

The art trade and looted property

*Dr Alexander Ressos, TEP
Attorney-at-Law (Switzerland), Solicitor (Hong Kong),
Solicitor (England & Wales)*

Among the subjects studied by the Bergier Commission is the trade in art and jewellery.¹ During the war, works of art looted from Jewish collectors or plundered in the occupied countries passed through Switzerland or were sold there. The Swiss art market, relatively open, may have served as a place of transit and laundering for such property.²

The question of the restitution of looted cultural property gained international importance from the late 1990s onwards. Principles adopted at an international conference in Washington in 1998 call on states to identify looted works and to seek just and fair solutions with those entitled to them.³ Switzerland has adopted measures to implement these principles and has legislated on the transfer of cultural property.⁴

For the Geneva financial centre, this question has a practical dimension. Geneva is home to art dealers, auction houses, collectors and storage facilities for valuable property, including the free ports. Wealth managers advise clients who hold collections. Provenance due diligence, that is to say the verification of the origin and history of works, now forms part of the requirements of a responsible art market, and the anti-money laundering rules apply to certain participants in that market.⁵

Caution. Works of art held by wealthy clients may have a history connected with the lootings of the Second World War. Wealth managers and advisers involved in the acquisition, financing, storage or sale of such works must satisfy themselves that their provenance has been verified.

1 Notes

1. “Le rapport Bergier, 2002-2022. Quel bilan ?”, infoclio.ch (accessed September 2026). ↩
2. Wikipedia (en), “Bergier commission” (final report, March 2002): “Swiss involvement in the Nazi regime’s looting and cultural policy was

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considerable and diverse”; ICE, Final Report, summary (uek.ch), chapter on looted and plundered cultural property. ↩

3. Wikipedia (en), “Washington Principles on Nazi-Confiscated Art”: Washington Conference on Holocaust-Era Assets of 30 November to 3 December 1998, bringing together representatives of 44 countries and 13 non-governmental organisations, museums and auction houses; eleven non-binding principles, including the expeditious search for a “just and fair solution”; clarifications adopted in March 2024. ↩
4. Federal Act of 20 June 2003 on the International Transfer of Cultural Property (Cultural Property Transfer Act, CPTA; SR 444.1), in force since 1 June 2005 (lexfind.ch): Art. 1 (import, transit and export of cultural property, implementation of the 1970 UNESCO Convention); Art. 9 para. 4 (action for return time-barred one year after knowledge of the location and of the possessor, and at the latest 30 years after the unlawful export). ↩
5. Art. 16 CPTA (SR 444.1; lexfind.ch): art dealers and persons conducting auctions must “establish the identity of the supplier and of the seller and require from them a written declaration of their right to dispose of the object”, inform their clients of the import and export rules, “keep a register of acquisitions of cultural property” and retain the documentation for 30 years. ↩

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