

Press release

ADMINISTRATIVE AGREEMENT ON THE ESTABLISHMENT OF AN ARBITRATION COURT FOR NAZI-LOOTED PROPERTY SIGNED

Wednesday, March 26, 2025

Today (March 26, 2025), the federal, state, and municipal associations concluded the signing of the administrative agreement establishing an arbitration tribunal for Nazi-looted property during the 22nd Cultural Policy Summit. The agreement forms the basis for the further development of the Advisory Commission into a joint arbitration tribunal, which was agreed upon with the close involvement of the Central Council of Jews in Germany and the Jewish Claims Conference.

Barbara Klepsch, President of the Conference of Ministers of Culture and Saxony's Minister of Culture, said: "The administrative agreement concluded today once again underscores the clear commitment of the federal, state, and municipal associations to their historical responsibility. The establishment of an arbitration tribunal for return disputes concerning Nazi-looted property will make a significant contribution to finding just and fair solutions in accordance with the Washington Principles. It is a process that produces legally binding decisions and better serves the interests of those affected. Our common goal now is to restore the arbitration tribunal's operational capacity as quickly as possible."

Minister of State for Culture Claudia Roth: "With the signing of the administrative agreement, another very important step has been taken towards improving and accelerating the return of Nazi-looted property. This now paves the way for the next steps of the reform, which will take place before the end of this year. The arbitration for Nazi-looted property is intended to make a significant contribution to more appropriately fulfilling our historical responsibility towards the victims of the Nazi dictatorship and their descendants, and to advancing just and fair solutions more effectively and quickly. The now finally possible unilateral appeal should also contribute to this. I would like to thank my colleagues in the states and the municipal associations for their constructive cross-party cooperation."

The President of the German Association of Cities, Markus Lewe, speaking for the Federal Association of Municipal Associations, said: "In accordance with the Washington Principles of 1998, the municipalities have acknowledged their responsibility for the return of Nazi-looted property from public collections. Since then, we have worked intensively

with the federal and state governments to further develop the work of the Advisory Commission and to introduce arbitration and thus a legally secure procedure. This is a milestone. We have recommended that our members now join this procedure. In this context, I would like to expressly thank the members of the Advisory Commission: They have done enormously important work in addressing the injustices of the Nazi era."

The reform is intended to simplify and improve the return of Nazi-confiscated property. Important changes include the possibility of unilateral appeal by eligible applicants and greater legal certainty through the binding nature of the decisions of the arbitration tribunals of the Nazi-confiscated property arbitration. The evidentiary rules of the valuation framework of the Nazi-confiscated property arbitration enable just and fair solutions for cases that are still open today – almost 80 years after the end of the war. This further strengthens the goals of the Washington Principles and their best practices.

The next steps toward establishing the Nazi-Confiscated Art Arbitration Court include the selection of arbitrators in close coordination with the Central Council of Jews in Germany and the Jewish Claims Conference, as well as preparing the administrative transition. An evaluation committee is also being prepared. Furthermore, based on the administrative agreement, the federal, state, and municipal associations will now submit so-called standing offers to conclude an arbitration agreement or actively work toward the timely submission of such offers by institutions preserving cultural property and by municipalities. These standing offers constitute the prerequisite for the unilateral recourse to the Nazi-Confiscated Art Arbitration Court as an alternative dispute resolution mechanism in accordance with the Washington Principles.

The basic documents of the reform, such as the procedural arbitration rules, the evaluation framework governing the decisions of the arbitral tribunals, as well as models for the so-called standing offers and the arbitration agreements, are now available and can be accessed below:

→ www.kulturstaatsministerin.de/schiedsgerichtsabilities-basisndocumente

The Arbitration Tribunal for Nazi Confiscated Art is scheduled to begin its work this year. Until then, the Advisory Commission will continue its work.



Source: BKM

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