

**General principles for the registration and deletion of reports on cultural artefacts on
www.lostart.de including plausibility assessment check list (Working Translation)**

The German Lost Art Foundation documents foreign and domestic search and find reports on cultural artefacts seized under National Socialist persecution or unlawfully removed during and in the aftermath of the Second World War via its Internet database at www.lostart.de. Due to the intensification of provenance research, new insights into these cultural artefacts are continuously being gained, which could also be of interest to the users of www.lostart.de in identifying a cultural artefact. The German Lost Art Foundation endeavours, therefore, to update the reports to reflect the current state of research on an on-going basis. The following general principles were drawn up, in order to make the corresponding procedure even more transparent. These general principles provide information on the German Lost Art Foundation's procedure for the registration and deletion of reports on www.lostart.de. The essential criteria for the plausibility assessment undertaken during the procedure are presented in the attached check list, whereby further features may also be examined, depending on the particularities of the individual case. The German Lost Art Foundation would be happy to answer any questions on the general principles and the check list: lostart@kulturgutverluste.de.

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1. General Principles

1. The German Lost Art Foundation, a foundation under civil law, financed by the German Federal Government and the Länder (German Federal States), has been documenting two categories of search reports (objects reported missing by institutions or persons) and find reports (objects in the possession of cultural heritage institutions with gaps in their provenance) via www.lostart.de:

A. On the one hand, cultural artefacts seized under Nazi persecution (so-called "Nazi stolen art"), in accordance with the German Joint Declaration (1999) and the Washington Principles (1998), are registered.

B. On the other hand, the Koordinierungsstelle documents cultural artefacts unlawfully removed during and in the aftermath of the Second World War (so-called "looted art").

2. The goal of the documentation by www.lostart.de is, in particular, to provide transparency about the respective cultural artefacts with the possibility of identification and the subsequent bringing together of those searching for objects and those who have found objects.

3. The German Lost Art Foundation relies on the statements and information provided by the reporting party. It does not carry out any further research itself into the individual search and find reports. The specialized documentation of an object via www.lostart.de, particularly from a legal perspective, does not have the effect of assigning, establishing or deciding on ownership for the benefit of the respective reporting party or at the expense of a third party. The current ownership position of an old owner can be debatable today. Registration on www.lostart.de is not a substitute for any potential legally mandated repatriation of the object, for which the respective current claimant bears full responsibility. Furthermore, the registration of an object on www.lostart.de does not release the parties concerned from their obligations (including potential legal obligations) regarding possible legal claims against third parties.

II. Registration

1. No legal right exists to register an object on www.lostart.de.

2. Prerequisite for registration is the submission of a legally signed power of representation by the reporting party and a signed declaration of consent.

3. Before the object is included, the German Lost Art Foundation carries out a plausibility assessment. This plausibility assessment comprises, among other things, the information provided by the reporting party on the object, the story of loss as well as the provenance of the object and, if so required, the current location of the object, as well as the personal information provided by the reporting party. The following "Plausibility Assessment Check List" represents the essential aspects of this plausibility assessment. Whether the information provided clearly demonstrates the reasons as to why the registration should be authorized and, as a whole, does not contain any significant discrepancies is examined within the context of this plausibility assessment.

4. A factual or legal in-depth investigation (into the authenticity or origin of the object or the authority of the registering party) on the part of the German Lost Art Foundation is not part of its mandate.

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Moreover, such an in-depth investigation would, with regard to the number of objects on www.lostart.de, be neither practicable nor reconcilable with the principal of equal treatment regarding the reporting parties on www.lostart.de.

5. If the information provided by the reporting party for the plausibility assessment is not supported or does not allow discrepancies to be resolved, the German Lost Art Foundation retains the right not to publish this report or to return it for amendment.
6. If the information is insufficient, the reporting party will be informed of this and asked to provide further details or to amend the information. A publication on www.lostart.de only occurs, if the German Lost Art Foundation's quality criteria as defined for the purpose of the aforementioned plausibility assessment (see above, no. II.3.) are fulfilled.
7. All information on losses and on third party possession is based on the documents produced or submitted to the German Lost Art Foundation by the reporting party.
8. On submitting his/her report to the German Lost Art Foundation, the reporting party is to declare in writing that he/she has direct authority or is authorized to act as a representative.
9. The German Lost Art Foundation does not accept any liability for the accuracy of the data (in particular the object data and address information) or the information provided by the reporting party. The reporting party bears sole responsibility for the accuracy of the content. The reporting party bears sole responsibility for any violation of third party rights.
10. If the same object is jointly claimed by several reporting parties (as joint and several creditors), it is registered with the Koordinierungsstelle as the point of contact. In the case of inquiries, identifications or changes etc., the German Lost Art Foundation informs all parties equally.
11. If the same object is claimed by several reporting parties, whereby each reporting party makes a separate claim or a consensus cannot be reached regarding potential shares, the German Lost Art Foundation acts as the point of contact and informs of the dispute between the reporting parties in the public database. In the case of inquiries, identifications or changes, etc., it informs all reporting parties equally.

III. Deletion

1. The deletion of a registered object from www.lostart.de is performed immediately at the request of the reporting party.
2. If information subsequently becomes known, which contradicts the previous information and, in particular, concerns or undermines the plausibility of the report, the reporting party will be informed thereof and asked to provide clarification, to amend the information or to make a statement on the matter.
3. If the plausibility of a report is fundamentally undermined and if it is also not re-established by the reporting party, the report will be removed from the database by the German Lost Art Foundation. The reporting party will be informed of this immediately.
4. An entry in the database becomes disputed, if the accuracy of the report or the authority of the

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reporting party is plausibly brought into question by a third party.

5. As soon as an entry becomes a disputed report on an object, the German Lost Art Foundation will support with information on the dispute in an unbiased manner (status marking).
6. If the ownership of a disputed object is determined by a legally enforceable judgement from a German court in favour of a third party, who is not the reporting party who registered the object in the database, and this third party wishes the object to be deleted, the entry for the object will be deleted from www.lostart.de by the German Lost Art Foundation immediately.
7. No precedent is to be derived for further objects from the removal of an object listed on www.lostart.de (for example, in accordance with no. 6 on the basis of a legally enforceable court decision) due to the factual, historic and legal particularities of the respective individual case.

Plausibility Assessment Check List

Preliminary remark: The following check list includes the essential criteria for the German Lost Art Foundation's plausibility assessment with regard to reports on www.lostart.de. Depending on the particularities of the individual case, further features may need to be examined.

	yes	no	Comment
1. Is the German Lost Art Foundation responsible? This means: A. Is this a cultural artefact seized under Nazi persecution? or B. Is this a cultural artefact looted during or in the aftermath of the Second World War? Have the corresponding circumstances been demonstrably ascertained? Or are they assumed? Or can they not be excluded?			
2. Is there sufficient information on the reporting party? a. Name b. Postal Address C. Contact/Availability Were the appropriate certificates of inheritance submitted regarding the authority of the reporting party? Are any further heirs known or not known? In the case of representation , has the reporting party presented evidence of authority to register? In the case of representation by a lawyer , for instance, has power of attorney been presented?			
3. Has the declaration of consent signed by the reporting party been submitted with the plausibility assessment check list, including the confirmation of knowledge of the general principles for the registration			

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and deletion of reports on cultural artefacts on www.lostart.de?			
4. Is there sufficient information on the injured party or company? Is this plausible?			
5. Was the story of loss presented? Was the time of loss stated? Have the circumstance of the loss been detailed? Are these plausible? In the case of Nazi stolen art : Have the criteria for seizure under Nazi persecution (compulsory sale, expropriation, auction, etc.) and the corresponding suspicious facts been presented? Are these plausible? In the case of looted art : Have the criteria for the war-related loss (evacuation by troops, etc.) and corresponding suspicious facts been presented? Are these plausible?			
6. Is the following information on the cultural artefact or the collection available? A. Title (original title if possible, otherwise keyword title)? B. Artist (artist, author, etc.)? C. Dimensions? D. Materials / Technique? E. Description? F. Other clues (where appropriate, provenance features)? G. Work identity plausible? (Where appropriate, entry in the index of works available? Evidence from potentially available catalogues or inventories?) H. image available? (New? Image rights)?			
7. Is information available on the provenance? Can any particularities (such as auctions, for example) be identified? Are any changes of ownership / changes of possession during the period between 1933 to 1945 known of or to be assumed? Was the object sold after the war ? If yes: Is any information available on the participants, time and place? Is the description of the provenance as complete as possible?			
8. Is the current location known? Has a claim already been registered with the current owner? (If not, where appropriate, the corresponding information will be sent to the current owner by the Koordinierungsstelle.)			
9. Do the following particularities apply? Is the identity of the work plausible? Has the object or the collection already been the subject of a redress procedure or any other judicial proceedings in Germany or abroad? Is it known whether the procedure was concluded by (general) settlement ?			

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<p>Are questions of inheritance (certificate of inheritance, legal heirs, etc.) disputed?</p> <p>Was the object listed in the 1938 “Verzeichnis national wertvoller Kunstwerke” (Index of Artworks of National Importance), the so-called “Reichsliste”?</p> <p>Is the object already registered on www.lostart.de?</p>			
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