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PRESS RELEASE

Welfenschatz: U.S. District Court Ruling Halts Guelph Treasure Restitution Lawsuit Brought Against SPK

– Check against original text in German –

**U.S. Lawsuit Found to Lack Jurisdiction and
Should Not be Heard Before Any U.S. Court**

DER PRÄSIDENT
MEDIEN, KOMMUNIKATION
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Last week, the U.S. District Court for the District of Columbia granted SPK's Motion to Dismiss the 2015 Guelph Treasure restitution lawsuit that was brought against it, finding that the U.S. lacked jurisdiction to hear such a lawsuit. The District Court ruling in effect brings the lawsuit against SPK to an end in the U.S., absent an appeal by the plaintiffs.

Hermann Parzinger, President of the SPK, one of Germany's most prominent cultural institutions, said:

“SPK is pleased with the District Court's ruling which affirms SPK's long-held assessment that this lawsuit seeking the restitution of the Guelph Treasure should not be heard in a U.S. court. SPK has also long maintained that this lawsuit lacked merit, as the Guelph Treasure's sale in 1935 was not a forced sale due to Nazi persecution. The SPK's view is backed by many years of provenance research, and is fully concurrent with the Advisory Commission's finding in 2014. SPK's has long been committed to conducting expert, in-depth provenance research and to upholding the Washington Principles, the international standard governing restitution matters. We have restituted several hundred works of art and more than 2000 books by now and will continue to strive for just and fair solutions in accordance with the Washington Principles in each restitution claim that comes before us.”

The Court granted SPK's motion to dismiss the case because it found that that the plaintiffs “failed to preserve their argument that the sale of the Welfenschatz is not subject to the domestic takings rule because the Consortium members were not German nationals at the time of the sale,” and also because even if they had preserved the argument, the exception to the Foreign Sovereign Immunities Act the plaintiffs invoke in their lawsuit would still not apply.

The U.S. District Court's ruling follows the ruling by the U.S. Supreme Court in February 2021 that had overturned the lower court's denial of



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SPK's previous Motion to Dismiss this lawsuit seeking the Guelph treasure's restitution (Philipp and Stiebel vs. Federal Republic of Germany and Stiftung Preußischer Kulturbesitz). The Supreme Court decision directed the lower court to re-consider a new argument that the plaintiffs had raised for the first time in the Supreme Court.

SPK is represented in this matter in the United States by the law firm of Wiggin and Dana.

Further information about the Guelph Treasure and a detailed historical review of the sale in 1935 are available at:

<http://www.preussischer-kulturbesitz.de/en/newsroom/dossiers-and-news/all-dossiers/dossier-the-guelph-treasure.html>