

UK-SKKG Procedural Process¹

(Initiation of proceedings at the request of the Head of SKKG Provenance Research, Art. 12 subsec. b of the Rules of Procedure for the Independent Commission of the Stiftung für Kunst, Kultur und Geschichte for Clarifying Claims Resulting from Nazi Persecution, 24 April 2023 (updated 15 April 2024), hereinafter UK-SKKG RoP))

1. **Receipt of research report by the Independent Commission SKKG (*Unabhängige Kommission SKKG*, hereinafter UK-SKKG)**
2. The UK-SKKG formally checks that the research report is complete and, if necessary, returns it for improvement.
If the report is accepted, the UK-SKKG begins its material assessment process, which lasts until the end of the evidence procedure (Item (20))².
3. Initial phase: The UK-SKKG examines the prerequisites for the initiation of proceedings as per Art. 13, Paras. 5 and 6 of the UK-SKKG RoP.
4. **Initiation of proceedings Art. 13, Para. 6 UK-SKKG RoP**
5. Send notification of the initiation of proceedings to the parties involved, including a request to submit any powers of attorney (originals or notarized) and to provide information on whether further legal successors are known.
6. Send out press release regarding initiation of proceedings.
7. Await receipt of the powers of attorney (originals or notarized).
8. Ask claimants to submit documents to substantiate legal succession (digital copies suffice) and to answer any questions the UK-SKKG may have.
9. Await receipt of documents to substantiate the legal succession (digital copies suffice).
10. Send the joinder declaration to claimants³ and ask for written confirmation (using declaration form) that the UK-SKKG has been informed of all known potential legal successors, regardless of who may be representing them.
11. Await receipt of the joinder declaration (original or notarized).
12. **Send the research report to all parties to the proceedings** (Art. 13 Para. 4 UK-SKKG RoP):
 - The following separate documents will be sent:
 - Research report (password protected)
 - Any addenda to the research report (password protected)
 - Compilation of the results of outsourced research assignments and/or the UK-SKKG's own research⁴
 - Compilation of still-open research questions that SKKG Provenance Research may still be occupied with, the results of which will be submitted in due course.
 - Cover letter requesting statements:

¹ Please note that this is an explanatory document for the Rules of Procedure and has no legally binding effect. In case of doubt, the original German version of the Rules of Procedure of the Independent Commission SKKG, 24 April 2023 (updated 15 April 2024) shall apply.

² The evidence procedure (Items 1 – 18) is a dynamic process in dialog with all parties to the proceedings; it also comprises the option to make a statement on each entry as per Items 12-19.

³ It will be decided on a case-by-case basis whether this can be done at the same time as Item 8, "Ask claimants to submit documents to substantiate legal succession".

⁴ The UK-SKKG's research results are communicated to all parties to the proceedings at the same time and only once all powers of attorney have been obtained. They are not sent in advance to SKKG Provenance Research. The UK-SKKG decides on exceptions on a case-by-case basis.

Unabhängige Kommission SKKG

Unabhängige Kommission der Stiftung für Kunst, Kultur und Geschichte
zur Klärung NS-verfolgungsbedingter Ansprüche

- Deadline: at least 30 days. Please note: an extension is possible.
 - Request for a statement on the research report and addenda, as well as an assessment of the general situation.
 - Request for a statement on the facts presented in the reports, with answers to any questions asked by the UK-SKKG and any other research results that may be available.
 - Request for additional (contradictory or supportive) information and/or documents.
 - Request for additional information, such as oral family history and recollections.
 - Case-specific requests: “especially documents on the following issue or fact:...”.
13. Request to all parties to the proceedings (at the same time as Item 12) (for the first time, or if applicable, again),
- Step 1: to submit their own records (documents, archival items, etc.).
 - Step 2: to request additional records from external organizations or archives to which only the legal successors have access.
 - Determination of need for clarification⁵.
 - Procedure for archive inquiries (options: and/or, depending on the case):
 - Option 1: Parties to the proceedings grant the UK-SKKG specific power of attorney.
 - Option 2: Parties to the proceedings gather the information themselves and pass it on to the UK-SKKG.
14. Await receipt of the statements of the parties to the proceedings on the research report and any addenda, etc.
15. Await receipt of research records (as per Item. 13).
16. Send reports on new findings to the parties to the proceedings with request for statement⁶:
- **UK-SKKG’s research results:** *once complete* (notification to UK-SKKG members of the commission, deadline feedback, sent by commission office or president).
 - **Relevant current findings from SKKG Provenance Research or parties to the proceedings:** *immediately*, in case of important or decisive information (ditto).
 - **Further research results from SKKG Provenance Research or parties to the proceedings:** *periodically*, when enough have been received (ditto).
17. Await statements on new findings.
18. Submit to the other parties of the proceedings: statements on the research report or new findings, giving them the opportunity to submit their own statements by a certain deadline.
19. As necessary, repeat procedure as per Items 13 – 18.
20. UK-SKKG makes decision that evidence procedure is concluded.
21. **Draft UK-SKKG report on the established facts** (generally within 180 days of the decision that evidence procedure is concluded).

⁵ What is to be clarified by whom will be decided on a case-by-case basis. No new research assignments will be given to SKKG Provenance Research once the research report is sent out to the parties of the proceedings. Assignments will be given directly to the parties to the proceedings or they will be outsourced.

⁶ Deadlines are set on a case-by-case basis.

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22. Send UK-SKKG report on the established facts to all parties to the proceedings, with a request for statements as per Art. 14 Para. 2 UK-SKKG RoP, including a deadline of at least 30 days, which may be extended.
23. The UK-SKKG processes any statements and determines how to proceed further.
24. If necessary, hold a hearing for all parties to the proceedings, Art. 14 Para. 3 UK-SKKG RoP.
25. **Settlement negotiation**, Art. 15 UK-SKKG RoP.
26. A) If an agreement is reached: the proceedings are dismissed.
B) If no agreement can be reached: The UK-SKKG makes a decision to that fact and draft a reasoned declaration, Art. 15 Para. 3 UK-SKKG RoP.
27. **Send out the draft decision** to the parties to the proceedings for statements within a set timeframe (at least 30 days).
28. Await receipt of comments on draft decision.
29. A) If no new facts are communicated or records found: **the decision as per the draft applies.**
B) If new facts are communicated or records found with a given timeframe (as per Item 27): the assessment phase is reopened (continuation from Item 12).