

## **The Kunstmuseum Bern welcomes the Gurlitt-Decision of the Higher Regional Court in Munich**

**The Kunstmuseum welcomes the decision of the Higher Regional Court in Munich – with a sigh of relief. The Higher Regional Court upholds the Kunstmuseum's status as heir in the Gurlitt case. With this decision the Kunstmuseum Bern can finally intensify its preparations for the planned exhibitions at the Kunstmuseum Bern and Bundeskunsthalle in Bonn, exhibitions that are working towards making the artworks accessible to the public and retracing the history of the affected persons. At the same time, the court's decision makes it possible for the Kunstmuseum Bern to substantially support the provenance research currently being carried out by the Deutsches Zentrum Kulturgutverluste. The goal therein is the in-depth research of all the artworks in the collection, of tracking down those pieces that are Nazi-looted art, and identifying further restitution cases where applicable. This is to be shouldered together with the Federal Republic of Germany as speedily and with as little red tape as possible.**

On December 15, 2016, in second instance, the Higher Regional Court in Munich has decided that Cornelius Gurlitt's last will and testament is valid, after 18-months of certificate-of-inheritance procedures in the meantime. Thus the Kunstmuseum Bern's status of heir, as decreed in the will, is valid. The period of time since receiving the information about Cornelius Gurlitt appointing it as heir has been exceptionally challenging for the Kunstmuseum Bern. Correspondingly the Kunstmuseum is delighted and relieved with the decision of Higher Regional Court in Munich.

### **Exhaustive Research of the Works of Art, Restitutions**

With the grant of probate, it is now possible for the Kunstmuseum to substantially support the research work being carried out by the Deutsches Zentrum Kulturgutverluste. The pledged funding that was agreed on some time ago was tied to the Kunstmuseum's status of heir being sanctioned by law.

The research activities will be going on presumably until the end of 2017. The Federal Government of Germany is, according to the agreement between the Federal Government of Germany and the Kunstmuseum Bern, to undertake the restitution of works that are very likely to be looted art. The Kunstmuseum will be keeping those works of art that most probably were not looted. In the case of pieces where neither the one nor the other applies, the Kunstmuseum has the right to choose. Concerning such cases, the Kunstmuseum Bern will be highly conscientiously about making decisions and respectful in consideration of the weight of history.

The Kunstmuseum targets a generous lending policy toward German museums especially in regard to so-called *Entartete Kunst* or "degenerate art."

### **Exhibitions in Bern and Bonn**

The decision of the Higher Regional Court in Munich has opened the way for the planned parallel exhibitions at the Bundeskunsthalle in Bonn and the Kunstmuseum Bern. Together they developed the concept for the exhibitions with a focus on the establishment of transparency and the contemporary history. The thematic emphases will be on the totalitarian National Socialist regime's traffic with art and their treatment thereof, how the term "degenerate art" evolved, whose biographies played a role – in particular which Jewish collectors and Jewish artists were the victims of art theft and the Holocaust – and also how looted works later found their way back to the museums and private collections.

### **The Art-Historical Relevance of the Gurlitt Bequest**

The research on a large part of the works of art has, as far as their provenance goes, been concluded in the meantime, clearing them of suspicion of being looted art. In this body of work we not only find outstanding works in color on paper by new-objectivity artists (Otto Dix, *Sappenkopf/Saphead*, George Grosz, *Die Krankenschwester/The Nurse*). Additionally it shines with an extensive body of superior-quality water colors and individual paintings from the circles of the Brücke group of artists (Erich Heckel, *Herrenbildnis/Portrait of a Man*; Karl Schmidt-Rottluff, *Winterlandschaft/Winter Landscape*; Emil Nolde, *Überschwemmung/Flood*, *Steg mit Mühle/Footbridge with Mill*, Otto Mueller (*Portrait Maschka Mueller*). It also boasts works of artists belonging to the Blaue Reiter group, preeminently those executed by Franz Marc (*Sitzendes Pferd/Sitting Horse*, *Pferde in Landschaft/Horse and Landscape*), August Macke (*Im Schlossgarten von Oberhofen/In the Palace Garden of Oberhofen*), and Kandinsky (*Schweres Schweben/Ponderously Poised*). These water colors and gouaches are augmented by an enormous number of very fine prints by Max Beckmann, Lovis Corinth, Otto Dix, Heinrich Campendonk, Oskar Kokoschka, Emil Nolde, and Karl Schmidt-Rottluff. The latter items present diverse affinities to works in the Kunstmuseum Bern's already existing collection.

Individual paintings of exceptional art-historical value are among the pieces for which research has not been not yet been conclusively finalized, among them a painting by Paul Cézanne, but also works by Paul Gauguin, Claude Monet, Pierre-Auguste Renoir and more.

### **Information source:**

Dr. Marcel Brühlhart, Vice-President of the Kunstmuseum Bern-Zentrum Paul Klee, Board of Trustees  
Dr. Nina Zimmer, Director Kunstmuseum Bern-Zentrum Paul Klee

### **Contact person:**

Maria-Teresa Cano, Head of Communication and Public Relations Kunstmuseum Bern-Zentrum Paul Klee, [press@kunstmuseumbern.ch](mailto:press@kunstmuseumbern.ch), Tel.: +41 31 359 01 89