

CAR SWEDEN Nittve

Nittve keeps painting worth millions

Disputed painting.

The unwillingness of Sweden to return an artwork which was stolen during the Nazi era to be discussed at EU conference in June.

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In the winter of 1998, the US State Department arranged a conference at which 44 countries became signatory to what is commonly referred to as the Washington Principles regarding the manner in which art stolen during the Nazi era would be returned to its rightful owners. This summer, the EU Chair, the Czech Republic, will follow up on the conference. The program has not yet been published, but it is most certain that many of the discussions will relate to Sweden.

The fact is that the *Blumengarten* painting hangs in the Modern Museum in Stockholm. The dispute regarding the painting is a drawn out story which, according to critics, sullies Sweden's reputation. The heirs of the German - Jewish businessman who lost the painting in 1938 believed that their claims would be a quickly resolved when they started to pursue the issue in 2003. Sweden is one of the states which are signatories of the Washington Principles.

However, 6 years later, the situation between the Museum and counsel for the heirs is at a standstill. The heirs believe that the painting should be returned to them unconditionally.

"Naturally, we offered to pay the Museum the amount paid for the painting in the 1960s," says counsel for the heirs, David Rowland.

Instead, the Museum has suggested among other things that *Blumengarten*, which is worth approximately SEK 30 million, be sold and that the profits be divided between the Museum and the heirs. Or that formal ownership be signed over to the heirs on the condition that the painting stay in Stockholm.

This summer, the parties agreed to attempt to find a sponsor who would buy the painting from the heirs but let it remain in the Museum. The head of the Modern Museum, Lars Nittve, has declined to comment in *Fokus* – "[t]he press will be notified when everything is settled." But David Rowland, who last week met with Nittve and attorney Jan Widlund in New York, states that the Museum has failed to find a sponsor. The heirs, however, came up with a buyer who is prepared to let the painting stay put for three to five years. But according to David Rowland, the Modern Museum is demanding a loan period of between 10 and 20 years and accordingly dismissed this solution.

"We are back to square one," he observed.

Now the PR battle gets underway. Next week, Minister of Culture Lena Adelsohn Liljeroth can expect a letter from David Rowland and the four heirs, two of whom are Holocaust survivors and currently 85 years old.

Since the Modern Museum was charged by the Government in 2007 with solving the *Blumengarten* issue, the Minister of Culture has been tightlipped. However, in a *DN* interview last summer, she expressed skepticism about returning the painting and referred to the compensation paid in the 1960s to the relative, Deutsch, by West Germany. This argument is also often advanced by the Museum's management. One of the counter arguments is that compensation was paid at a time when everyone believed *Blumengarten* to have been destroyed - there was no painting for which to make a claim. And the practice is to repay the compensation to the German State when an object is returned.

There were heated discussions in Great Britain this winter after the former head of the British Art Academy declared an unwillingness to return stolen art. And in Germany, the Government stated last week that it would appeal a decision according to which an artwork which was seized by the Gestapo and currently hangs in a museum in Berlin is to be returned to an heir of a Jewish art collector.

Anne Webber, who is Chairman of the Commission for Looted Art in Europe and part of the expert group which works with the Czech Conference program relating to art stolen by the Nazis considers the handling of the *Blumengarten* matter to be extraordinary and sullies Sweden's reputation.

"I equate those persons who deny heirs the right to property which belongs to them with the Nazi plunderers," she says.

Stolen in the 30s

In 1938, Otto Nathan Deutsch left Germany due to the persecution of Jews. But his belongings never reached the new address in Amsterdam. The *Blumengarten (Utenwarf)* painting by the Expressionist, Emil Nolde, was amongst his belongings.

In the middle of the 1960s, the work turned up at an art auction and was purchased by the Modern Museum. The heir of Otto Nathan Deutsch made claim on the work in 2003 referring to what are commonly referred to as the Washington Principles to which Sweden was a signatory. Art confiscated by the Nazis must, according to these Principles, be returned following a "just and fair" resolution.