

In accordance with Section 3 of the Federal Law on the Restitution of Art Objects from Austrian Federal Museums and Collections (Art Restitution Act), Federal Law Gazette (BGBl. I) No. 181/1998 as amended by BGBl. I No. 117/2009, at its meeting on 6 March 2020, the Art Restitution Advisory Board unanimously adopted the following

DECISION

It is recommended to the Federal Minister for Arts, Culture, the Civil Service and Sport that the objects listed in Annexes A and B to this decision be transferred from the map collection of the Austrian National Library to the National Fund of the Republic of Austria for Victims of National Socialism for sale in accordance with Section 2.(1).2 of the Art Restitution Act.

FOUNDATIONS

In its decisions of 11 September 2009 and 15 May 2014, the Board already recommended the return of numerous objects from the Austrian National Library to the National Fund of the Republic of Austria for Victims of National Socialism.

On the basis of the provenance research report in the Austrian National Library, the dossier of the Commission for Provenance Research "Anonymous previous owners: map collection" and the supplements and explanations presented in 2020, the Board has established the following facts.

From late autumn 1938, the Gestapo transferred to the Austrian National Library items expropriated from persecuted victims. The objects under consideration here were entered in the accession book with the indication "P 38" and "Polizei (19)38" and were marked accordingly.

The objects

The 115 items in Annex A were delivered to the National Library by the Gestapo without a receipt between 1940 and 1944. No indications of the previous owners can be found in the inventories or on the sheets themselves.

The 259 items in Annex B were transferred to the National Library from the mass of expropriated cultural objects collected in the synagogue in Trieste. As some Italian items suggest, this material probably came partly from the apartments of deported Jews in the Operational Zone of the Adriatic Littoral, and partly from seized transport goods stored in the port of Trieste and deposited in the synagogue. In 1944 Paul Heigl, director general of the National Library and special expert in bibliography, travelled to Trieste with the future restitution representative of the library Ernst Trenkler to prepare the distribution and transport of the objects. Here, too, no indication of the previous owners can be found in the inventories or on the sheets themselves.

The inventory book nevertheless shows that the following objects

- EZ 4 purchased on 29 June 1941
- EZ 20 purchased on 8 October 1941
- EZ 21 purchased on 25 February 1943
- EZ 23 purchased on 25 November 1941
- EZ 24 purchased on 28 November 1941

- EZ 28 purchased on 9 January 1942
- EZ 33 purchased on 20 March 1942 by Hans Fischl, see “Fischl, Hans” dossier

were among the groups that were acquired but are untraceable at present. It is possible, however, that these objects might also be found during the ongoing provenance research in the Austrian National Library.

The Board therefore established that on the basis of the information in the inventory books “P38” and “Confiscated material”, the items were expropriated and were thus the object of an invalid legal transaction in the meaning of the 1946 Annulment Act, BGBl. 106/1946 and that the conditions of Section 1.(1).2 and Section 2a of the Art Restitution Act are met. As the maps cannot be allocated to individual aggrieved parties and the original owners and their legal successors cannot thus be identified, the Board recommends that they be transferred to the National Fund of the Republic of Austria for Victims of National Socialism in accordance with Section 2.(1).2 and Section 2a of the Art Restitution Act.

Vienna, 6 March 2020

Univ. Prof. Dr. Clemens Jabloner (chairman)

Members

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