

No.



Commission for Art Recovery

affiliated with the
World Jewish Congress
and the World Jewish
Restitution Organization

767 Fifth Avenue
Suite 4200
New York, NY 10153

tel: 212 • 872 • 9893
fax: 212 • 872 • 9815

e-mail: info@comartrecovery.org
www.comartrecovery.org

March 4, 2004

Mr. John Becker
Advisor for Property Restitution
Department of State
Bureau of European Affairs
Washington, DC 20520

Poland – Courbet

Dear John:

Further to my letter of December 9, 2003, I enclose a copy of Revised Title 18 of the Military Government Regulations (Office of Military Government for Germany (U.S.)) entitled "Monuments, Fine Arts and Archives" (12 February 1947). Revised Title 18 did not change the relevant sections of the original Title 18.

Section 18-442 of the Regulations provides that "looted cultural materials will be released . . . to the authorized representative of claimant nation against receipt . . .". The annexed form of receipt provides, in part, as follows:

"2. The receiving government undertakes to restore any object which has been delivered to it by mistake:

. . . b. To the Headquarters of the Zone from which it was shipped, if it had not been removed from the Territory of an Allied State.*

3. The receiving government agrees that the occupying power and all its agents and representatives shall be saved harmless from any claim for loss, damage or deterioration suffered by any item from the time of its removal from the jurisdiction or custody of the country receiving restitution until its return thereto."

Ronald S. Lauder
Chairman

Charles A. Goldstein
Counsel

* The Courbet constitutes part of Jewish property plundered in Hungary during World War II. Hungary was an enemy (and not an Allied) state during the War.



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Although the Archives do not have the records of the Headquarters, Military Government of the U.S. Forces in Austria where the Courbet was found, it does appear:


- a) that Polish displaced persons were employed to sort out artwork found in Schloss Fischhorn (such as the Courbet); and
- b) in 1946 a similar form of receipt to that described above was in use for the purpose of assuring that transferred art would be released to their lawful owners or to the custody of the U.S. Forces.

It was the understanding of the Military Government that no statute of limitations applies to restitution matters.

On behalf of Mrs. Nierenberg, daughter and sole heir of the owner of the painting (Baroness Alfons Weiss de Csepel, nee Erzsebet Herzog) when it was plundered, we are requesting assistance from the Department of State in obtaining return of the Courbet from the government of Poland.

Very truly yours,

COMMISSION FOR ART RECOVERY

By: 
Charles A. Goldstein
Counsel

Ronald S. Lauder
Chairman

Charles A. Goldstein
Counsel