

If object information from every site is displayed, then this will become a valuable tool for the art market. Dealers and auction houses can use the portal to search items before they go up for sale and catch items that may have been looted.

The portal can also feature social networking, which would be helpful for both families and professionals who are seeking information. Families could talk to one another about successes and pitfalls they have encountered. They could also form interest groups that range from genealogy to claimant resources. This would give them a community to discuss issues with like-minded individuals.

Another advantage of social networking is that professional researchers would have an international environment in which they can share information. Oftentimes research is solitary, but it is much more useful if a researcher could get tips from other professionals in the field. Users could form specialist groups such as restitution laws, looting in Poland, etc. This could have a secondary effect of creating an international restitution community that can communicate on a regular basis in which anyone is welcome to participate.

In terms of governance, the Central Information Portal should be run as a not-for-profit organization and be a neutral body, so that there are not any conflicts of interest with claimants or the art market. A small staff would be needed to manage the build and maintenance of the site. This could be run in conjunction with the proposed Terezín Institute.

As a not-for-profit organization, funding could come from governments or from private foundations. The way that the portal is built, the lists of partners, and the way that it obtains information should

be entirely transparent and the organization running the portal should publish regular reports about the information that it has acquired, highlights and statistics about how many people are visiting the website, and the organizations that are sponsoring the site.

There will be issues that arise when creating a portal, the biggest one being securing and sustaining funding. However, this is a great way to centralise information while also letting participating organizations retain autonomy and control over their content. Creating a portal specifically for Holocaust era looted cultural property will fulfil Washington Conference Principle VI and make finding information much easier and more accessible.

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**IDENTIFICATION OF WORKS OF ART BELONGING
TO HOLOCAUST VICTIMS AND THE POSSIBILITY OF
RESTITUTION TO THE ORIGINAL OWNERS**

I would like to enumerate the possibilities for identifying works of art belonging to victims of the Holocaust that have been kept thus far in the collections of certain museums and galleries. I will base my remarks on the experiences of the Silesian Regional Museum (*Slezské zemské muzeum*) in Opava and I will cite several specific examples that have led to a work of art being found and successfully restituted.

Ten years ago, when the Czech Ministry of Culture ordered museums and galleries to ascertain whether they possessed items

originally belonging to victims of the Holocaust, the resulting inspections yielded mostly negative results. Things were no different in the Silesian Regional Museum in Opava, and no such items were found in the Museum's collections. It is extremely difficult to prove the origin of these items if there is no obvious evidence of Jewish culture or ritual objects, or if they are not part of art collections belonging to well known collectors. Records in acquisition books for the Museum's collections from the Nazi era (if they have been preserved at all, in view of wartime events) usually do not mention the specific origin of an item. Similarly, post-war records of confiscations conceal their actual origin, because a number of cases concerned not German property, but works that were plundered or confiscated by the Nazis.¹

Finding connections between "suspicious" items in museum collections and their original owners requires comprehensive archive research, which is appropriate to the specific conditions of the museum in question. Because the territory of Czech Silesia was not part of the Protectorate of Bohemia and Moravia during the war, but was another border area of the Czech Lands directly affiliated with the German Reich, there is little chance of successfully finding period documents in the central archives of Prague and Brno. Despite losses sustained during the evacuation of the authorities' offices at the end of the war and fierce battles during the liberation of Silesia, a considerable portion of official documentation from the Opava government district of Reichsgau Sudetenland was preserved in the Regional Archive (*Zemský archiv*) in Opava. A particular source of valuable information in

¹ Borák, Mečislav. "Some Possibilities for the Museum Identification of Items Belonging to Holocaust Victims" ("Některé možnosti muzejní identifikace předmětů patřících obětem holocaustu"). In *Lost Heritage (Ztracené dědictví)*. Contributions from "roundtable" discussions on the documentation, identification and restitution of cultural property belonging to victims of World War II. Ed. Mečislav, Borák. Prague: Tilia, 2006, pp. 76–82.

this archive is the collection of the *Supreme Financial President for Opava (Vrchní finanční prezident Opava 1938–1945)*, which contains hundreds of boxes of taxation and pricing records as well as other financial files. For example, the financial documents include lists of payers of Jewish tax, fragments of Gestapo correspondence concerning confiscated Jewish property, and lists of the assets of Jewish inhabitants from the entire Opava government district, who were deported to Terezín or to extermination camps in the eastern part of the Reich.² The extensive correspondence of the Supreme Financial Presidium documents in detail the official mechanism for the transfer of Jewish assets into German hands. Whereas gold and jewels belonging to Jews deported to the ghetto in Terezín and extermination camps were sent directly to Berlin, other confiscated property was stored in depots. The director of the *Reichsgaumuseum* in Opava, Dr. Werner Kudlich, asked the Supreme Financial President for confiscated works of art "of Jewish and Czech origin" to be given to the Opava museum, particularly items of "national historical and geographical value."

In the correspondence that has been preserved, there are also letters that allowed for requested Jewish assets to be specified in concrete terms.³ The first of these concerned the assets of the Löw-Beer family from Brněnec (then Brünnlitz), who owned a small textile factory in the town that later became famous around the world. This was the place where Oskar Schindler established a grenade factory at the end of the war. He employed Jewish prisoners and thus saved them from extermination. Besides artisanal furniture and a clock, the museum's director also requested a

² Borák, Mečislav. "Sources on Transportations to Terezín from the Opava District of the Reichsgau Sudetenland" (Prameny k transportům z opavského obvodu Sudetské župy do Terezína). *Terezínské listy (Terezín Journal)*, 33, 2005, pp. 36–44.

³ Opava Regional Archive (Zemský archiv Opava), collection of the Supreme Financial President of Opava (Vrchní finanční prezident Opava) 1938–1945, box 2077.

picture by the painter Franz von Lenbach. The second request that was found concerned the confiscated property of the Pam family from Lanškroun. Apart from a musical clock with a motif of Karlštejn Castle, Dr. Kudlich primarily requested pictures – a still life by Josef Wimmer, several watercolors by Karel Geiger, Friedrich Frank and Strof (all with Viennese themes) and an oil painting by Alois Schön (*Banquet in a Viennese Suburb – Hostinec na vídeňském předměstí*). The third request concerned a rare bible with engravings by F. X. Scheidt and a Chinese picture on glass from the house of the Konstant-Bred family of Jewish entrepreneurs from Opava. All other references to efforts to obtain confiscated pictures and works of art for the museum were too general. Consequently, it was not possible to use them to explicitly identify requested works (e.g., they concerned collections of pictures from the Fulnek chateau and from Opava's Minorite monastery, pictures belonging to the owner of the Hoffmann textile factory in Moravská Chrastava, etc.). Other correspondence indicated that the Supreme Financial President accommodated the museum's requests and recommended that the Reich's Ministry of Finance should deal with them in an affirmative manner. Unfortunately, the archive collections do not enable us to discover whether items were eventually transferred to the museum's collections or to ascertain the extent to which this took place.

Discovering at least some specific data about works of art facilitated the second phase of the investigation – making an attempt to find them in the collections of today's Silesian Regional Museum. Nevertheless, searching in the acquisitions book from the time of the war did not uncover any of the items. It was only when the registration book of postwar confiscations was studied that the first success story was finally recorded – a signed picture by Franz Seraph von Lenbach was found (a portrait entitled *A Girl's Head – Dívčí hlavička*). Lenbach was a well-known

ladies' salon portraitist from the end of the 19th century and he was also famous for his portraits of the German chancellor Bismarck. This is undoubtedly one of the pictures confiscated from the Löw-Beer family in Brněnec, which was mentioned in the museum director's letter. This is also indirectly confirmed by a note added in pencil to the column stating the origin of the work, that is, the word "*Finanzpräz.*," which probably documents the transfer of the picture to the museum by way of a decision taken by the financial president for Opava.

Immediately afterwards, three further pictures were identified, which were mentioned in correspondence found in the archive. In all probability, these probably originate from the property of the Pam family of Lanškroun. They are *Still Life with Fruit (Zátiší s ovoce)*, an oil painting on canvas signed by Josef Wimmer, and two signed gouaches by Friedrich Frank from around 1910 – the Viennese square *Am Hof* and the Viennese street *Kärtnerring*. The other pictures mentioned – by Karl Geiger and Alois Schön – were not located. Similarly, no traces were found of the Chinese picture on glass and other property belonging to the Konstant-Bred family.

This was followed by the third phase of the entire process – finding the original owners and beginning restitution proceedings. Before the war, the factory in Brněnec belonged to three brothers from the Löw-Beer family, which has now branched out widely. With the aid of Michaela Hájková, the curator of the Jewish Museum in Prague, contact was established with the grandson of Alice Löw-Beer, Mr. Ivan Koenig from London. Jacob Löw-Beer, the great-grandson of one of the owners, got in touch from the United States. Together with other members of the family, Margaret König from Great Britain also came to a conference on restitutions held in Český Krumlov in 2005. She declared that the

picture that had been located was all the more valuable to the family because it is now the only thing that has been found from their collection, which was confiscated by the Nazis.

With the aid of archivists and museologists from north Moravia, traces were also found of the Pam family from Lanškroun. At the end of the 19th century, they established a paper mill in the town, which is still operating today. In 1938, part of the family managed to emigrate to Great Britain, but Max Pam was imprisoned by the Nazis and he perished in the Dachau concentration camp. Today, the family's descendants live in France, Australia and Canada. Liselotte Fisher-Pam, the ninety-year-old granddaughter of the founder of the Lanškroun factory, came from the latter country this year to look at the pictures that had been found. Restitution proceedings are still underway, but there is no doubt that they will be resolved in favor of the descendants of the original owners of the pictures.¹

Recently at the Silesian Regional Museum in Opava, on the basis of an analysis of newly found archive materials, more pictures and works of art were identified which very probably belonged to victims of the Holocaust. Some records have been preserved of meetings at the Reich Museum in Liberec at the headquarters of the Reichsgau Sudetenland, where Kudlich, the museum director, travelled from Opava. At the meetings, decisions were made about which acquisitions would be taken to Opava and which ones would remain in Liberec. The objects and pictures concerned were quite well described so it was possible to begin searching for them in the collections of the Museum today.

¹ Kalus, Jaromír. Restitution of Art Belonging to Holocaust Victims in the Context of the History of the Silesian Museum in Opava. In *Restitution of Confiscated Art Works – Wish or Reality? Documentation, identification and restitution of cultural property belonging to victims of World War II*. Edited by Mečislav Borák. Prague: Tilia Publishers, 2008, pp. 235–245.

The minutes of the meetings were compared with the records of collection acquisitions and records of confiscations. So far, two purchases of pictures by Dr. Kajetan Mühlmann, the Reichskommissar for occupied Dutch territory in The Haag, have been proven with relative certainty – *A Scene from the Harbor (Scéna z přístavu)*, an oil painting on wood by Norbert Grund, a leading rococo painter who originally came from Prague, and *Still Life with Snails (Zátiší s hlemýžďi)* by Georg Flegel from Olomouc, one of the founders of still life painting in German art. A tapestry with motifs of fantastical fauna and flora, which presumably originated in Flanders in the 16th century, was also acquired for the Reichskommissar in The Haag. This was recorded in the collections at the Museum as “old museum property.” We therefore have extremely suspicious wartime acquisitions for collections, but we cannot prove with certainty that they belonged to victims of the Holocaust or even identify their original owners. It would perhaps be possible to do this in cooperation with colleagues in the Netherlands or possibly France, Belgium, or Germany.

We expect other similar finds. For example, an inventory from the time of the occupation corresponds to a Renaissance tin pot dating back to 1579 from the town of Liebenthal (now Lubomierz) in Lower Silesia. In the Museum's acquisitions book for collections from the time of the occupation, there are some very suspicious purchases in auction houses and auction rooms, which also arranged the sale of Jewish assets, e.g., Hauswedell in Hamburg, Heinrich Hahn in Frankfurt am Main, Lempertz in Cologne, Dr. Weinmüller in Munich, Versteigerungshaus Gerhard Harms and Haus Krüger in Berlin, Kunst-Auktionshaus “Kärtnerstrasse” and Dorotheum in Vienna as well as Stieglitz Salon in Krakow. Purchases were also made very frequently in Amsterdam with the firms Van Dijk, Wincent Klepman, Mossel, and Vecht. So far, however, no specific evidence has been found that would

prove that any of the purchases belonged to victims of the Holocaust. Other suspicious transactions, for example, could include the purchase of porcelain with a memo that it comes from the Petschek collection, a reference to the prepared purchases of part of the Mannheimer collection in The Haag, or all transfers of pictures arranged by financial authorities.

In conclusion, I would like to express my conviction that even in regional museums and galleries possibilities also exist for the identification and restitution of works of art belonging to Holocaust victims.¹ Nevertheless, this remains contingent upon a thorough and expertly qualified examination of all available archive resources, including atypical sources (e.g., financial documents), comparing information from central and regional archives, perhaps even from archives that are a considerable distance from where the collections have been deposited, rigorous and repeated checks of records of collection acquisitions and postwar confiscations as well as comparisons of records with period archive materials, and the identification of all suspicious acquisitions, their registration, and public accessibility. This would facilitate the search for sought-after works and their original owners on an international level.

¹ Borák, Mečislav. "Identifying the Items of Holocaust Victims in the Collections of Museums and Galleries in the Czech Republic." (Identifikace předmětů po obětech Holocaustu ve sbírkách muzeí a galerií ČR). *The Silesian Regional Museum's Magazine (Časopis Slezského zemského muzea)*, series B, 55, 2006, pp. 285–287.

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**PRESUMPTIONS: APPLYING LESSONS
LEARNED FROM COMPENSATION PROGRAMS**

Good afternoon, Friends and Colleagues:

Thank you for the opportunity to appear before you today. Those in the field of restitution are aware that even extensive research cannot always provide a complete provenance for artworks looted during the Holocaust. As Director of the Holocaust Claims Processing Office (HCPO), I would like to share with you our experience working with numerous international restitution organizations and to suggest that practices of other restitution processes could provide valuable guidelines with respect to filling provenance gaps.

In the late 1990s, disputes over Holocaust-era dormant Swiss bank accounts and unpaid life insurance policies focused international attention on myriad issues concerning unresolved claims for assets lost during the Holocaust era. As a result, numerous agreements allocating funds for restitution were reached, and processes to disburse payments were established.² However, no

² Take for example the Holocaust Victim Assets litigation in the US District Court for the Eastern District of New York, Chief Judge Edward R. Korman presiding, and the Claims Resolution Tribunal (CRT); the Washington Agreement between the United State and France and the Commission for the Compensation of Victims of Spoliation Resulting from the Anti-Semitic Legislation in Force during the Occupation (CIVS); the Memorandum of Understanding, between European insurers, United States insurance regulators and others, and the International Commission on Holocaust Era Insurance Claims (ICHEIC); the Foundation "Remembrance, Responsibility, and the Future" (German Foundation) and the Property Loss Claims Commission as well as Slave and Forced Labor programs; the Washington Agreement between the United State and Austria and the General Settlement Fund (GSF); the Enemy Property Claims Assessment Panel (EPCAP); and the Belgian Jewish Community Indemnification Commis-