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archive Museum Boijmans van Beuningen located at the City Archive of Rotterdam

Courtauld Gallery  
Courtauld Institute of Art

C.P.E. Dercon  
Director Museum Boijmans-Van Beuningen  
Museumpark 18-20  
3015 CK Rotterdam  
The Netherlands

25.07.2001

Dear Mr. Dercon

I am writing to you in my capacity as co-ordinator of the Courtauld Institute Gallery's research into the issue of looted art in the World War II and Holocaust period. The Courtauld has assumed a leading role in this work and is proud to have published two Provenance Research lists under the auspices of the National Museum Directors Conference. We are confident that we are continuing to discharge our public duty in this respect and are proceeding with a sensitivity, transparency and caution that the issue requires.

Late last year we received a claim for three paintings by Peter Paul Rubens from Christine Koenigs, the granddaughter of Franz Koenigs of Haarlem, whose tragic story you will certainly be familiar with. The three paintings are: *The conversion of St Paul, the Bounty of James triumphing over Avarice (A sketch for the Whitehall ceiling) and St. Gregory the Great and St. Domitilla with Sts. Maurus, Papianus, Nereus und Achileus*. All three were acquired by Count Antoine seilern in April/May 1940 from Jacques Goudstikker of Amsterdam, with Seilern being advised by J.G. van Gelder. We are currently engaged in a fact finding exercise which, we hope, will enable us to better judge the merits of the case. In my personal opinion, a first analysis of the available information suggests that the Gallery has strong title to the works. I am writing principally to enquire whether you might be able to provide us with some assistance. Certain details of what happened to the Koenigs collection (particularly in our case, the paintings) still seem somewhat unclear. I imagine that experts at the Museum Boijmans- Van Beuningen have a more complete understanding of the facts and a greater level to access to historical records than is possible in London. We would be very grateful for any information which you might be able to share. John Murdoch, the director of the gallery, could easily fly over to Rotterdam if you felt that an informal conversation would be suitable. Might I also ask whether there are any members of the Dutch government or the academic community who might usefully be approached in the spirit of open enquiry?

You may be aware that a comparable question has risen over the ex-Lubomirski drawings, dispersed throughout various European and North American collections. Representatives of the museums involved will be gathering for a seminar in September. The Koenigs case has

perhaps not progressed to that level but I wonder whether similar co-operation might not benefit all those concerned without, of course, prejudicing any legal case. We would appreciate any information or assistance and would certainly reciprocate where possible.

Yours sincerely,

*Signature*

Ernst Vegelin van Claerbergen

Curator of Paintings

Ps. Do please reply in Dutch if you prefer. I have been abroad so long that my native spelling tends to let me down

Department for Culture, Media and Sport  
Cultural Property Unit

2-4 Cockspur Street  
London SW1Y 5DH  
www.culture.gov.uk

Tel 020 7211 6158  
Fax 020 7211 6170  
gerry.mcquillan  
@culture.gov.uk

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over het LB versake  
reparatie lefenssch  
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DEE voorlopig  
contactpunt is.  
S. G.

dep 30/10



Dr J Riezenkamp  
Director-General  
Cultural Affairs & Labour Relations  
Ministry of Education, Culture and Science  
PO Box 25000  
2700 LZ Zoetermeer  
The Netherlands

12 September 2001

Dear Dr Riezenkamp  
KOENIGS COLLECTION

I had the pleasure of meeting you and your colleague Ferdinand Dorsman earlier this summer when you visited the Department for Culture, Media and Sport to gather information on the setting up of our Spoliation Advisory Panel.

During that meeting, I mentioned that we had been advised that a claim was likely to be made by the Koenigs family regarding three paintings in the Courtauld Institute Gallery of the University of London. We have now heard that this claim has been formally presented to the gallery.

Formally, this Department has no role to play until a claim reaches the stage of being referred to the Spoliation Advisory Panel. At the moment it is a matter for the trustees of the Courtauld Institute Galleries. (In fact the matter is more complicated in that the ownership of the paintings is vested in a separate group of trustees who loan the paintings to the Courtauld Institute Galleries.)

However, we wish to ensure that with a claim that has such an international dimension as the Koenigs collection, no actions are taken without a full appreciation of the repercussions that might follow for institutions elsewhere who



INVESTOR IN PEOPLE

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SPOED

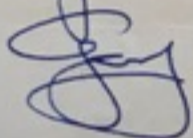
graag je alhoed om uit pagina 1 van 2  
PCE / arbeidskunst / international desk

Department for Culture, Media and Sport

have been served notice of a claim from the Koenigs family. Similarly we would like to be able to help the Courtauld, should they ask, by passing on any experience which other countries have gained from dealing with earlier claims, which I assume will still be outstanding.

Therefore, I would be most grateful if you could give me the name and address of a contact in the Netherlands who would be able to act as a liaison point with us on this issue.

I look forward to hearing from you.

Yours sincerely  


Gerry McQuillan  
Cultural Property Unit

*Courtauld Gallery*  
**COURTAULD INSTITUTE OF ART**

Somerset House, Strand, London WC2R 0RN  
Telephone +44 (0)20 7848 2526  
Fax +44 (0)20 7848 2589

*from John Murdoch, Director of the Courtauld Gallery*

18 April 2002

direct tel. 020 7848 2538

Ministerie van Onderwijs en Wetenschappen  
Inspectie Cultuurbezit  
Attn. of Drs. C. E. Rappard-Boon  
Postbus 11583  
2502 AN DEN HAAG  
The Netherlands

Ingekomen	: 23/4/02
Behandelaar	: CR
Kopie	:
Briefnummer	: 02-00217
Antwoordtermijn	: ja / neen

Dear Charlotte van Rappart-Boon

I have been advised to write to you by my colleague Chris Dercon, Director of the Boymans-van Beuningen Museum in Rotterdam. His opinion was that it might be useful for you to know that the Samuel Courtauld Trust, which owns many of the works of art in the collections in the Courtauld Institute Gallery, has received a claim from Miss Christine Koenigs in respect of three oil sketches by Rubens, formerly in the collection of her grandfather, Franz Koenigs.

These paintings came to the Trust under the will of Count Antoine Seilern in 1978. Seilern had purchased them in 1940 from the well-known dealer Jacques Goudstikker, who had been empowered to act by the liquidators of the Lisser and Rosencratz Bank. The paintings formed part of a collection pledged to the bank by Mr Koenigs as security for a loan which he was unable to redeem. The greater part of the Koenigs collection was, as you know, purchased by Mr van Beuningen and presented to the Boymans Museum. The three sketches by Rubens formed part of a group of works not purchased by Mr van Beuningen, and therefore offered for sale by the liquidators.

Miss Koenigs claims in effect that the circumstances in which her grandfather's collection was sold were, although entirely legal, unconscionable within the meaning of the recent Washington Declaration, and of other policy statements by the various participating governments. She seeks redress.

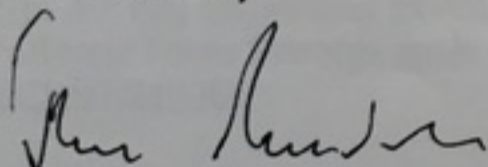
Drs C E van Rappard-Boon

18 April 2002

I have been instructed by the Samuel Courtauld Trustees to investigate the basis of Miss Koenigs' claim, and in particular to seek information from the Boymans Museum. Chris Dercon and his staff have in that respect already been extremely helpful, not least in providing us with information about their recent loan of objects with a Koenigs provenance for exhibition in New York. It is my understanding that your Department advised the United State authorities in the issue of a Declaration of Immunity from Seizure to cover the Boymans loans, and that your advice was based on extensive investigations into the circumstances of the acquisition of the objects by the Museum in 1939-40. Clearly, if there were anything like a formal statement by your Department on the issue of the van Beuningen purchases, it would be of the greatest assistance to my Trustees.

It is our hope that, together with the Boymans, and with any other museum which may have received a claim, we may find ourselves in a position to state our belief that Miss Koenigs' claims are without merit, and that there is no case either in law or conscience for us to answer.

Yours sincerely



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Courtauld Gallery

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Fax +44 (0)20 7848 2589

brief inkomsten, daarna naar  
Ton Chastmon.  
opbergen bij Koenigs

John Malcolm, Director of the Courtauld Gallery

direct tel. 020 7848 2538

re and Science

MINISTERIE VAN ONDERWIJS  
CULTUUR EN WETENSCHAPPEN  
CULTURELE ZAKEN  
INGEKOMEN  
29 JULI 2002  
DCE  
Dir. afd.  
Agenda No 02/30093

The Netherlands

Dear Dr van Hengstum

Thank you very much for your letter of 28 June with the extremely interesting papers which you enclosed. I am very sorry that I was not able to speak to your colleague Sabine Gimbrere: I certainly received a message which was said to have been from Charlotte van Rapport, and when I returned the call, a number of times, I was told most regretfully by those who kindly answered my call that she had left your Ministry.

But your letter is indeed most helpful, not least in explaining the current position of your Government. I note also that Mrs Koenigs has submitted a new claim to your Secretary of State for Education, Culture and Science, and that this claim will be considered under the procedure and principles of the Committee Polak.

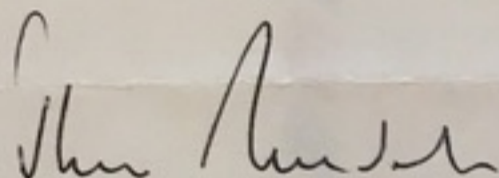
I think our position must be closely modelled on yours. We have as you know had the privilege of consultations with the scholarly staff and Director of the Museum Boymans-van Beunigen. We can be confident that the Committee Polak will take all their evidence as to the circumstances of the sale and dispersal of the Koenigs Collection into account, and we shall await the outcome of their consideration of Mrs Koenigs' claim. At that point our Trustees will doubtless wish to consider what action they might take in the light of Committee Polak's recommendations on the Dutch case.

Dr R J M van Hengstum

22 July 2002

Meanwhile we are most grateful to you for your guidance. May I express the hope that we may continue to share information and insight into the situation as it develops?

Yours sincerely

A handwritten signature in dark ink, appearing to read "Steve Austin". The signature is written in a cursive style with a large initial "S".



Dep THP 28/6

Invullen ..	Uiterlijk bij bewindspersoon*	Met reden ..	Kenteken ..	Classificatie ..	Minuut ..
indien van toepassing	Uiterlijk bij (plaatsvervangend) sg*				
	Uiterlijk bij (plaatsvervangend) dg*				

mus. blds. city/ICB/oorlogskunst

	Voorparaaf			Medeparaaf			Eindparaaf	
	Eenheid	Datum	Paraaf	Eenheid	Datum	Paraaf	Datum	Paraaf
Chef sectie/bur.	Sab.G.	(alt. 27/6)						
Chef (onder) afd. (plv.) dir.								
(plv.) dg.								
(plv.) sg.								
							Ontworpen door	Datum
								27-06-02

**Aan** -  
 The Courtauld Gallery  
 Attn. of Mr. J. Murdoch, director  
 Somerset House, Strand  
 London  
 WC2R 0RN

Uw brief van	Ons kenmerk	Behandelend ambtenaar	Zoetermeer
-	DCE/02/25935	dhr. A.H. Chaudron	28 JUN 2002
Onderwerp			Doorkiesnummer
- Claim Koenigs			4483

- Dear Mr. Murdoch,

The Inspectorate for Cultural Heritage forwarded your letter of April 18, 2002 to me. I understand that, with regard to a claim from Mrs. Koenigs to three oil sketches by Rubens, currently in the Samuel Courtauld Trust, you would like to know the opinion of our ministry on the issue of the Van Beuningen purchases.

A member of my staff, Mrs. Sabine Gimbrère, tried to contact you by telephone on several occasions to inform you, but did not succeed.

In March, 2002, Mrs. Koenigs submitted to the State Secretary for Education, Culture and Science a new claim to the objects of the Koenigs collection that are in possession of the Netherlands.

Afschriften aan  
 Secretariaat, Archief  
 TC, ICB (mw. Ch.E. Van Rappard-Boon)

Ter visie aan

Rappel-  
 leren per  
 Depo-  
 neren  
 Mede-  
 afgedaan

OCenW 19.505

\* Data invullen (eveneens in het linkergedeelte van de datumkolom); tussenliggende periode minimaal twee dagen

In december 2001 the Dutch government installed the Advisory committee on Assessment of Restitution Applications, also called the Committee Polak after its chairman Mr. J.M. Polak, to advise him on restitution claims of looted art. The State Secretary has asked the Committee Polak to advise him on this claim. Enclosed I send you copies of the decree and explanatory notes establishing the Committee Polak.

The installation of the Committee Polak was a result of the reaction of the Dutch Government on the preliminary recommendations of the Ekkart Committee. The Ekkart Committee supervises the provenance research into the objects in the NK collection and also makes recommendations to the Dutch government. Also enclosed you find copies of the reaction and the recommendations.

As soon as the advice of the Committee Polak will lead to a decision of the State Secretary on the claim of Mrs. Koenigs, I will be pleased to inform you of the outcome.

Director Cultural Heritage,

drs. R.J.M. van Hengstum

Ministerie van OC&W  
Dhr. drs. R.J.M. van Hengstum/DCE  
Postbus 25000  
2700 LZ Zoetermeer

MINISTERIE VAN ONDERWIJS  
CULTUUR EN WETENSCHAPPEN  
CULTURELE ZAKEN  
INGEKOMEN  
20 DEC. 2002  
DCE  
Dir. efd.  
Agenda No. 02/64249

Ministerie van Onderwijs,  
Cultuur en Wetenschappen  
Inspectie Cultuurbezit

Prins Willem Alexanderhof 28  
Postbus 11583  
2502 AN Den Haag  
Telefoon (070) 302 81 20  
Telefax (070) 365 19 14  
E-mail: inspectie@cultuurbezit.nl

Uw brief van	Ons kenmerk	Contactpersoon	Den Haag
	02-0578U		19 december 2002
Onderwerp	Bijlage(n)	Doorkiesnummer	
Restitutie		8120	

Geachte heer Van Hengstum,

Hierbij draag ik bijgaande brief afkomstig van het Courtauld Institute ter beantwoording aan u over. Het verbaast mij enigszins dat de vragensteller door uw directie naar ons verwezen is, daar het de afspraak was dat de Inspectie Cultuurbezit zich niet meer met dergelijke kwesties bezig houdt. Wij ontvangen wel graag een kopie van uw antwoord aan het Courtauld Institute daar dit een belangrijke relatie van de Inspectie is.

Met vriendelijke groet,

Ch.E. van Rappard-Boon  
Hoofd Inspectie Cultuurbezit

9/1 e-mail naar Euelen met versuch om info.



*Courtauld Gallery*  
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Drs C. E. van Rappard-Boon  
Inspectie Cultuurbezit  
Prins Willem Alexanderhof 28  
2595 BE 's-Gravenhage  
The Netherlands

16.12.2002

Dear Mrs Van Rappard-Boon,

I am writing to follow-up on an exchange between John Murdoch and Mr. A.H. Chaudron of the Ministry of Education, Culture and Science. It was suggested that I write to you directly, but do please forward or copy this letter to Mr Chaudron if that is appropriate.

As you know, Samuel Courtauld Trust holds three paintings by Rubens which passed through the collection of Franz Koenigs, the ownership of which is disputed by Miss Christine Koenigs. It was my understanding that the Polak Committee would be considering the Koenigs case on behalf of the Dutch government. Since the Trust clearly has an interest in the results of the Committee's research, I was hoping that you might give me some indication of the proposed timetable. Would you also be so kind as to let me know whether the research is to be published or whether the State Secretary will present the findings in some other form.

Please do respond in Dutch if you prefer; I am afraid that my own written Dutch has become rather rusty through lack of use.

Yours sincerely,

*Ernst Vegelin v. C.*

Ernst Vegelin van Claerbergen  
Senior Curator

Ingekomen	: 18/12/02
Behandelaar	: ce
Kopie	:
Briefnummer	: 02.0951
Antwoordtermijn	: ja / neen

g : musealele d... / iib / ontlogement /  
briev / courtauld

Invullen	Uiterlijk bij	Met	Kenteken	Classificatie	Minuut
indien van	bewindspersoon*	reden			
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	vervangend) sg*				
	Uiterlijk bij (plaats-				
	vervangend) dg*				

Voorparaaf			Medeparaaf			Eindparaaf	
Eenheid	Datum	Paraaf	Eenheid	Datum	Paraaf	Datum	Paraaf
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sectie/bur. ....							
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(plv.) dir. ..							
(plv.) dg. ..							
(plv.) sg. ..							

Ontworpen door *S.G. 28/1* S.M.Gimbrère Datum 27-1-03

**Aan** - Mr Ernst Vegelin van Claerbergen  
Courtauld Institute of Art  
Somerset House, Strand  
London WC2R ORN  
England

Uw brief van	Ons kenmerk	Behandelend ambtenaar	Zoetermeer
	DCE-03/3962	mr.drs.S.M.Gimbrère	
Onderwerp			Doorkiesnummer
Koenigs Case			4483

Dear Mr. Vegelin van Claerbergen,

In response to your letter of 16 December 2002 concerning the Koenigs Case I would like to inform you of the following.

You are right in suggesting that the request Ms Koenigs has submitted to the Netherlands Government for the return of works of art in possession of the State, is now under consideration of the Polak Committee. Due to the complexity of the case it will take the Polak Committee quite some time to prepare its advice to the State Secretary. Upon request the Polak Committee could only and informally say it expects to submit its advice by the end of August.

It is not the State Secretary's policy to widely publish the results of the research in individual cases. In light of your interest in the case though I expect we can find a way of informing you of the Committee's findings.

Since the case is still under consideration we would highly appreciate your discretion in this matter.

Afschriften aan  
Robert V.  
Charlotte v.R.  
Comm Polak (Coelme C.)

Ter visie ..  
aan ..  
Rappel- ..  
leren per ..  
Depo- ..  
neren ..  
Mede- ..  
afgedaan ..

\* Data invullen (eveneens in het linkergedeelte van de datumkolom);  
tussentijdse periode minimaal twee dagen

OCenW

Ministerie van Onderwijs,  
Cultuur en Wetenschappen

Europaweg 4  
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2700 LZ Zoetermeer  
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Telefax (079) 323 23 20

Mr Ernst Vegelin van Claerbergen  
Courtauld Institute of Art  
Somerset House, Strand  
London WC2R 0RN  
England

Uw brief van

Ons kenmerk

Contactpersoon

Zoetermeer

DCE-03/3962

mr.drs.S.M.Gimbrère

28 JAN. 2003

Onderwerp

Bijlage(n)

Doorkiesnummer

Koenigs Case

4483

Dear Mr Vegelin van Claerbergen,

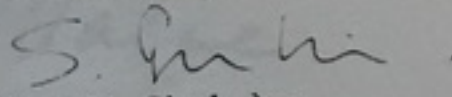
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Since the case is still under consideration we would highly appreciate your discretion in this matter.

Yours sincerely,

  
Sabine M. Gimbrère  
Senior Adviser International Affairs  
Cultural Heritage Department

O N D E R  
O O S G M  
L T U U R  
N E T E M  
S C H A P

The Courtauld Institute Gallery  
Mr J. Murdoch  
Somerset House, Strand  
London, WC2R 0RN  
Engeland

The Hague  
25 APR 2005

Ref.  
DCE/04/60358

Subject  
Claim Koenigs

Appendix

- recommendations for the restitution of artworks
- advice RC 1.6 on the Koenigs collection
- decision following Mrs. Koenigs objection

Dear Mr Murdoch,

Over the years the Ministry of Education, Culture and Science has kept you informed about developments concerning the Koenigs Collection. The Dutch Cultural Heritage Department also promised to inform you about the Advisory Committee's recommendations and the State Secretary's decision on Mrs Koenigs' claim.

Two documents of relevance to the case were issued this year:

- the Advisory Committee's recommendations concerning the Koenigs Collection (see their website [www.restitutiecommissie.nl](http://www.restitutiecommissie.nl) 'recommendations' case no. RC 1.6);
- the decision following Mrs. Koenigs objection based on the advice the Ministry of Culture's Central Funding of Institutions Agency (CFI).

I enclose English translations of both these documents for your convenience.

As you know, the independent Ekkart Committee was established a few years ago at the request of the State Secretary for Education, Culture and Science. The committee investigates the provenance of works of art in the Public Art Collections Institute and makes recommendations to the Dutch government (see the website [www.herkomstgezocht.nl](http://www.herkomstgezocht.nl)).

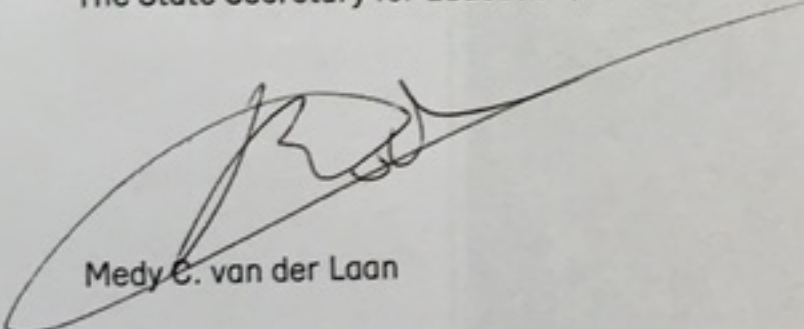


On 22 December 2001 the Dutch government established an independent Advisory Committee for the Assessment of Restitution Applications. In respect of the Koenigs Collection, the committee advised me to "reject both applications made by Mrs Christine F. Koenigs".

In response to Mrs Christine Koenigs' objection, the CFI issued a ruling on 18 August 2004, upholding the Advisory Committee's recommendations.

I would be grateful if you could pass this information on to the Cultural Property Unit of your Department for Culture, Media and Sport

The State Secretary for Education, Culture and Science,



Medy C. van der Laan

Advice concerning the application for  
restoration of the Koenigs collection