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Austria Appeals \$9 Million Compensation Verdict in Missing Klimt and Schiele Case

Henri Neuendorf, Thursday, March 3, 2016



The Lentos Kunstmuseum argues that the lost artworks are fake.

Photo: Wikimedia Commons

The city of Linz, Austria has appealed a verdict ordering it to pay €8.24 million (\$8.96 million) plus interest in compensation to the heirs of the artist and collector Olga Jäger over the disappearance of a [Gustav Klimt](#) drawing and three pictures by [Egon Schiele](#). In 1951, Jäger agreed to consign the artworks to the Neue Galerie der Stadt Linz—known today as Lentos Kunstmuseum—on a long-term loan. But when Jäger's heirs asked the museum to return the artworks in 2006, they could not be found.

According to [Der Standard](#), the descendants initially took the institution to court in 2009 over the disappearance of only the Schiele drawing, *Paar*. In 2011, the Supreme Court granted them €100,000 (\$108,700) in compensation for the disappearance.



The city of Linz has filed a final appeal at the Austrian Supreme Court in Vienna.
Photo: Wikimedia Commons

In a subsequent lawsuit, the heirs also sought compensation for the Klimt drawing *Zwei Liegende*, the Schiele watercolor *Junger Mann*, and the Schiele oil painting *Tote Stadt*. The Linz Regional Court ruled that the museum must pay €8.24 million (\$8.96 million) to the heirs for losing the artworks.

However, in October 2015, the museum appealed the verdict in the High Regional Court of Linz arguing that the loaned works were fake. But, the verdict was upheld last month, [Der Standard](#) reports.

Now, the city is making a last-ditch effort to avoid the large compensation payment by taking a final appeal to Austria's Supreme Court.



A work from Egon Schiele's *Tote Stadt* series, similar to this one, is amongst the missing artworks.
Photo: Wikimedia Commons

"We are optimistic that the Supreme Court will take into account our argument that the burden of proof lies with the claimants, more than in the previous two instances," the Mayor of Linz Klaus Luger told the Austrian daily [Volksblatt](#).

By taking its appeal to the Supreme Court the city risks being slapped with an even more substantial bill. The Supreme Court case is set to cost the city ca. €210,000 (\$228,272) in legal fees alone. Should the court rule in favor of the claimants, the city would also have to pay for lawyers and appraisers, resulting in a total payment close to €10 million (\$10.8 million).