



Der "Central Art Collecting Point" in München Kunstrestitution in der Nachkriegszeit

The restitution of stolen objects of art was carried out in Austria immediately following the end of World War Two for the most part with the assistance of the allied occupying powers.[1] The experts of the Allies' Monuments, Fine Arts and Archives program (MFAA), mostly specialists of British or American museums and universities, were employed in securing and restituting vulnerable and expropriated artwork.[2] In accordance with the Declaration of London of January 5, 1943, the Allies had to return stolen cultural assets to their lawful owners.[3] Holdings of collections of Austrian museums which were kept during the last years of the war in the mining tunnels of Altaussee (Styria) and Lauffen (Upper Austria) remained in the US zone of occupation in Austria and were restituted as soon as the external circumstances allowed for safe transport.[4] The US command established collecting points, so called Central Art Collecting Points (CACPs) in Marburg, Wiesbaden and Munich for the large amount of artwork stolen by the National Socialists in occupied Europe.[5] The expropriated objects of art from the Austrian mining tunnels, particularly the holdings of the Central Depot for Confiscated Art in Vienna and the paintings designated for the Führer Museum in Linz were transferred to the CACP in Munich.[6]

In as early as October 1945, 13,619 objects from 38 different depots were registered in the CACP in Munich.[7] The artwork was arranged according to country and was reconciled with the log of claims of the commissioner for restitution of the respective country.[8] Until November 30, 1949, when the CACP in Munich was handed over to the authorities of the Federal Republic of Germany, approximately 90 per cent of the 50,000 catalogue numbers was able to be returned to their country of origin.[9] The German government was entrusted with the restitution of the remaining works. From these remaining works, the Federal Republic of Germany in 1962 took possession of a total of 1,533 paintings of unknown provenance. Today, the majority of these works is located in German museums, classified as loan material.[10]

When the CACP was ultimately dissolved in 1952, the Austrian Federal government took possession of 960 paintings.[11] These were those works of art from the holdings of the CACP in Munich of which the owner was not possible to be traced, however, the origin of which was Austrian.[12] The Federal Office for the Protection of Monuments played a key role in the restitution of stolen artwork. The holdings of the Collecting Point in Munich which had been handed over to Austria after 1945 were kept in storage facilities of the Federal Office for the Protection of Monuments in Salzburg, Kremsmünster and later particularly in Vienna.[13] In a letter from the Ministry of Finance to the Federal Office for the Protection of Monuments of 1951 it is noted: *The Federal Office for the Protection of Monuments is authorized and responsible for the receipt of artwork, including from allied posts, their safe keeping and their correct transfer. It is in charge of initiating inquiries particularly regarding, amongst others, the ownership of these received items.*[14] After 1945 Austria passed a total of seven restitution acts regulating the claims for restitution of seized assets.[15] By January 7, 1949, 13,000 items of the 18,500 seized works of art, or works of art which had been voluntarily handed over to the bomb-proof shelters during the last years of the war were restituted to their lawful owners.[16] As such, part of the restitution of artwork stolen during the NS era was carried out during the first years of the post-war period.

Database on the "Munich Central Collecting Point", the German Historical Museum: http://www.dhm.de/datenbank/ccp/dhm_ccp.php?seite=9

[1] Loitfellner S, *NS-Kunstraub und Restitution in Österreich. Institutionen – Akteure – Nutznießer*, in: Verena Pawlowsky, Harald Wendelin (publ.), *Enteignete Kunst. Raub und Rückgabe. Österreich von 1938 bis heute*, Vienna 2006, at 21 (quoted hereafter as: Loitfellner, *NS-Kunstraub und Restitution in Österreich*).

[2] Friemuth C, *Die geraubte Kunst*, Braunschweig 1989, at 52 (quoted hereafter as: Friemuth, *Geraubte Kunst*).

[3] Inter-allied Declaration of London on Forced Expropriations of Property in Occupied Territory or Enemy-Controlled Territory, of January 5, 1943; in: Stephan Verosta, *Die internationale Stellung Österreichs. Eine Sammlung von Erklärungen und Verträgen aus den Jahren 1938 bis 1947*, Vienna 1947, at 48-52.

[4] Haupt H, *Das Kunsthistorische Museum. Die Geschichte des Hauses am Ring. Hundert Jahre im Spiegel historischer Ereignisse*, Vienna 1991, at 184.

[5] Friemuth, *Geraubte Kunst*, at 77.

[6] Sailer G, *Rückbringung und Rückgabe: 1945-1966*, in: Theodor Brückler (publ.), *Kunstraub, Kunstbergung und Restitution in Österreich 1938 bis heute (Studien zu Denkmalschutz und Denkmalpflege, vol. XIX)*, Vienna-Cologne-Weimar 1999, at 31f (quoted hereafter as: Sailer, *Rückbringung und Rückgabe*).

[7] Friemuth, *Geraubte Kunst*, at 73f

[8] Ibid, at 74.

[9] Ibid, at 77.

[10] Ibid, notes.

[11] Ibid.

[12] Sailer, *Rückbringung und Rückgabe*, at 32.

[13] Ibid, at 32f.

[14] Letter of the Federal Ministry of Finance of June 27, 1951 (file no. 187.590-33/51) to the Federal Office for the Protection of Monuments (point 2); in: Sailer, *Rückbringung und Rückgabe*, at 33.

[15] Federal Law Gazette No. 156/1946 (First Restitution Act); Federal Law Gazette No. 53/1947 (Second Restitution Act); Federal Law Gazette No. 54/1947 (Third Restitution Act); Federal Law Gazette No. 143/1947 (Fourth Restitution Act); Federal Law Gazette No. 164/1949 (Fifth Restitution Act); Federal Law Gazette No. 199/1949 (Sixth Restitution Act); Federal Law Gazette No. 207/1949 (Seventh Restitution Act).

[16] Bacher E, *Vorwort* in: Theodor Brückler (publ.), *Kunstraub, Kunstbergung und Restitution in Österreich 1938 bis heute (Studien zu Denkmalschutz und Denkmalpflege, vol. XIX)*, Vienna-Cologne-Weimar 1999, at 7.

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