

# **Funding Guideline for Provenance Research Projects on Collections from Colonial Contexts**

(Date: January 2, 2024)

## Preamble

In accordance with its statute, the German Lost Art Foundation (hereinafter: the funding institution) is responsible for supporting art, culture, science and research with regard to lost cultural goods and for providing corresponding support for international exchange, tolerance and understanding between peoples. In its decision of April 23, 2018, the Foundation Board tasked the Foundation with extending its funding activities to include projects that review the provenance of cultural goods from colonial contexts in public institutions (museums and collections in public ownership) in Germany or which involve basic research in this field.

Cultural goods from colonial contexts are found in many different kinds of museums and collections (ethnographic, natural history, (cultural) history, and archeological collections, collections of antiques, art, and technology, as well as collections of decorative or East Asian art). This is an independent and complex field of research that is scientifically, legally, politically and ethically sensitive. It is constantly evolving, which means that the funding guideline will be modified to take account of the respective latest findings and developments. This guideline is partly based on the "Guidelines for the Care of Collections from Colonial Contexts" published by the German Museums Association and on the "Framework Principles for dealing with collections from colonial contexts" agreed on March 13, 2019, by the Federal Government Commissioner for Culture and the Media, the Federal Foreign Office Minister of State for International Cultural Policy, the Cultural Affairs Ministers of the Länder and the municipal umbrella associations.

In accordance with this guideline, the funding is intended to enable German museums and collections to carry out projects locally to review objects from colonial contexts in their holdings and ensure transparency. It is hoped that new ways of researching these cultural goods will be found, particularly in cooperation with the countries and communities of origin. In addition, the funding will allow the research findings to be documented, pooled, interconnected, and shared.

## I. Funding Objectives

Project funding may be used for

- systematically and sustainably reviewing the provenance of cultural goods from colonial contexts in public museums and collections, including libraries and archives, in Germany;
- researching and addressing fundamental general questions regarding cultural goods from colonial contexts in public museums and collections, including libraries and archives, in Germany (basic research);
- documenting the research results, particularly in order to make them publicly accessible in digital form.

Additional aims of the funding guideline are, to

- raise and increase awareness of the importance of provenance research relating to cultural goods from colonial contexts, especially in institutions that have no or very little experience in this subject;
- support the development of specific documentation and publication standards for cultural goods from colonial contexts;
- promote the transfer of knowledge between the institutions that collect goods and support the development and strengthening of national and international research networks that include the countries and communities of origin;
- encourage the sharing of findings and experiences from the projects as part of education and training activities.

## II. General Conditions

- (1) The grant is provided by way of a funding agreement governed by private law. This is based on the specifications of the German Federal Budget Code (BHO), the applicable administrative regulations in force and the “General Auxiliary Conditions for Grants for the Promotion of Projects” (AN Best-P).
- (2) Funding is provided subject to the availability of financial resources. There is no legal entitlement to the provision of a grant.
- (3) Funding is awarded solely for individual projects; institutional or permanent funding is not provided.

## III. Eligibility

Applications for projects in accordance with IV (1) of this funding guideline may be submitted by publicly funded institutions based in Germany that collect or hold cultural goods from colonial contexts and institutions that carry out research in this field.

In addition, applications for projects in accordance with IV (1) 1. and 3. may be submitted by private legal entities based in Germany that collect, hold or research cultural goods from colonial contexts and which are recognized as serving public-benefit purposes under Section 59 in conjunction with Section 52 of the German Fiscal Code.

Joint applications from several institutions are also permitted and encouraged, especially if they concern collection holdings or contexts that are closely linked historically.

## IV. Object of Funding

- (1) Funding may be granted for:
  1. Projects involving the systematic investigation of collections and holdings as well as individual research into actual or suspected collections from colonial contexts, including the documentation and digitization of the project findings,
  2. Projects researching the historical context in relation to collections according to section 1, provided that the question is of fundamental importance beyond the individual case,
  3. Short-term projects for the purpose of a cursory examination of suspicious circumstances in institutions that collect or hold cultural goods, but which themselves do not have the necessary staff capacity for this examination (Initial Check).
  4. Projects aiming at indexing and analysis of archival records and documents, that are of significance beyond the individual case. The retro-digitization of archival records and documents as well as the development of digital infrastructures are eligible for funding in exceptional cases, provided they are of significance beyond the individual case to fulfil the statutory tasks of the funding provider, not feasible within the scope of the applicant’s duties and economically viable. In addition, permanent maintenance must be ensured regardless of the funding. Redundant infrastructures will not be granted funding.
- (2) Preference will be given to projects that take into account the German Museums Association’s “Guidelines for the Care of Collections from Colonial Contexts” with regard to prioritizing certain collection holdings, in particular:
  - Human remains
  - Culturally sensitive objects/types of object
  - Objects from former German colonies
  - Objects associated with a violent colonial context
  - Types of object for which claims have already been articulated in Germany or in other countries or to which particular importance is attached in their countries and communities of origin

- Significant/exhibited objects
  - Objects related to local figures and local history at the applicant's location
  - Objects in respect of which close contact has already been established with experts and representatives from the countries and communities of origin
- (3) The funding institution does not support dissertation projects or award scholarships. Lawyer's fees and mediation costs will not be funded.

## **V. Prerequisites**

- (1) The funding of projects in accordance with IV (1) 1. assumes that at least one of the applicants is the owner or the holder of the right of disposal of the items under examination. Alternatively, project funding is permitted if the owner or the holder of the right of disposal agrees in writing to the project funding and the applicant's resulting obligations.
- (2) The involvement of institutions, communities, and experts as natural or legal persons from the countries and communities of origin must be considered during the planning and delivery of the project. This can be done in various ways, e.g. by inviting experts and guest academics, by cooperating with institutions, by working together on site in the country of origin or by enabling access to objects, data and documents. The project application must show whether and in what way the relevant parties are to be involved.
- (3) Funding may be granted only when total financing has been secured. Applicants are obliged to contribute an appropriate amount of their own funds proportional to the financial resources of the institution or provide evidence of third-party funding. Own funds in accordance with the guideline are those that are allocated solely for carrying out the project and will only be used for this purpose. Further inhouse support (staff, material resources, infrastructure) is welcome and should be described in the application. It does not count as own funds but will be taken into account when assessing whether the applicant's own contribution is appropriate.
- (4) The applicant agrees, in case a grant is awarded, to comply with the rules of good scientific practice and to assure the quality of research results in accordance with the "Guidelines for Safeguarding Good Research Practice" by the Deutsche Forschungsgemeinschaft (DFG, German Research Foundation)
- (5) Applicants are required to ask for a consultation with the funding institution prior to submission of the application.
- (6) The funding institution may ask the applicant to provide evidence satisfying the requirements in paragraphs 1 and 2.

## **VI. Type, Scope and Amount of the Grant**

- (1) Funding is provided as a project grant to cover expenditure incurred by the applicant for individual, specified projects.
- (2) The grant is generally awarded as partial financing where there is a shortfall in funding.
- (3) The funding institution supports short-term projects of particular urgency or those that are dedicated to locating human remains or items of cultural heritage in German institutions outside the regular application period on an individual case research basis up to a maximum amount of €40,000 for projects lasting up to six months. The grant is exceptionally conferred by fixed-amount financing.
- (4) The funding provider supports long-term projects for a period of up to 24 months. An initial maximum duration of 36 months is only possible for basic or contextual research projects or joint projects between different institutions. A project extension may be granted for up to 36 months in total. In special cases, an exception can be made for a duration of up to 60 months. The necessity for any extension of a project must be applied for and justified by the applicant. Up to a funding amount of

€400.000 per project the executive board of the German Lost Art Foundation takes a decision. Grants exceeding this amount or that are expected to exceed this amount require the approval of the Foundation Board.

## **VII. Application Procedure**

- (1) Applications must be submitted electronically as PDF documents using the form on the funding institution's website. A matching signed paper version of the application (not stapled or bound) must also be submitted. This also applies to extension applications.
- (2) Applications for funding must be submitted by April 1 or October 1 of each year (cut-off date). Receipt of the electronic copy by the funding institution is sufficient for compliance with the deadline. When the application has been received, the applicant will be sent a confirmation of receipt.
- (3) Applications must generally be submitted in German. An application may be submitted in English with the agreement of the "Department for Cultural Goods and Collections from Colonial Contexts" if it serves to involve institutions, communities and experts as natural or legal persons from the countries and communities of origin in the delivery of the funding objective in accordance with V (2). It is imperative that a summary of the application and the cost and financing plan are submitted in German. If the project description is submitted in English only, a grant may be awarded for the cost of translating the project description into German in the event that the project is funded.
- (4) Applications submitted in due time will be presented to the Funding Committee for Cultural Goods from Colonial Contexts for advice and recommendation. The Executive Board decides on these applications after a recommendation has been made.
- (5) The applicant receives written notification of the funding decision. This is for information purposes only and does not give legal entitlement to a grant. This is set out exclusively in the funding agreement. If an application is rejected or deferred, the main reasons for this will be explained.

## **VIII. Project Implementation**

- (1) A funding agreement between the funding institution and the applicant is concluded for the implementation of the project. The project must not begin before the date stated in the funding agreement. A project is deemed to have begun when the funding recipient has concluded contracts relating to the implementation of the project. Starting a project ahead of schedule requires prior written approval by the funding institution.
- (2) Within four weeks of the start of the project, the funding recipient must send an informative short description of the project in German and English for publication on the funding institution's website.
- (3) Funding recipients must submit an interim report in German and, where applicable, in English 12 months after the start of the project. If an extension application is submitted, reference can be made to the interim report in the application form. For projects lasting up to 12 months, the final report replaces the interim report.

## **IX. Proof of Use**

- (1) With regard to the report on expenditure of funds, Section 44 of the German Federal Budget Code (BHO), the administration regulations in Section 44 of the BHO and the "General Auxiliary Conditions for Grants for the Promotion of Projects" (AN Best-P) apply accordingly.
- (2) Within three months of the end of the funding period, a report on expenditure of funds must be submitted to the funding institution (numerical evidence, performance report, explanatory notes) along with the final report in German and, where applicable, in English (see information sheet on preparing interim and final reports). The final report is particularly important for evaluating the project

and communicating the results to further provenance research and integrate research findings.

- (3) The performance report must contain a project review measured against the criteria to be met for the project stated in the funding agreement.
- (4) An informative short description of the main research findings in German and English must be submitted with the final report; this will be published on the funding institution's website.

## **X. Other Obligations of the Funding Recipient**

- (1) At the end of the project, the funding recipient is required to forward the research results in German and, where applicable, in English to the funding institution in a suitable form for inclusion in the funding institution's research database (e.g. Proveana).
- (2) The funding recipient is required to document the research results in their own inventories, academic publications and exhibitions (e.g. gallery texts, catalogs, media guides) and make them publicly accessible.
- (3) When publishing the research results, the funding recipient is required to make reference to the support granted by the funding institution. The funding institution is to be given at least one specimen copy of all printed publications. For online publications, the relevant link must be provided.
- (4) The funding recipient is required to coordinate all press and public relations work relating to the funded project with the funding institution.
- (5) The obligations of the funding recipient are further specified in the funding agreement.

## **XI. The Funding Institution's Rights of Use**

The funding recipient grants the funding institution a non-exclusive, indefinite, and unlimited right of use for the reproduction and publication of the final report and the research results. In addition, the funding recipient authorizes the funding institution to process and integrate the research findings in their research database and to link to the funding recipient's digital publications.

## **XII. Repayment of the Grant**

- (1) The grant will be reclaimed if the funding recipient has provided false information in the application that was crucial for the conclusion of the funding agreement or the grant will not be used in the near term, or is no longer being used for the purpose stated in the funding agreement.
- (2) The grant may be reclaimed in whole or in part, if the funding recipient has violated their obligations as stated in this guideline or in the funding agreement, especially if the funding recipient does not forward the research results to the funding institution or grant the necessary rights of use to the funding institution.
- (3) In the event of a reclaim, the amount to be reimbursed is to include an interest of five percentage points above the basic rate of interest in accordance with Section 247 of the German Civil Code (BGB).
- (4) In the event of a violation of obligations as stated in this guideline or the funding agreement, the funding recipient shall be barred from obtaining further funding for as long as the violation continues.

## **XIII. Data Protection**

Personal data will be handled according to the provisions of the General Data Protection Regulation by the EU (GDPR) and the Federal Data Protection Act (BDSG). The funding institution is responsible for the processing of data.

#### **XIV. Entry Into Force**

This funding guideline enters into force on January 2, 2024, following the decision of the Foundation Board of October 13, 2023.