

About us

Functions of the National Fund concerning art restitution

At the Washington Conference on assets from the Holocaust era in which, in addition to the Republic of Austria, over 40 states participated, the principles regarding the way in which art objects that were seized during National Socialism and so far have not yet been returned are dealt with was passed on 3 November 1998 in the form of a political declaration. The government representatives declared, among other things, that efforts would be made to identify the artworks, to publish the relevant data concerning the objects and to restitute the art to its pre-war owners or their heirs. Furthermore, it was agreed with regard to heirless art objects that the necessary steps were to be taken expeditiously in order to find a just and fair solution. These measures were also reinforced at a subsequent conference in Prague in June 2009 (Terezin Declaration).

On 4 December 1998, Austria enacted the Art Restitution Law (*Kunstrückgabegesetz*) in order to facilitate the return to their rightful owners (or their heirs) of those items which are still unlawfully in the possession of Austrian federal museums and collections. In November 2009, the scope of application of the Art Restitution Law was extended. Among other things, the amendment provided for the territorial and temporal extension of the property acquisitions to be examined, as now objects are to be restituted which had been seized on the entire territorial dominion of the German Reich.

The Art Restitution Law authorizes the appropriate ministers to assign those art objects whose owners can no longer be established to the National Fund of the Republic of Austria for the Victims of National Socialism. The National Fund is obliged to use the proceeds of the sale of these items for the benefit of victims of the Nazi regime. Until then, extensive information on these objects will be available in the Art Database of the National Fund in order to enable legitimate claimants to retrieve art and cultural items before they are assigned to the Fund.

The Council of the City of Vienna made similar arrangements to the Art Restitution Law of 1998 in 1999 (Vienna Council Resolution), while most of the federal states of the Republic of Austria (*Bundesländer*) also provide for the possibility of an *in rem* restitution of such objects.

This task has its roots in the original purpose of the National Fund, which was “to express the special responsibility towards victims of National Socialism. In order to fulfil this task, the Fund provides payments to victims of the Nazi regime in Austria. In addition, it supports projects for the benefit of these victims, as well as academic research projects on National Socialism. Since 2001 the National Fund has also paid compensation for the loss of tenancy rights, household goods, and personal valuables.

The National Fund has been represented on committees on provenance research as a critical observer. It also supports those institutions which are entrusted with the task of finding heirs in order to make contact with lawful owners or their legal successors. The National Fund will continue to act as an inquiry office for those seeking information on art restitution in Austria.

Art Database for identifying heirs

The Art Database is designed to enable victims of Nazi art theft throughout the world to search specifically for seized art objects eligible for restitution. This will ensure that eligible persons can find out about art objects and claim them before they are sold. The National Fund assists the institutions involved (the federal and provincial commissions and the Jewish Community and the Department for Restitution Affairs of the Jewish Community Vienna and the Claims Conference) in locating possible legal successors.

Relevant legal documents

- Washington Principles
- National Fund Law
- Art Restitution Law
- Vienna Council Resolution

translated by Dr. Hildegard Wiegel, M.A., M.St. and Nicholas Somers BA (Hons), edited by National Fund

© Art restitution National Fund of the Republic Austria for Victims of National Socialism