

NATIONAL APPROACHES TO PROVENANCE RESEARCH AND RESTITUTION

Delegations from five European looted art committees at the 'Fair and Just Solutions?' conference at the Peace Palace in The Hague, Netherlands in 2012
(Photo: Sander Stoepker / Dutch Restitutions Committee)



THE WASHINGTON CONFERENCE ON HOLOCAUST-ERA ASSETS IN 1998 INSPIRED A NUMBER OF EUROPEAN COUNTRIES TO CREATE SPECIALISED ADVISORY BODIES, WHOSE OBJECTIVE IS TO CONDUCT PROVENANCE RESEARCH AND MAKE RECOMMENDATIONS ON THE DISPOSITION OF ARTWORKS AND OTHER CULTURAL OBJECTS OF WHICH POSSESSION WAS LOST AS A RESULT OF THEFT, CONFISCATION, OR FORCED SALE DURING THE NAZI ERA.

Although the advisory bodies were all established by their relevant national governments, they differ not only in the approaches they take to questions of provenance research and restitution but also in the scope and nature of the claims they are authorised to adjudicate and the resolutions they are empowered to recommend. For example, while both the Dutch Restitutions Committee and the British Spoliation Advisory Council are authorised to assess disputes between private individuals, the French Commission for the Compensation of Victims of Spoliation and the Austrian Restitution Committee are limited to providing recommendations to their relevant federal governments.

In Austria, provenance research and restitution are matters of law. In other jurisdictions, the various national advisory bodies have – for better or worse – been tailored to suit the specific needs and expectations of the governments that created them. Nevertheless, they provide an important, ideally independent, and impartial process for seeking just and fair solutions to ownership disputes. They stand as examples of the progress that can be achieved in provenance research and restitution for those countries similarly affected by Nazism and the Second World War who remain unable – or unwilling – to investigate the provenance of artworks and other cultural objects held in their collections.



Dr. Ingeborg Berggreen-Merkel - head of the Schwabing Art Trove Task Force that is assigned to investigate the Gurlitt collection - meeting with Mr. Jérôme Bénézech, director of the French Commission for the Compensation of Victims of Spoliation Resulting from the Anti-Semitic Legislation in Force during the Occupation.
(Photo: Commission pour l'indemnisation des victimes de spoliations - CIVS / Facebook)