



Beratende Kommission NS-Raubgut

→ Accord between the Federation, the federal states and the national associations of local authorities on the establishment of an Advisory Commission of 2003, New edition 2016

1. An independent Advisory Commission shall be established which, if desired, may be jointly called upon in individual cases in which, in connection with the restitution of cultural property seized as a result of Nazi persecution, especially Jewish property, the claimant and the holder of the cultural property seek mediation. Public institutions which hold cultural property and to which the Washington Principles of 1998 and the Joint Declaration of 1999 between the Federation, the federal states and the national associations of local authorities to implement the Washington Principles directly apply may lodge a request for mediation, as may private institutions holding cultural property in Germany which, upon request for mediation, declare that they agree to be bound by these Principles. In the same way, private persons who hold cultural property and submit such a binding declaration may also lodge a request for mediation.
2. At every stage of the procedure it shall be the Commission's task to work towards an amicable settlement. As a result of its work, the Commission may issue recommendations that will be published together with their explanations. Public institutions and private parties are expected to follow these recommendations.
3. The Commission shall be composed of up to ten qualified figures with legal, ethical, cultural and historical expertise who do not hold a prominent political office. The Commission members shall be appointed by the Federal Government Commissioner for Culture and the Media in agreement with the Conference of Ministers of Education and Cultural Affairs (KMK) and the national associations of local authorities for a period of ten years (for new members). The Commission members shall work in an honorary capacity.
4. The Commission shall adopt its own rules of procedure which will be published.
5. The German Lost Art Foundation (Deutsches Zentrum Kulturgutverluste) shall serve as the secretariat of the Advisory Commission and look after administrative matters. A suitable staff member shall assume the role of executive secretary.

Advisory Commission on the return of cultural property seized as a result of Nazi persecution, especially Jewish property

The independent Advisory Commission on the return of cultural property seized as a result of Nazi persecution, especially Jewish property, was established in 2003 by the Federation, Länder and national associations of local authorities to mediate in case of disputes over the restitution of Nazi-confiscated cultural property.

In this way, the Federation, Länder and national associations of local authorities implemented no. 11 of the Washington Principles, which encourage nations “to develop national processes to implement these principles, particularly as they relate to alternative dispute resolution mechanisms for resolving ownership issues”.

The Commission may be called upon by institutions and private persons in case of disputes concerning the restitution of cultural property seized by the Nazis, if both parties agree to mediation by the Commission. Cases before the Commission are conducted according to its rules of procedure. To resolve differences of opinion, the Commission may make recommendations which are not legally binding. For example, it may recommend restitution of the cultural property or restitution against payment of compensation; it can also recommend that the cultural property remain with the current holder in exchange for compensation payment, or advise against restitution.

The Commission comprises up to ten members. Members are independent persons with legal, ethical, cultural and historical expertise who do not hold a prominent political office. Members of the Commission act in an honorary capacity. They are appointed by the Federal Government Commissioner for Culture and the Media in agreement with the Standing Conference of the Ministers of Education and Cultural Affairs of the Länder (KMK) and the national associations of local authorities.

The Advisory Commission has its own office in Berlin, which reports directly to the Chair of the Commission.

Members of the Advisory Commission

The Advisory Commission on the return of cultural property seized as a result of Nazi persecution, especially Jewish property, comprises up to ten members. Members are independent persons with legal, ethical, cultural and historical expertise who do not hold a prominent political office. They are appointed by the Federal Government Commissioner for Culture and the Media in agreement with the Standing Conference of

the Ministers of Education and Cultural Affairs of the Länder (KMK) and the national associations of local authorities for a period of ten years (for new members). Members of the Commission act in an honorary capacity.

The Commission members elect a chair and a deputy from their ranks.

Prof. Dr. Jutta Limbach was the elected Chair of the Commission from 2003 until September 2016. Prof. Dr. Thomas Gaethgens was Deputy Chair until 2008; he was then succeeded in the post in 2008 by Prof. Dr. Reinhard Rürup, who has acted as Chair since the end of 2015.

On 9 November 2017, Prof. Dr. Hans-Jürgen Papier has been elected as Chair; Prof. Dr. Wolfgang Tegethoff has been elected as Deputy Chair.

Prof. Dr. Hans-Jürgen Papier - Chair

2002–2010, President of the Bundesverfassungsgericht; 1991–1998, Chair of the Unabhängige Kommission zur Überprüfung des Vermögens der Parteien und Massenorganisationen der DDR ; 1996–1998, Deputy Chair of the ethics committee of the Bayerische Landesärztekammer.

Prof. Dr. Wolf Tegethoff - Deputy Chair

1991–2017, Director of the Zentralinstitut für Kunstgeschichte; guest professorships in Bonn, Haifa and Venice; since 2000, honorary professor at the Ludwig-Maximilians-Universität München.

Marieluise Beck

Former leader of the first parliamentary group of the Party *Die Grünen*. 1983–2017 (intermittently), Member of the German Bundestag. 2002–2005, Parliamentary state secretary at the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth; 1998–2005, Federal Commissioner for Foreigners' Affairs; Member of the *Alliance of Liberals and Democrats for Europe*; Founded the aid organization *Brücke der Hoffnung*; Chair of the board of the Petersburger Dialog and Director for Central/Eastern Europe at the Zentrum Liberale Moderne; Honors: Bundesverdienstkreuz am Bande, *Ramer Award for Courage in the Defense of Democracy* presented by the American Jewish Committee

Marion Eckertz-Höfer

1988–1993, Head of section, Schleswig-Holstein Ministry of Women's Affairs; 1993–2014, Bundesverwaltungsgericht Berlin/Leipzig (2001 presiding judge, 2002–2007 Vice-president, 2007–2014 President). From 2015, Chair of the Kommission Öffentliches Recht und Verfassungsrecht des Deutschen Juristinnenbundes e.V.

Prof. Dr. Raphael Gross

Since 2017, President of the Foundation Deutsches Historisches Museum. 2015–2017, Director of the Simon Dubnow Institute for Jewish History and Culture and professor of

Jewish history and culture at the University of Leipzig; 2006–2015, Director of the Jüdisches Museum Frankfurt am Main; 2007–2015, Director of the Fritz Bauer Institut and honorary professor at the Historisches Seminar of Goethe University Frankfurt am Main; 2001–2015, Director of the Leo Baeck Institute London.

Dr. Eva Lohse

1987–1995, Civil servant for the federal state of Rheinland-Pfalz; 1996–2001, Lecturer at the University of Bundesagentur für Arbeit; 2002–2017, Mayor of the city of Ludwigshafen am Rhein; 2013–2015, Vice-president, 2015–2017, President of the Association of German Cities.

Dr. Sabine Schulze

2008–2018, Director of the Museum für Kunst und Gewerbe Hamburg; 1996–2008, Director of the collection of 19th-century to contemporary art at Städelmuseum Frankfurt am Main; 1989–1996, Curator and member of the board of directors at Schirn Kunsthalle Frankfurt am Main; 1984–1989, Research associate at the sculpture collection at Liebieghaus Frankfurt am Main.

Dr. Gary Smith

1997–2014, Founding Executive Director of the American Academy in Berlin (since 2015, Senior Fellow and Executive Director Emeritus); 1992–1998, Founding Director of the Einstein Forum Potsdam; guest professorship at the University of Chicago, 1994 and 2002.

Prof. Dr. Rita Süßmuth

Professor for Educational Science at the universities of Bochum and Dortmund and Director of the *Frau und Gesellschaft* research institute in Hanover; 1988–1998, President of the German Bundestag; 1985–1988, Federal Minister for Youth, Family Affairs and Health; 2001–2002, Chair of the German government's immigration commission; 2003–2005, Chair of the Expert Council for Migration and Integration. Since 2006, President of the German Poland-Institute and since 2010, President of the German Higher Education Consortium of the German-Turkish University in Istanbul (K-DTU).