

An impulse towards the restitution
of art with a World War II history

Artwork in search of *an heir*

Theft, confiscation, or sale under duress. The Dutch State administers a considerable number of artworks lost by individuals just before or during the Second World War. The Netherlands are doing everything in their power to return the objects and since the start of 2022 are intensifying their efforts.

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In 1942, art dealer Gustav Cramer sold the painting *River Landscape with Ruins and Town in the Distance* to a German art dealing firm on behalf of a woman who herself was in hiding. To protect the woman's identity, her personal details were not recorded at the time. Immediately after the Second World War, the painting was brought back to the Netherlands, together with thousands of other cultural objects which between 1933 and 1945 had ended up in Germany. Restitution to the original owner was impossible; after Cramer, the trail ran cold. *River Landscape*, painted around 1700 by Dionys Verburg, still awaits restitution in the depot of the Cultural Heritage Agency (RCE). The Agency is therefore investigating the origins of this painting and of other recovered works of art.

This investigation is part of a set of measures announced last year by the Minister of Culture with a view to return as much stolen or lost art as possible to the original owners or their heirs. The researchers' goal is to supplement available information on the ownership status and provenance of the recovered works administered by the Cultural Heritage Agency. As a first step, all art works are photographed again by the Agency, including the reverse side, as this often carries short handwritten notes or labels, which may offer clues as to the painting's former owners or locations.



Whenever possible, artworks stolen or lost during the Nazi period and administered by the Dutch State since the Second World War are returned to the previous owners



At the end of the Second World War, the Allied forces recovered much stolen art



This 'River Landscape' by Dionys Verburg still awaits restitution

Fresh clues

The Cultural Heritage Agency's investigations are an extension of earlier, detailed research conducted between 1998 and 2007 by the Origins Unknown Agency. Recent studies, ongoing digitization of archives in the Netherlands and elsewhere, and previously unknown or inaccessible information are likely to produce fresh clues. One example is an online database, compiled in recent years by Heidelberg University and containing thousands of auction catalogues from Germany, Austria, and Switzerland from the period 1901-1945. Of the artworks retrieved from Germany some were restored to the original owners shortly after the war, while others were sold at various auctions. The remainder was stored with the National Art Collection. To this were added a small number of artworks confiscated from collaborators or Germans in the Netherlands after 1945, as well as other artworks with a World War II connection, some of which surfaced much later. Altogether there are over 3,000 objects representing both the applied arts, such as ceramics, furniture and tapestries, and the visual arts, such as drawings and paintings. These were not all stolen, confiscated, sold under duress, or otherwise lost under constraint. Some of the objects were trade commodities, and sold voluntarily.

On loan to museums

Today, many of these artworks are loaned to for instance museums, which will mention their special provenance. The rest is kept in storage in the Cultural Heritage Agency's depot. Since January 2022, the Agency is the primary contact for the restitution of artworks lost or stolen during the Nazi period. Interested parties, museums, researchers, students, and others can turn to the Agency for information. The Agency also offers advice on restitution request procedures and provenance research and can refer to specific archives and other organizations.

In addition, over the course of the next four years, the Cultural Heritage Agency will make information and resources for research more accessible, for example by completing the ongoing digitization of the lost works archive. To increase the likelihood of restitution and to facilitate restitution requests, the Agency will publish information on

Labels may contain clues as to a painting's previous owners

the 3,000+ artworks in the online database wo2.collectionenederland.nl. This database contains art-historical information as well as information on provenance and the restitution procedure, when relevant. Artworks returned since 2000 are also published here.

Mandatory report

After May 1945, individuals who had lost artworks through sale, theft, or confiscation during the Second World War were required to report it. This requirement also applied to people who possessed information on artworks that had fallen into German hands. The reports had to be filed with the newly established Netherlands Art Property Collection (*Stichting Nederlands Kunstbezit*). Immediately after WWII, this foundation mainly focused on tracing the location of Dutch artworks and returning them to the original owners. Most of the reports filed in that context have been digitized and are accessible online via the Origins Unknown Agency's website.

After these first post-WWII restitutions, international appeals to continue the process

» had to wait until the late 1990s. In 1998, several nations including the Netherlands endorsed the *Washington Principles on Nazi-Confiscated Art*. The Principles offer guidelines for the identification, research and restitution of stolen art. Since then, the Dutch State and a number of organizations in the Netherlands have dedicated themselves to this task, and hundreds of artworks have been returned. A case in point is *View of a Dutch Town*, a 19th-century painting by Adrianus Eversen. Until 1941, this townscape was owned by Joseph Stodel, a Jewish diamond dealer in Amsterdam. After Stodel's death in the same year, the occupying authorities assigned an administrator to his estate. In 1943, this person sold the painting at auction for 4,200 guilders to Erhard Göpel, an art dealer acting for Adolf Hitler.

Acknowledgement of injustice

Last year, the Dutch Minister of Culture stated: 'It is essential that restitution requests are processed carefully and fairly, [...] for restitution is more than just the return of a cultural object. It is the acknowledgement of an injustice suffered by the original owners and a contribution to the reparation of this injustice.' Everyone can file a request with the Cultural Heritage Agency for restitution of an object in the National Art Collection. The Minister then decides whether the object should be returned, but only after due consideration.

First, the Restitutions Committee (in full: Advisory Committee on the Assessment of Restitution Applications for Items of Cultural Value and the Second World War) will issue an independent recommendation. The Committee investigates whether the applicant is in all probability either the original owner or their legal successor, and whether the loss of the property concerned during the Nazi period is likely to have occurred under duress. If

Everyone can submit a request for restitution of an object in the National Art Collection



This townscape by Adrianus Eversen has been returned to the heirs

PHOTO: RCE, MARGARETA SVENSSON

those two facts can be established, the Committee will recommend that the artwork be returned. The recommendations are based on historical research.

In-depth research

That research is carried out by the Expert Centre for the Restitution of Cultural Goods and the Second World War, which resorts under the NIOD Institute for War, Holocaust and Genocide Studies. Compared to the Cultural Heritage Agency's planned provenance research for the period 2022-2026 regarding the above mentioned 3,000 artworks, this historical research is more detailed. The Expert Centre assesses whether the artwork the applicant wishes to be returned is the same object as that which was lost before or during the war. Furthermore, the Expert Centre also investigates for example the circumstances in which the object

changed owners. The Restitutions Committee publishes its recommendations on its own website, where they are publicly accessible.

Restitution requests can also be filed for artworks that are not State property. In that case the request has to be filed together with the present owner, often a municipality or museum. The current owner and the claimant can ask the Restitution Committee to issue a binding advice. Another option, introduced in 2016, is that the Expert Centre investigates objects kept in the National Collection or elsewhere without issuing an advice. Requests for this procedure can be filed jointly with the object's present owner through the Cultural Heritage Agency.

Unique characteristics

Sometimes the original owners or their legal successor(s) cannot be traced. There may not be any survivors, or documentation is lacking, or the trail goes cold. It may also be difficult to trace a provenance if the artwork has few distinguishing characteristics. This is the case for some of the wardrobes, chests, carpets and tapestries. Consequently, once the provenance research is completed there will still be a group of 'orphaned' artworks.

It has been agreed that the Dutch State will hand over responsibility for ownerless artworks that are likely to have been stolen from Jewish owners during the Nazi period to a Jewish cultural heritage organization. The Cultural Heritage Agency will digitally publish any new information that may emerge from the provenance research. If you have additional information or clues that are relevant to the research, you can contribute to the important task of returning the artworks to the original owners or their heirs. Every little bit helps. 📧

Nina Wijsbek, heritage policy advisor for the Cultural Heritage Agency, together with others works towards the restitution of artworks with a war history. For more information, send an email to restitutie@cultureelerfgoed.nl.



The provenance of this chest of drawers, which has few distinguishing characteristics, is unknown

PHOTO: RCE, MARGARETA SVENSSON