



Berlin, 20. March 2014

## **PRESS RELEASE**

### **Prussian Cultural Heritage Foundation welcomes recommendation of the Advisory Commission on the Welfenschatz restitution request**

- Check against original text in German -

**DER PRÄSIDENT**  
PRESSE- UND ÖFFENTLICHKEITSARBEIT

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The Advisory Commission chaired by Prof. Jutta Limbach that handles issues concerning the return of cultural artifacts confiscated as a result of Nazi persecution today recommended not to offer restitution for what is known as the Welfenschatz (Guelph Treasure) of the Kunstgewerbemuseum (Museum of Decorative Arts) of the Stiftung Preußischer Kulturbesitz (Prussian Cultural Heritage Foundation). The Welfenschatz collection is a unique cultural artifact of the highest international standing.

In light of the recent recommendation, we would like to invite you at short notice to a **press conference on 20 March 2014 at 5:00 p.m.**, which will be held in the Villa von der Heydt (Von-der-Heydt-Str. 16-18, 10785 Berlin).

Interviews will be possible following the press conference.

“The Foundation welcomes the carefully considered recommendation of the Advisory Commission, which takes all facts into account,” said Prof. Hermann Parzinger, President of the Stiftung Preußischer Kulturbesitz. “Over years of intensive provenance research, the Foundation has investigated the circumstances under which the Welfenschatz was purchased with extreme care. The Advisory Commission agrees with the results of the Foundation's investigations. According to the Commission the prerequisites for restitution based on the Washington Principles are not in this case fulfilled. It is also noteworthy that the Commission's recommendation includes possible other, earlier co-owners.”

Even though the purchase took place after 30 January 1933 and the persons from whom the claimants derive their claim were members of a group of persons persecuted by the National Socialist regime, this sale cannot be classified as being due to Nazi persecution.

This is verified by a number of historical facts:

- The purchase price paid was in line with normal, feasible conditions on what was an extremely strained art market at the time.



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- The sellers received the agreed purchase price at their free disposal.
- Moreover, the Welfenschatz had been situated outside Germany since 1930 and was not under the control of the German state at the time of its sale.
- Although the whereabouts of the collection have been known since 1945, a request for restitution was not made before 2008, nor were compensation or financial reparations for the sale claimed or sought.

These facts have found recognition by the Advisory Commission in its recommendation today, thereby sharing the SPKs evaluation. The Commission maintains: „Obwohl die Kommission sich des schweren Schicksals der Kunsthändler und ihrer Verfolgung in der NS-Zeit bewusst ist, liegen keine Indizien vor, die darauf hindeuten, dass die Kunsthändler und ihre Geschäftspartner in dem von der Beratenden Kommission zu beurteilenden speziellen Fall in den Verhandlungen – etwa von Göring – unter Druck gesetzt worden sind; ...“

## **Background information**

### **The “Welfenschatz”**

What is today known as the “Welfenschatz”, a collection of relics from the former Collegiate Church of St. Blaise in Brunswick (today, the Brunswick Cathedral), grew into one of the most significant German treasuries of the Church through numerous donations over several centuries in the Middle Ages. In 1671, it came to be owned by the Guelph dynasty, which sold the collection, at the time consisting of 82 works, to a syndicate of art dealers in 1929. The Prussian State acquired 42 works from this syndicate, through Dresdner Bank, in June 1935 for the Schlossmuseum, today known as the Kunstgewerbemuseum (Museum of Decorative Arts) of the Staatliche Museen zu Berlin (National Museums in Berlin). The collection is currently on exhibit in the Bode Museum.

The part of the Welfenschatz held by the Kunstgewerbemuseum today comprises 44 works of treasury art from the 11<sup>th</sup> to 15<sup>th</sup> centuries, making it the largest publicly owned collection of German ecclesiastical art.

The descendants of the former owners of the Welfenschatz filed an application for restitution in 2008. The Stiftung Preußischer Kulturbesitz, to



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which the Kunstgewerbemuseum belongs, sees the historical facts, compiled through extensive scientific research, differently to the applicants, and does not believe that the conditions for restitution have been satisfied.

In all previous restitution cases, the Prussian Cultural Heritage Foundation has been able to agree on a solution with claimants, but not in this case. This is why the Foundation wished to remain open to the opposing party's request to refer the matter to the Advisory Commission. Of the many restitution cases that the Foundation has handled, this is the first for which it has taken this course of action.

### **The Foundation's handling of requests for restitution**

Since the 1990s, the Foundation has been actively and responsibly engaged in the search for cultural artifacts confiscated as a result of Nazi persecution. Since 1999, it has handled more than 50 claims for restitution and has successfully reached agreements on various fair and just solutions with legitimate claimants. In total, it has returned over 350 works of art and more than 1,000 books.

The "Washington Principles", which have been adapted to the circumstances of the Federal Republic of Germany, its states and leading municipal organizations in a "Common Declaration" and "Guidelines", are always a steadfast guiding principle for the Foundation's actions. They form an indispensable foundation for confronting and offering reparation for the injustices inflicted by National Socialism, including the confiscation of art and collections.

### **Facts for assessing the "Welfenschatz" case**

The Foundation has dealt intensively with the circumstances of the purchase of the Welfenschatz in 1935. It has compiled numerous facts through its extensive scientific research. As a result, the Foundation is convinced that the conditions for releasing the Welfenschatz to the heirs of the art dealers Goldschmidt, Hackenbroch, Rosenberg and Rosenbaum have not been satisfied on the basis of the "Common Declaration" and "Guidelines". The Foundation considers that the sale of the Welfenschatz was not a forced sale due to Nazi persecution, even though the sellers were Jews living in Germany and abroad.

This assessment reflects the particular circumstances of a rare individual case. It was formed with all due sensitivity to the moral and historical considerations. In the opinion of the Foundation, its decision withstands the



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rightfully stringent requirements of the “Guidelines” and the “Common Declaration”.

The following historical facts verified by source material prove, in the opinion of the Foundation, that the Welfenschatz was not sold due to Nazi persecution:

- **The purchase price paid was appropriate.** The syndicate of art dealers acquired the treasure, consisting of 82 pieces, in 1929 for 7.5 million reichsmarks, with the intention of selling it again quickly at a profit. Owing to the onset of the economic crisis that occurred soon thereafter (“Black Friday”), public institutions in particular were hardly able to consider such a purchase. Despite intensive efforts, in the United States especially, only around half of the works, 40 pieces, were sold for at least RM 2.5 million. The sellers’ asking prices for the main works on exhibit today in Berlin were considered wholly unrealistic even by US museums. They initially remained unmarketable and, in 1934/35, were valued at a total sum of just RM 1.6 million in the sellers’ own business records. From 1933, the State of Prussia was effectively the only remaining prospective buyer for the Welfenschatz. During protracted and complicated negotiations in the years of 1934/35, the prices offered and sought by the respective parties for the second half of the Welfenschatz (42 pieces) shifted from initially RM 5 million on the part of the sellers and RM 3.5 million on the part of the buyers to a final price of RM 4.25 million. Despite the global financial crisis, the dealers therefore received a total of RM 6.75 million for the entire treasure, roughly 90% of the purchase price paid in 1929. While the price paid by Prussia for the pieces acquired was less than the purchase price, it was not beyond the realms of general economic risk.
- **The sellers received the purchase price at their free disposal.** There is documentary evidence that the sellers each received the sums paid and were free to dispose of them as they saw fit. In particular, in spite of the currency restrictions that were in place, considerable efforts were made on the part of the buyer to ensure that the members of the syndicate already living outside Germany by 1935 received their share of the purchase price. In a process of particular note, 20 works of art were selected from Berlin’s museums by mutual arrangement between the museums and the



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sellers as part of the purchase price. The sellers were allowed to export these works and sell them abroad on their own behalf.

- **The Welfenschatz was not under the control of the German state at the time of its sale.** It had already been removed from Germany in 1930. It was in storage in Amsterdam at the time it was purchased by Prussia in June 1935.
- **The whereabouts of the Welfenschatz were known after 1945.** It was located in the zones occupied by the western Allied Forces or in the Federal Republic of Germany at all times from the end of the war, and in West Berlin from 1963. It has also been on constant public exhibition since the 1950s. Its history and place of presentation in the Museum of Decorative Arts of the National Museums in Berlin have been published many times. The sellers and their descendants did not file a request for restitution or apply for financial reparations at any time before 2008, including during Allied and Federal German reparation proceedings in particular.

**Press images:** [www.preussischer-kulturbesitz.de/presse/pressebilder](http://www.preussischer-kulturbesitz.de/presse/pressebilder)