

PTQ1023

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REVIEW AUTHORITY: Theodore Sellin,
Senior Reviewer

UNCLASSIFIED PTQ1023

PAGE 01 VIENNA 02161 01 OF 02 110944Z
ACTION EUR-01

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UNCLAS SECTION 01 OF 02 VIENNA 002161

SENSITIVE

DEPARTMENT FOR E, EUR/AGS, L/LM
USIA FOR WEU
TREASURY FOR ENFORCEMENT
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E.O. 12958: N/A
TAGS: PG0V, PREL, EFIN, PHUM, AU
SUBJECT: HOLOCAUST ASSETS/ART: GEHRER'S COMMISSION AND
CONTINUING AUSTRIAN RESEARCH EFFORTS
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PAGE 02 VIENNA 02161 01 OF 02 110944Z

REF: (A) VIENNA 1813, (B) VIENNA 1617
SENSITIVE BUT UNCLASSIFIED. PLEASE TREAT ACCORDINGLY.
SUMMARY

1. (SBU) AUSTRIAN NATIONAL MUSEUMS ARE CONTINUING THEIR
RESEARCH ON THE ORIGIN OF ART ACQUIRED IN THE NAZI AND
POSTWAR ERA. A COMMISSION IN CHARGE OF THESE EFFORTS,

HEADED BY THE CHIEF OF THE FEDERAL MONUMENT AGENCY, ERNST BACHER, WILL MEET FOR THE FIRST TIME ON MARCH 13. EDUCATION MINISTER GEHRER'S OFFICE REITERATED THE MINISTER'S RECENTLY STATED PREFERENCE FOR "GENEROUS HANDLING OF REQUESTS" BY HOLOCAUST VICTIMS (REF A), BUT STRESSED THAT SUCH A POLICY REQUIRED A CABINET DECISION. OFFICIALS FROM BOTH THE EDUCATION AND FOREIGN MINISTRIES TOLD US PRIVATELY THAT, IN FACT, A LAW WOULD APPARENTLY BE REQUIRED. NEITHER THE CHANCELLOR NOR ANY OTHER MINISTER HAS SO FAR OFFERED SUPPORT FOR GEHRER'S PROPOSED HANDLING OF RESTITUTION REQUESTS. END SUMMARY.

MUSEUM SEARCH

2. (U) ON MARCH 13, A COMMISSION OF OFFICIALS FROM AUSTRIAN PUBLIC MUSEUMS, TO BE HEADED BY THE DIRECTOR OF NATIONAL MONUMENTS, ERNST BACHER, WILL MEET FOR THE FIRST TIME TO DISCUSS THEIR RESEARCH ON THE ORIGIN OF ART ACQUIRED IN THE NAZI AND POSTWAR ERA. THE EFFORTS WERE LAUNCHED BY EDUCATION MINISTER ELISABETH GEHRER, FOLLOWING THE DETENTION IN NEW YORK OF TWO SCHIELE PAINTINGS OWNED BY THE AUSTRIAN LEOPOLD MUSEUM.

THE COMMISSION
UNCLASSIFIED

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PAGE 03 VIENNA 02161 01 OF 02 110944Z

3. (U) THE COMMISSION IS COMPOSED OF REPRESENTATIVES FROM ALL PUBLIC MUSEUMS: FROM THE MUSEUM OF ART HISTORY, THE HEAD OF ARCHIVES HERBERT HAUPT; FROM THE AUSTRIAN GALLERY, THE HEAD OF ARCHIVES AND PUBLIC RELATIONS, MONIKA MAYER; AND FROM THE ALBERTINA THE DEPUTY DIRECTOR, VERONIKA BIRKE. ACCORDING TO EDUCATION MINISTRY MUSEUM SECTION CHIEF RUDOLF WRAN, THE MARCH 13 MEETING WILL BE DEVOTED TO DISCUSSING "FURTHER STEPS."

RESTITUTION

4. (U) AS WRAN STRESSED, RESTITUTION OF ART WORKS WOULD BE SUBJECT TO A POLITICAL DECISION, SINCE THE APPLICABLE STATUTE OF LIMITATIONS HAS EXPIRED. GEHRER'S PRESS SPOKESWOMAN HEIDI GLUECK CONFIRMED THE MINISTER'S STATEMENT IN LATE FEBRUARY (REF A) THAT GEHRER WAS IN FAVOR OF "GENEROUS" HANDLING OF RESTITUTION CLAIMS OUT OF A MORAL, NOT LEGAL, OBLIGATION, BUT ALSO REITERATED THAT A GOVERNMENT DECISION WOULD BE REQUIRED. NEITHER THE CHANCELLOR NOR ANY OTHER MINISTER HAS SUPPORTED GEHRER'S PROPOSED POLICY SO FAR, BUT NEITHER HAVE THEY OFFERED

CRITICISM.

5. (SBU) VARIOUS MUSEUM OFFICIALS, HOWEVER, HAVE LINED UP WITH GEHRER. DIRECTOR GENERAL WILFRIED SEIPEL FROM THE MUSEUM OF ART HISTORY STRESSED THAT "ONE SHOULD USE EVERY OCCASION TO DRAW A FINAL LINE, FOR MORAL REASONS, AND IN ORDER TO RELIEVE FUTURE MUSEUM DIRECTORS." SEIPEL ALSO CONFIRMED THAT "TEN PAINTINGS FROM THE ROTHSCHILD COLLECTION" SHOULD BE RETURNED TO THE ROTHSCHILD FAMILY.

UNCLASSIFIED

UNCLASSIFIED

PAGE 04 VIENNA 02161 01 OF 02 110944Z

SEIPEL, WHO INITIALLY HAD BEEN RELUCTANT TO COOPERATE IN REVEALING AND ARCHIVE MATERIAL FROM HIS MUSEUM, GAVE IN TO PUBLIC PRESSURE FOLLOWING REPORTS IN A SERIES BY THE INDEPENDENT DAILY "DER STANDARD" WHICH DOCUMENTED THAT THE ROTHSCHILD FAMILY HAD BEEN FORCED TO DONATE THE PAINTINGS TO THE MUSEUM OF ART HISTORY IN ORDER TO RECEIVE EXPORT PERMIT

S FOR OTHER ART OBJECTS. (COMMENT: HE MAY ALSO HAVE FELT FREER TO COOPERATE AFTER MINISTER GEHRER'S REMARKS OFFERED POLITICAL COVER. END COMMENT.)

6. (U) ALBERTINA DIRECTOR OBERHUBER NOTED THAT, SO FAR, NO ART WORKS OF UNCLARIFIED ORIGIN HAD BEEN FOUND IN HIS MUSEUM. WHILE STRESSING THAT A POSSIBLE RESTITUTION SHOULD NOT SET A PRECEDENT FOR OTHER CASES OF NATIONAL TREASURES -- "FROM THE MONTEZUMA FEATHER CROWN TO THE ELGIN MARBLES" -- OBERHUBER STATED THAT A GREAT MORAL INJUSTICE HAD OCCURRED IN THE NAZI AND POSTWAR ERA. IF CONCRETE CLAIMS COULD BE MADE, ONE SHOULD "BE FORTHCOMING."

7. (U) AUSTRIAN GALLERY DIRECTOR GERBERT FRODL STRESSED

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PAGE 01 VIENNA 02161 02 OF 02 110945Z
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THAT THE RESEARCH ON THE ORIGIN OF PAINTINGS COULD PERHAPS
LAST A YEAR. ACCORDING TO PRESS REPORTS, THE AUSTRIAN

GALLERY HAS 100 PAINTINGS WHOSE ORIGINS NEED TO BE CLARIFIED.

CLEARING OFFICE

8. (U) REGARDING GEHRER'S PLAN TO SET UP A "CLEARING OFFICE" TO MEDIATE BETWEEN CLAIMANTS, THE GOVERNMENT AND THE MUSEUMS, EDUCATION MINISTRY OFFICIAL WRAN INDICATED THAT AN ART HISTORIAN TO HEAD THIS OFFICE HAS YET TO BE APPOINTED.

WRAN COMMENTS ON MARCH 13 MEETING AND FUTURE STEPS

9. (SBU) IN A MARCH 10 CONVERSATION WITH THE EMBASSY, EDUCATION MINISTRY MUSEUM SECTION CHIEF RUDOLF WRAN POINTED TO THE MARCH 13 COMMISSION MEETING AS CRUCIAL FOR DISCUSSING AND COORDINATING GEHRER'S EFFORTS, WITHIN HER JURISDICTION AND WITH OTHER MINISTRIES AND THROUGHOUT THE GOVERNMENT. WRAN ALSO INDICATED THAT FOR ANY POSSIBLE RESTITUTION POLICY, NEW LAWS WOULD LIKELY HAVE TO BE ADOPTED. HIS COMMENT WAS CONFIRMED SEPARATELY BY AN MFA OFFICIAL FAMILIAR WITH THE GOA'S EFFORTS TO DONATE REMAINING TRILATERAL GOLD COMMISSION ASSETS.

COMMENT

UNCLASSIFIED

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PAGE 03 VIENNA 02161 02 OF 02 110945Z

10. (SBU) GEHRER, WHO IS CURRENTLY ON AN OFFICIAL VISIT TO CHINA, SEEMS TO BE PURSUING THE SEARCH WITHIN THE FEDERAL MUSEUMS WITH GREAT VIGOR. MUSEUMS OWNED BY THE PROVINCES HAVE ALSO INITIATED SIMILAR EFFORTS. GIVEN THE ABSENCE OF COMMENTS BY OTHER MINISTERS OR THE CHANCELLOR, THE QUESTION OF RESTITUTION -- REQUIRING A GOVERNMENT DECISION (IN PARTICULAR, THE CONSENT OF THE FINANCE MINISTRY) AS WELL AS A NEW LAW -- REMAINS OPEN, DESPITE GEHRER'S POSITIVE STEPS. THE MARCH 13 COMMISSION MEETING IS THE NEXT MOVE AND MAY SHED MORE LIGHT ON THE MATTER.
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