from Hungarian Jews.

The National Gallery and the Museum of Fine Arts are known to hold looted art. Despite

numerous legal attempts, Ms. Nierenberg, who is claiming the artworks of her late father, the Hungarian banker Baron Mor Lipot Herzog, who had collected between 1,500 and 2,500 artworks, has been denied any restitution. The Herzog collection is not the only collection of Jewish artworks kept by Hungarian cultural institutions. According to experts in the field, Hungarian museums still store several hundred works of art obtained under questionable circumstances.

Hungary has never set up a historical commission to investigate Hungary's role and participation in the financial and physical annihilation of its Jews, and it has not initiated any provenance research by its cultural institutions. While a few restitutions have taken place, important works of art have consistently been kept from being restituted to their rightful owners.

Hungary participated in the 1998 Washington Conference on Holocaust-Era Assets and is a signatory to ICOM's Code of Ethics.

Country Name: IRELAND

Despite a questionable history involving Dr. Adolf Mahr, it does not appear that the National Museum of Ireland has conducted provenance research. The Hunt Collection's investigatory commission cleared it of all wrongdoing, but the Simon Wiesenthal Center as recently as 2008 published a report entitled "The Hunt Controversy: A Shadow Report".

It is not known if other museums in Ireland conduct provenance research or if any restitution of cultural property has taken place.

Ireland did not participate in the 1998 Washington Conference on Holocaust-Era Assets but is a signatory to ICOM's Code of Ethics.

Country Name: ISRAEL

Israel was the recipient of much looted cultural and religious property sent to the country by Jewish Cultural Reconstruction (JCR). Some 1,200 artworks and Judaica objects were sent to Israel, specifically to the Bezalel Museum in Jerusalem. Those objects that were kept at the Bezalel Art Institute were later transferred to the Israel Museum in Jerusalem created in 1965. Other objects, especially Judaica items, were distributed among various cultural and religious organizations in Israel.

With the exception of the Israel Museum in Jerusalem, cultural and religious organizations in Israel do not appear to conduct provenance research.

In 2006, the “Company for Location and Restitution of Holocaust Victims Assets” was established under the Holocaust Victims Assets Law (Restitution to Heirs and Endowment for Purposes of Assistance and Commemoration). This organization may be in a position to request the restitution of cultural or religious objects, but no clear understanding is yet in place. However, according to experts in the field, the Company may take on the role of conducting provenance research in a number of Israeli cultural institutions.

Israel participated in the 1998 Washington Conference on Holocaust-Era Assets and is a signatory to ICOM’s Code of Ethics.

Country Name: KOSOVO

A number of museums and other cultural institutions were either partially or totally destroyed or plundered during the Kosovo war, while other collections were removed from Kosovo to Serbia at the beginning of 1999.

The spoliation of Jewish cultural property in Kosovo has not been researched. Museums and other cultural institutions in Kosovo do not conduct provenance research.

Kosovo, then part of Serbia, did not participate in the 1998 Washington Conference on Holocaust-Era Assets. Kosovo is not a member of ICOM and therefore not a signatory to ICOM’s Code of Ethics.

Country Name: LATVIA

In 1998, the “Commission of Historians of Latvia” was established and instructed to study the issue of “Crimes against Humanity Committed in the Territory of Latvia under Two Occupations, 1940 – 1956,” including the topic “Holocaust in Latvia in 1941 – 1944”. However, the confiscation of privately owned Jewish art collections and the looting of Judaica during World War II have not been researched, and there is little to no information available.

Latvia has no restitution law in place. Nevertheless, in September 2008, Latvia’s prime minister established a “working group” which aims to explore the issue. It does not appear that Latvia’s cultural and religious institutions are conducting provenance research. It is not known if any restitution of cultural property has taken place.

Latvia participated in the 1998 Washington Conference on Holocaust-Era Assets and is a signatory to ICOM’s Code of Ethics.

Country Name: LIECHTENSTEIN

In 2001, the Liechtenstein government appointed an Independent Commission of Historians pursuant to various initiatives and questions raised in public about Liechtenstein's role during World War II. A final report was published in 2005.

There is no indication that looted cultural property found its way into Liechtenstein's museums. This assertion was confirmed by research by a member of the Historical Commission that showed that no spoliated artworks historically reached Liechtenstein's three main cultural institutions.

Liechtenstein did not participate in the 1998 Washington Conference on Holocaust-Era Assets, nor is Liechtenstein a signatory to ICOM's Code of Ethics.

Country Name: LITHUANIA

Lithuania has passed a few restitution laws, mostly covering immovable property claims, but no restitution law is in place covering specifically the restitution of Jewish cultural property. In 1998, the "International Commission for the Evaluation of the Crimes of the Nazi and Soviet Occupation Regimes in Lithuania" was formed, which soon split into two separate Commissions with one dealing specifically with the destruction of the Jewish community as a spiritual and religious community, as well as the confiscation of property. Some research is still ongoing.

Lithuania has returned a number of Jewish religious artifacts, notably in 2002 when it returned 309 Torah scrolls and megillot. However a number of cultural institutions in Lithuania still hold looted Jewish artifacts, among them the National Museum (which continues to hold Torah scrolls).

Cultural institutions in Lithuania do not appear to conduct provenance research. In addition, very few of the Jewish cultural and religious objects held have been catalogued or otherwise recorded.

Lithuania participated in the 1998 Washington Conference on Holocaust-Era Assets and is a signatory to ICOM's Code of Ethics.

Country Name: LUXEMBOURG

In 2001, Luxembourg created a Historical Commission, "The Special Study Commission

on the Spoliation of Jewish Assets in Luxembourg during the War Years 1940-1945”, which aimed to research Jewish looted cultural property. In July 2007, the Commission published an intermediate report entitled “Le Rapport intermédiaire de la Commission spéciale pour l’étude des spoliations des biens juifs pendant les années de guerre 1940-1945”. As part of its work, the Historical Commission was able to identify one silver object in the National Museum that was spoliated during the Holocaust.

The National Museum seems to be the only museum in Luxembourg that conducts provenance research, notably by publishing five lists on its website referencing acquisitions made between 1940 and 1944. There is no restitution law in place for looted Jewish cultural and religious property in Luxembourg.

Luxembourg participated in the 1998 Washington Conference on Holocaust-Era Assets and is a signatory to ICOM’s Code of Ethics.

Country Name: MACEDONIA

According to experts, it is thought that a number of Macedonia’s cultural institutions hold artifacts that may have belonged to Jewish victims of the Holocaust.

Museums in Macedonia do not conduct provenance research, and it is not known if any restitution of Jewish-owned cultural movable artifacts has taken place. There is no specific law in place for the restitution of looted Jewish cultural and religious property.

Macedonia participated in the 1998 Washington Conference on Holocaust-Era Assets and is a signatory to ICOM’s Code of Ethics.

Country Name: MALTA

It does not appear that cultural institutions in Malta are conducting provenance research. It is not known if any restitution has ever taken place. It is also not known whether looted art may have historically entered Malta other than possibly through the art trade since the war. Malta did not participate in the 1998 Washington Conference on Holocaust-Era Assets, but is a signatory to ICOM’s Code of Ethics.

Country Name: MOLDOVA

Moldova has no restitution law in place that covers movable property.

Moldova's cultural institutions do not seem to conduct provenance research, and it is not known if restitution of any objects from cultural institutions has taken place.

Moldova did not participate in the Washington Conference on Holocaust-Era Assets but is a signatory to ICOM's Code of Ethics.

Country Name: MONTENEGRO

In March 2004, Montenegro passed a restitution law which aims to provide for restitution in kind, when possible, with cash compensation or substitution of other state land when physical return is not possible. The law does not draw a distinction between religious and privately owned property.

It does not seem that cultural institutions in Montenegro are conducting provenance research. It is equally unknown if any restitution of cultural property has taken place.

Montenegro, then part of Serbia, did not participate in the 1998 Washington Conference on Holocaust Era Assets but is a signatory to ICOM's Code of Ethics.

Country Name: NETHERLANDS

Soon after World War II ended, the Netherlands enacted restitution laws that provided for the restitution of looted cultural property. Specifically the SNK ("Stichting Nederlandsch Kunstbezit") was put in charge of recuperating artworks from abroad but also, if possible, returning some of the objects to their rightful owners and collecting lists of confiscated Jewish property. By 1950, five years after the war, a number of works of art had been restored to their owners in the Netherlands. The remaining works stayed in the custody of the state subject to an original owner or heir turning up: these non-restituted artworks subsequently became known as the NK-collection, or "Nederlands Kunstbezit-collectie," of 4,217 artworks.

In 1997, the Ekkart Committee was tasked to carry out a pilot study researching the provenance of parts of the NK-collection. The actual research was then carried out by the project bureau entitled Origins Unknown ("Herkomst Gezocht") and was completed in 2004. Objects falling under the NK-collection are viewable on the Origins Unknown website, in addition to any recommendations that have been issued for return of cultural objects, such as for the Goudstikker collection.

In 1998, Dutch State Museums launched an investigation for objects acquired between

1940 and 1948, and subsequently published the report entitled “Museale Verwervingen 1940-1948” (Report Museum Acquisitions) in January 2000. However, experts suspect that additional provenance research is necessary, including in regard to non-state museums, and that up to 4,000 artworks that originally belonged to Jews might still be in museums in the Netherlands. As of the beginning of 2009, the museums of the Netherlands have begun to examine their collections for works looted from Jews beginning in 1933 with the aim of publishing a list of such works by 2013.

The Netherlands participated in the 1998 Washington Conference on Holocaust-Era Assets and is a signatory to ICOM’s Code of Ethics.

Country Name: NORWAY

The process of reclaiming property in Norway after the war was especially difficult for Jews, as catalogues of particularly valuable ownerless property were only printed in 1947. Since 90% of the artworks referenced in the catalogue were not reclaimed, the rest were sold off at auctions or donated to the National Gallery or other state institutions.

In an attempt to make up for past insufficient restitution efforts, in 1996 the “Norwegian Commission on Restitution” was appointed and tasked with conducting a survey on what happened to Jewish property in Norway during and after World War II. The so-called minority report was subsequently adopted by Norway’s government, and a restitution fund was set up covering the total joint amount of losses endured by Norway’s Jewish community. The fate of artworks during World War II is considered to have been fully researched.

Norway’s museums do not seem to conduct provenance research, including Norway’s National Gallery which was handed a number of looted Jewish artworks. The only exception seems to be the National Library which examined its collection during the work of the restitution committee in 1996/97. Such provenance research is needed in view of the likely importation of looted artworks since the war through the art trade.

Norway participated in the 1998 Washington Conference on Holocaust-Era Assets and is a signatory to ICOM’s Code of Ethics.

Country Name: POLAND

Cultural losses experienced by Poland began to be recorded as early as September 1939, and by 1944, a first list of objects destroyed and removed from public and private collections was created. In 1945 the Polish Ministry of Culture created the “Bureau for Restitution and Reparations” to identify cultural losses and prepare restitution claims. In

1991 the Foreign Ministry established the “Bureau of the Government Plenipotentiary for Polish Cultural Heritage Abroad” located at the Ministry of Culture and Art (presently the Department of National Heritage). This office seeks to identify and locate cultural losses. As part of the office’s task, catalogues of war-time losses have been created, with parts of the catalogue available online. However, the catalogue does not distinguish between objects that were destroyed, objects that survived, and/or objects that were looted from Jews.

The total amount of confiscated Jewish-owned cultural property in occupied Poland has thus far not been documented and is therefore unknown. Estimates of the spoliation of Jewish book collections are as high as 70%, with some libraries, especially private school and religious libraries having been completely destroyed. Nonetheless, remnants of Jewish libraries can be found in a number of Polish libraries, for example in the Jagiellonian University Library.

Cultural institutions in Poland do not conduct provenance research, or in very few cases, do not make any existing provenance research publicly available. At the same time, it is known or in some cases thought that a number of museums such as the John Paul II Collection in Warsaw, the Warsaw National Museum, and the Gdansk Museum not only hold looted Jewish cultural property but also religious objects. In addition, artefacts that originally belonged to the Jewish Community of Thessalonica, Greece, and other foreign Jewish communities are in the Jewish Historical Institute in Warsaw.

There is no restitution law in place covering the restitution of Jewish-owned cultural and religious property. As a result, referencing all sorts of difficulties, some museums will, when faced with a restitution claim, not retribute an artwork if claimed by its former owners or their heirs.

Poland participated in the 1998 Washington Conference on Holocaust-Era Assets and is a signatory to ICOM’s Code of Ethics.

Country Name: PORTUGAL

In 1998, Portugal launched a Historical Commission tasked with researching the country’s involvement in gold transactions between Portugal and Germany between 1936 and 1945. The Commission’s task did not cover any research into looted art reaching Portugal – which served as a transit country – or looted cultural and religious property currently located in Portugal. On the other hand, documents in the United States archives point to the fact that Portugal’s ports served as a transit point for looted art that was subsequently shipped to the United States. The Commission’s work was concluded in 1999 and was criticized by the World Jewish Congress.

Museums in Portugal generally do not seem to conduct provenance research. It is suspected that a number of museums, such as the Fundação Medeiros e Almeida, may hold looted cultural property.

Portugal participated in the 1998 Washington Conference on Holocaust-Era Assets and is a signatory to ICOM's Code of Ethics.

Country Name: ROMANIA

In 2003, Romania established an "International Commission on the Holocaust in Romania" which released its final report a year later, in 2004.

Cultural institutions in Romania do not conduct provenance research. Romania has no restitution law in place that covers looted cultural property.

Romania participated in the 1998 Washington Conference on Holocaust-Era Assets and is a signatory to ICOM's Code of Ethics.

Country Name: RUSSIAN FEDERATION

As World War II was ending and immediately after it, Red Army trophy brigades removed enormous quantities of art, books, and archives from Germany and other enemy territory. Since German holdings included cultural property looted from Jews throughout most of Europe and other Jewish cultural property had been left abandoned due to the genocide, large quantities of Jewish cultural property from such countries as Germany, Austria, the Netherlands, France, Belgium, Greece, Bulgaria, and Hungary were removed to the Soviet Union.

While some Russian cultural institutions have published reports on trophy property in their possession, including items that originally belonged to Jews, most research has focused on documenting Russia's losses (including some originally Jewish property) rather than property looted from Jews in other countries that today can be found in Russia's museums, libraries and archives. The Federal Law on Cultural Valuables Displaced to the U.S.S.R. as a Result of World War II and Located on the Territory of the Russian Federation (1998/2000) provides for the potential restitution of cultural treasures under specified conditions to governments, primarily governments of those countries that fought against the Nazi regime or were victimized by the Nazis. Restitution of archives to France, Belgium, the Netherlands, Luxembourg, and prospectively Austria and other countries – as well as to the Rothschild family - has included restitution of archives taken from Jewish communities and individuals. There are artworks that were looted from Jews and that remain in Russia's museums, but there is no known case of restitution of such artwork.

Some cultural property taken by the trophy brigades that included items that originally belonged to Jews was distributed under Stalin to what were at the time union republics of the Soviet Union. No research on this distributed cultural property has been done,

however.

The Russian Federation participated in the 1998 Washington Conference on Holocaust-Era Assets and is a signatory to ICOM's Code of Ethics.

Country Name: SERBIA

In October 2006, Serbia passed a restitution law that enables the restitution of communal movable and immovable property. Applications for restitution of property or payments of reimbursement or recompense had to be submitted by 30 September 2008. The Federation of Jewish Communities filed a general application for communal movable property that may be identified in future years.

Cultural institutions in Serbia generally do not conduct provenance research. However, it is known that some museums hold looted Jewish cultural property, most notably the National Museum in Belgrade, which holds the Šlomovič collection, known to contain several paintings looted from Jews.

Serbia did not participate in the 1998 Washington Conference on Holocaust-Era Assets but is a signatory to ICOM's Code of Ethics.

Country Name: SLOVAK REPUBLIC

The Slovak Republic enacted restitution laws shortly after the end of World War II that also covered looted Jewish cultural property. These restitution laws were soon followed by Czechoslovak laws, which also in some cases were intended to apply to Jewish and non-Jewish properties alike, as long as those assets had been taken by the communist regime.

In 2001, the Central Union of Jewish Communities of Slovakia (UZZNO) was formed and tasked with the identification of unrestituted properties of murdered Slovak Jews. In 2007, the Claims Conference/WJRO and the UZZNO reached agreement with the Slovak Ministry of Culture on publication of a provenance research survey previously conducted and on continued encouragement of provenance research by the museums of Slovakia. In June 2008 the Slovak Ministry of Culture reported that it had carried out these activities.

The Slovak Republic participated in the 1998 Washington Conference on Holocaust-Era Assets and is a signatory to ICOM's Code of Ethics.

Country Name: SLOVENIA

Slovenia recently initiated research into the fate of real estate and movable property looted from Slovenian Jews during or after the Holocaust. The findings of the research team should contribute to the creation of a restitution law.

It is not known if national institutions hold looted Jewish cultural and religious property, as in-depth research has just begun. It seems unlikely that cultural institutions in Slovenia conduct provenance research. It is also not known if any restitution has taken place.

Slovenia participated in the 1998 Washington Conference on Holocaust-Era Assets and is a signatory to ICOM's Code of Ethics.

Country Name: SPAIN

In 1997, Spain established a historical commission aimed at investigating the country's economic relations with the Third Reich. A year later, a final report was issued which has been heavily criticized by experts in the field. The Commission did not investigate Spain's role as a transit country for potentially looted cultural property or art looted from Jews that reached Spain in other ways. Spain does not have a restitution law that covers cultural and religious Jewish property that was spoliated during World War II.

Spain's cultural institutions do not conduct provenance research. It is known, however, that there is looted art in the country – e.g., the Thyssen-Bonemisza Collection is currently embroiled in a lawsuit concerning a painting by Pissarro originally owned by Julius Cassirer.

Spain participated in the 1998 Washington Conference on Holocaust-Era Assets and is a signatory to ICOM's Code of Ethics.

Country Name: SWEDEN

In 1997, the Swedish government established "The Commission on Jewish Assets in Sweden at the Time of the Second World War." The Commission's final report "Sweden and Jewish Assets," released in 1999, concluded that cultural property looted from Jews might have entered Sweden but more research was needed. As a result, the "Swedish Committee of Enquiry" was set up and in 2002 was able to present its own final report. Two years prior to that, in 2000, the Swedish Research Council launched a governmental research program entitled "Sweden's Relations with Nazism, Nazi Germany and the

Holocaust.” While the Council presented its preliminary assessments in 2006, in-depth research has not yet started.

Most of Sweden’s museums, with a few exceptions such as the Jewish Museum, do not appear to conduct provenance research. Swedish museums do hold looted art, however. Although the Moderna Museet in Stockholm does not dispute that a painting by Emil Nolde that it holds was looted, it has not to date restituted the painting.

Sweden participated in the 1998 Washington Conference on Holocaust-Era Assets and is a signatory to ICOM’s Code of Ethics.

Country Name: SWITZERLAND

In 1945, the Federal Council ordered that looted art that had reached the territory of the Federation should be returned and that the art museum in Basel should serve as a depository for remaining looted art. The art restitution law was largely seen as ineffective, mainly due to lack of publicity and the short time frame provided, but also because it only included objects that were had been misappropriated in occupied territories, thereby excluding the looting of cultural property in Germany and Austria.

In 1996, the Swiss Federal Assembly created the “Independent Commission of Experts Switzerland-Second World War” (ICE), which was headed by Jean-Francoise Bergier (“Bergier-Commission”). As part of the Commission’s work, research was initiated into cultural assets that found their way into Switzerland during World War II. In 2001, the ICE published its report on looted cultural assets (primarily works of art) in Switzerland.

Four years prior to that, in 1997, the historian and journalist Thomas Buomberger was appointed by the Swiss Federal Office of Culture and the National Informational Office for the Preservation of Cultural Goods to research Switzerland’s position as a transit country for looted art. Around the same time, in 1996/97 the Swiss Federal Office of Culture initiated a research study to investigate what art transactions took place with Nazi Germany during World War II and what, if any, artworks were still located in Switzerland’s federal museums. In 1998, the research, which focused on the provenance of artworks in Switzerland’s federal museums, was published. However, considering that most museums are under the auspices of the cantons and are not federal, in addition to the fact that most important collections are in private hands, the survey did not cover a lot of artworks. In 1998 the Federal Assembly of Switzerland established an office at the Swiss Federal Office of Culture that exclusively deals with looted-art. Recently this office has been conducting a survey of the cantonal and communal museums.

While some museums in Switzerland conduct provenance research, the results are generally not known or made public. A number of restitutions have taken place.

Switzerland participated in the 1998 Washington Conference on Holocaust-Era Assets and is a signatory to ICOM's Code of Ethics.

Country Name: TURKEY

Turkey has not initiated any research into looted cultural and religious property that may have reached Turkey during the Holocaust or afterwards. It does not appear that Turkey's cultural institutions are conducting provenance research. Research into Turkey's role is further complicated by the fact that not all archives are open for public viewing and research.

Turkey participated in the 1998 Washington Conference on Holocaust-Era Assets and is a signatory to ICOM's Code of Ethics.

Country Name: UKRAINE

Ukraine holds thousands of objects originally owned by Jews that were looted by the Nazis. Many of these objects belonged to Jews outside the Soviet Union and were either brought directly to Ukraine by Red Army trophy brigades or were distributed to Ukraine under Stalin. In the 1990's the "National Commission on the Restitution of Cultural Treasures to Ukraine under the Cabinet of Ministers" was established which primarily deals with Ukrainian losses and does not deal with Jewish cultural and religious property currently held in Ukrainian institutions. Although attempts have been made at creating a restitution law, to date nothing concrete has materialized.

Ukrainian museums generally do not conduct provenance research. However, museums, libraries and archives hold cultural and religious artifacts taken from Jews in Ukraine during World War II or taken from Jews in other countries and brought to Ukraine as part of those trophy items that Ukraine keeps based on the law that gives people and organizations that suffered property damage during the German invasion of the Soviet Union during World War II legal title to German property captured by the Red Army.

Although there has recently been some restitution of Torah scrolls to the Jewish communities of Ukraine, there are no known cases of restitution of artworks or other cultural property that originally belonged to Jews.

Ukraine participated in the 1998 Washington Conference on Holocaust-Era Assets and is a signatory to ICOM's Code of Ethics.

Country Name: UNITED KINGDOM

In 1998 the National Museum Director's Conference (NMDC) established a working group to examine issues surrounding the spoliation of art during the Holocaust and World War II period. As a result, a statement of principles and proposed actions for member institutions was drawn up. A year later, in 1999, the Museums and Galleries Commission (MGC) drew up guidelines for dealing with spoliated items in non-national museums. Also in 1999, an independent "Spoliation Advisory Panel" was established which has ruled on a handful of cases.

Some of the United Kingdom's cultural institutions conduct provenance research, namely those 28 that are mentioned on the NMDC's webpage as holding objects with unknown provenance. There is no restitution law in place for looted cultural property, in addition to the fact that under current law, British galleries are barred from disposing of art that they hold in trust for the nation. The "British Museum Act" clearly forbids museums from deaccessioning any part of their collection, with certain exceptions such as duplicates. Changes in the law are currently under consideration by Parliament.

The United Kingdom participated in the 1998 Washington Conference on Holocaust-Era Assets and is a signatory to ICOM's Code of Ethics.

Country Name: UNITED STATES

The United States has played a significant historic role in international restitution efforts, but it has also been a recipient of looted art. In the postwar years, looted objects found their way to the United States, but given the intensive demand for cultural objects at the time, it was not standard practice for museum collectors and dealers to investigate the provenance of works that came into their possession. A significant number of works with questionable provenance entered both public and private collections in the United States.

The 1998 Presidential Advisory Commission on Holocaust Assets in the United States (PCHA) only marginally focused on looted art that reached the United States and on provenance research in cultural institutions. However, in its final report in 2000, the Commission recommended that all museums should disclose their known objects and make provenance research information available.

In 1998 the Association of Art Museum Directors (AAMD) established a Task Force on the Spoliation of Art during the Nazi/World War II Era and adopted guidelines detailing procedures on how to deal with Nazi-era looted art. Soon thereafter, in November 1998, the American Association of Museums (AAM) followed suit and published its "Common Guidelines Concerning the Unlawful Appropriation of Objects During the Nazi Era." These guidelines were subsequently amended in April 2001.

In September 2003, the “Nazi-Era Provenance Internet Portal” (www.nepip.org) was launched: As of April 2009, 164 museums are participating in the Portal, with an additional 33 museums asserting that they do not hold any relevant objects as defined by the AAM. Generally speaking, most major museums in the US have posted provenance research. However, a number of smaller museums, especially university museums, have not and are pointing to the high cost of provenance research. While the U.S. government can urge museums to participate in the Portal and conduct provenance research, it has no leverage to enforce compliance since most museums are private or are under state and/or municipal authorities. No general claims resolution system has been set up for dealing with Nazi-era art claims, and claims are mostly dealt with on an ad hoc basis that requires claimants ultimately to go through the courts.

In July 2006, the Claims Conference/WJRO published a report entitled “Nazi-era Stolen Art and the U.S. Museums: A Survey”. The survey, which covered 332 museums, showed that while there are some good developments, improvements are still needed: among other findings, the report showed that the number of artworks posted on NEPIP (at that time 18,102 items listed by 151 participating museums) only reflected a small percentage of “covered objects” as defined by the AAM.

While many museums are conducting provenance research and a number of artworks have been returned, in a more recent development, some museums have started to file suits against claimants to quiet title, thereby invoking technical legal defenses in order to avoid restituting objects and compelling claimants to spend large sums in legal fees.

The United States participated in the 1998 Washington Conference on Holocaust-Era Assets and is a signatory to ICOM’s Code of Ethics.

Country Name: URUGUAY

Uruguay has not established a historical commission, and it is not known to what extent looted cultural property entered the country during the Holocaust period or after World War II.

Cultural institutions in Uruguay do not appear to be conducting provenance research. There is no restitution law in place for looted cultural property.

Uruguay participated in the 1998 Washington Conference on Holocaust-Era Assets and is a signatory to ICOM’s Code of Ethics.

III. WASHINGTON CONFERENCE PRINCIPLES ON NAZI-CONFISCATED ART

*Released in connection with the Washington Conference on Holocaust-Era Assets,
Washington, DC, December 3, 1998*

In developing a consensus on non-binding principles to assist in resolving issues relating to Nazi-confiscated art, the Conference recognizes that among participating nations there are differing legal systems and that countries act within the context of their own laws.

I. Art that had been confiscated by the Nazis and not subsequently restituted should be identified.

II. Relevant records and archives should be open and accessible to researchers, in accordance with the guidelines of the International Council on Archives.

III. 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.

IV. 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.

V. 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.

VI. Efforts should be made to establish a central registry of such information.

VII. 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.

VIII. 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.

IX. 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.

X. 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.

XI. Nations are encouraged to develop national processes to implement these principles, particularly as they relate to alternative dispute resolution mechanisms for resolving ownership issues.