

[Home](#) [About Us](#) [Claimant Information](#) [International Principles](#) [Links](#) [Contact Us](#)

COMMISSION FOR LOOTED ART IN EUROPE

[CLAE News](#)

[CLAE Case Studies](#)

[Press Releases](#)

Press Release

CLAE Press Release: Application for Restitution of Nazi-Looted Drawings Turned Down

CLAE London 27 May 2005: In his judgement handed down today in the Attorney General's application for directions, the Vice Chancellor held that the British Museum is not legally permitted to return four Old Master drawings to the Feldmann family, looted from them by the Gestapo in 1939, in the way proposed by the Museum. The ruling is significant for all claimants of looted art from the Nazi era, setting aside any possibility of restitution being achieved in this way, and showing that the Government ought now to legislate in order to achieve clarity for all claimants.

The Commission for Looted Art in Europe, which represents the Feldmann family, very much regrets that this avenue to achieve the return of the drawings is not now open to the Museum. This application, which highlighted the exceptional moral circumstances of the case, seemed a constructive way to enable the British Museum to return the drawings without putting at issue other objects in its collection, such as the Elgin Marbles.

It is three years since the British Museum agreed the Feldmann family's claim, and the family is disappointed by the outcome of the application. They remain confident, however, that a way will be found to enable the drawings to be returned to them in accordance with the British Museum's long-standing commitment so to do.

In light of the court's judgement, it is now clear that, except in the rare case in which there is some other legal basis for return, the only sure way to achieve restitution of Nazi-looted works of art is by legislation, to which the government committed in 2000. The recent Report of the Spoliation Advisory Panel, that a looted missal in the British Library must be restituted, adds urgency to the need for legislation. The Commission looks to the government to bring forward proposals for such legislation with speed.

The Commission for Looted Art in Europe and the British Museum jointly submitted the Claim for the restitution of the Feldmann drawings to the Spoliation Advisory Panel in October 2002, and the Panel process has awaited the outcome of this case. The family now looks forward to the Panel's consideration of their claim.

The Commission for Looted Art in Europe instructed leading charities firm Harbottle & Lewis LLP. Guy Newey QC and Clare Ambrose represented the Commission at the hearing, and Daniel Bethlehem QC has been advising throughout. The entire legal team is acting pro bono.

Press Inquiries

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[back to listing](#)

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CLAE is mandated to represent the European Council of Jewish Communities (ECJC) and the Conference of European Rabbis (CER)

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