



The Advisory Commission on the return of cultural property seized as a result of Nazi persecution, especially Jewish property, chaired by Prof. Hans-Jürgen Papier, decided after an oral hearing on 23 May 2025 to encourage an amicable settlement in the case of the Dr. and Mrs. Max Stern Foundation versus Landschaftsverband Rheinland and the heirs of Hugo Heinemann versus Landschaftsverband Rheinland. A transcript of the agreement reached is provided below. The only binding version is the document signed by the parties.

In the case of the

Dr. and Mrs. Max Stern Foundation

v.

Landschaftsverband Rheinland

and

Heirs of Hugo Heinemann

v.

Landschaftsverband Rheinland

an amicable settlement was reached between the parties through mediation by the Advisory Commission on the return of cultural property seized as a result of Nazi persecution, especially Jewish property, chaired by Prof. Hans-Jürgen Papier, on 8 July 2025. The case is concluded with the signing of this settlement agreement.

Agreement

on the restitution of the painting *Bäuerliches Frühstück* [Peasant Breakfast] by P. V. Plas

between Landschaftsverband Rheinland [...]

- hereinafter referred to as “LVR” -

and The Dr. and Mrs. Max Stern Foundation [...]

- hereinafter referred to as “Stern Foundation” -

and the heirs of Hugo Heinemann [...]

- hereinafter referred to as “Community of Heirs” -

Preamble

In recognition of the collective and individual Nazi persecution of Dr. Max Stern and Hugo Heinemann, the Parties share the view that the loss of the painting *Bäuerliches Frühstück* [Peasant Breakfast] by P. V. Plas constitutes a seizure as a result of Nazi persecution, for both Dr. Max Stern and, subsequently, Hugo Heinemann.

Section 1 Restitution of the Painting

(1) The LVR, the Stern Foundation and the Community of Heirs agree that ownership of the painting *Bäuerliches Frühstück* [Peasant Breakfast] by P. V. Plas, oil on canvas, signed “P. V. PLAS. F.”, 59.5 × 85.5 cm, (Inventory No. 1941.2), with frame, in its current condition, shall be transferred by way of restitution to the Stern Foundation and the Community of Heirs, each acquiring equal co-ownership, upon signing this Agreement.

(2) Upon signing this Agreement, the LVR shall keep safe the painting currently in its possession, free of charge, for the Stern Foundation and the Community of Heirs until it is surrendered to them. The safekeeping relationship may only be terminated for cause without notice for a compelling reason. Termination in accordance with usual procedure is excluded.

(3) The Parties agree that the Stern Foundation and the Community of Heirs shall collect the painting from LVR through an authorized representative within two months of signing this Agreement. The safekeeping relationship under Section 1 (2) shall end upon such surrender.

Section 2 Devolution of Risk

For the period from signing this Agreement until surrender pursuant to Section 1 (3), the LVR shall be liable to the Stern Foundation and the Community of Heirs for loss of or damage to the painting in accordance with Section 690 of the German Civil Code (*Bürgerliches Gesetzbuch* – BGB).

Section 3 Provision in the Event of a Prior Nazi-Persecuted Owner

As it was not possible to establish definitively whether or not the losses suffered by Max Stern and Hugo Heinemann were preceded by another seizure as a result of Nazi persecution, the Stern Foundation and the Community of Heirs shall, upon proof of a prior seizure of the painting as a result of Nazi persecution within ten years of the date of this Agreement, each pay one third of their respective half of any proceeds from a sale to the heirs of the person who suffered prior damage.

Section 4 Final Provisions

- (1) Amendments and additions to this Agreement must be made in written form. Any amendment to this clause must itself be made in written form.
- (2) The law of the Federal Republic of Germany shall apply exclusively.
- (3) The LVR, the Stern Foundation and the Community of Heirs acknowledge that the proceedings pending before the Advisory Commission on the return of cultural property seized as a result of Nazi persecution, especially Jewish property since 2023 concerning the aforementioned painting, are concluded upon signing this Agreement.

[signatures]

In the event of disputes concerning cultural property seized as a result of Nazi persecution, the function of the Advisory Commission is to mediate between those currently in possession of the cultural property and the former owners, or their heirs, if requested to do so by both parties.

Beratende Kommission im Zusammenhang mit der
Rückgabe NS-verfolgungsbedingt entzogenen Kulturguts,
insbesondere aus jüdischem Besitz

Seydelstraße 18
10117 Berlin

geschaeftsstelle@beratende-kommission.de
www.beratende-kommission.de