

## Collection Rau for UNICEF

Background Information

(updated 18<sup>th</sup> of January 2018)

**The pediatrician and philanthropist Dr Dr Gustav Rau amassed one of the finest and most important private art collections in the world, including European paintings from the fifteenth century through to Late Impressionism as well as sculptures from the Middle Ages to the nineteenth century. Gustav Rau bequeathed UNICEF Germany his unique art collection. He donated the majority of his collection to UNICEF during his lifetime, thus making one of the biggest humanitarian donations in Germany. He designated UNICEF as inheritor for the remaining artwork.**

**UNICEF publishes all information about the “Collection Rau for UNICEF” as transparently as possible in accordance with its policies. Information about the artwork and background materials about the “Collection Rau for UNICEF” are available here: [www.collection-rau-for-unicef.de](http://www.collection-rau-for-unicef.de).**

## Who was Gustav Rau?

Dr Dr Gustav Rau was a great philanthropist. Born as the son of a wealthy Stuttgart manufacturer he studied economics in order to take over his parents' company. At the age of 40, however, he decided to change his life. He studied medicine, sold the company he inherited and founded a medical clinic in present day Democratic Republic of Congo. There he worked as a pediatrician for many years. Apart from his humanitarian involvement, Gustav Rau was dedicated to art. Within four decades he compiled one of the most comprehensive and extraordinary private art collections. Gustav Rau died on 3rd January 2002, shortly before his 80th birthday.

## What are UNICEF's plans for the collection?

To date, the great majority of Dr Gustav Rau's fortune is tied up in art. At Gustav Rau's bequest, UNICEF inherited his valuable art collection.

Gustav Rau prescribed that the core of his collection is to be on public exhibit until 2026. This part of Gustav Rau's bequest is being fulfilled with the “Art Chamber Rau” in the Arp Museum Bahnhof Rolandseck in Remagen near Bonn/Germany, where the artwork is being shown in changing exhibitions. In accordance with Gustav Rau's will and with support from an art advisory board, the remainder of the collection, which originally encompassed 780 pieces of art, is being sold to support long-term programs for children – excluding three portraits of the collector. An art advisory board initiated by Dr Dr Gustav Rau provides counsel to UNICEF in its decisions on sales and exhibitions.

In accordance with Gustav Rau's will, the proceeds are allocated to the UNICEF Germany Foundation to finance long-term UNICEF projects and to continue supporting the hospital founded by Gustav Rau in Ciriri in Eastern Congo.

## **Which artwork is exhibited at the Arp Museum?**

Gustav Rau asked for his most valuable paintings and sculptures to be made available for public view for 18 years. Until 2026 his collection will be open for public view at the “Art Chamber Rau” in the Arp Museum Bahnhof Rolandseck, where the artwork - including the core collection consisting of 150 pieces of art - is being shown in changing exhibitions. The Arp Museum also received sculptures that were loaned to the Museum Schnütgen in Cologne until 2012. Following the sales of various pieces of art in 2013, UNICEF loaned further valuable pieces of art to the Arp Museum. In total, the artwork currently on loan includes 275 paintings and sculptures. A further 245 paintings, sculptures and handcrafted works of art are currently being kept in appropriate art storage facilities.

The paintings and sculptures on loan to the Arp Museum are being shown in different exhibitions from constantly new angles. So far, 11 exhibitions have taken place: „Tiepolo und das Antlitz Italiens“, „Das Auge des Sammlers“, „Superfranzösisch“, „Horizonte“, „Köstlich!“, „Lichtgestöber“, „Schau mich an“, „Das inszenierte Ich – Portraits seit 1500“; „Leibhaftig – Der Menschliche Körper zwischen Lust und Schmerz“, Menschenskinder – Kinderleben zwischen Wunsch und Wirklichkeit“, Bühnenreif 2.Akt“, and Henry Moore – Vision. Creation. Obsession.“

From March 2018, the 12th exhibition will take place, titled „Rausch der Farbe. Von Tiepolo to K.O. Götz“. For more information, see [www.arpmuseum.org](http://www.arpmuseum.org).

## **How were the sales in 2013 managed?**

In the course of 2013, more than 400 paintings, sculptures and handicrafts were offered for sale. To prepare these sales, an independent law firm had issued a call for tender with big international and national auction houses for UNICEF Germany. The responses were anonymised by an independent law firm and presented to the executive board of the UNICEF Foundation.

Due to their convincing and favorable terms the auction houses Sotheby’s (London), Bonhams (London), as well as Lempertz (Cologne) were selected.

Two paintings – including “Corot, Die Algerierin”, one of the paintings from Gustav Rau’s core collection as per the agreement between Dr Dr Gustav Rau and UNICEF Germany Foundation – were sold outside these auctions. This is because the two paintings were sold at a price far above the world record for the respective artist and the estimates for these works of art. UNICEF could not decline this offer, since it is bound by the foundation statute to sell the artwork at the highest price possible. This is in accordance with Gustav Rau’s will, who bequeathed his art collection to UNICEF to help children for the long-term. The sale of the two pieces of art complies with the donation contract, which includes a flexibility clause stating that it is possible to deviate from the deadline of 2026 in “specific circumstances”. The art advisory board initiated by Gustav Rau and the national foundation supervisory authority supported the sale.

A special website ([www.collection-rau-for-unicef.de](http://www.collection-rau-for-unicef.de)) showcases the artwork of the collection and provides information about sales.

## **What has been achieved so far thanks to Dr Rau's legacy?**

The UNICEF Germany Foundation together with the Dr Rau Foundation in Zurich have supported programs in eight African countries since the certificate of inheritance was issued.

Between 2011 and 2016, an overall sum of 21,59 million Swiss Francs was allocated to UNICEF programs focusing on health, education and humanitarian assistance in the Democratic Republic of the Congo, Burundi, Eritrea, Malawi, Namibia, South Sudan, Sudan and Central African Republic. An additional sum of 9.39 million Swiss Francs in project funding was allocated to the Dr Rau Foundation in Switzerland.

In addition, a sum of more than \$3.5 million was made available to the hospital Dr Rau founded in Ciriri in the Democratic Republic of the Congo. A further \$867,000 have been pledged to support programs in Ciriri until 2020. Follow-up agreements are currently being drawn up for the post-2020 period in collaboration with the project partner Caritas international.

In the 1980s, Gustav Rau arranged for a hospital and nutrition center to be built in Ciriri near the provincial capital Bukavu in the eastern part of the Democratic Republic of the Congo.

Today, the catchment area of the hospital – together with 34 health centers in its environs – covers the entire southern Kivu region. Around 215,000 people live in the catchment area of the 130 beds hospital. Every year, some 8,500 people receive outpatient treatment at the hospital. Since the establishment of the hospital, malnourished children have been receiving treatment at the hospital's nutrition center. Thanks to funding from Dr Rau's bequest, the UNICEF Germany Foundation and the Dr Rau Foundation funded a new gynecology and obstetrics unit with delivery rooms, treatment and patient rooms as well as rooms for patients' families. Access to water at the hospital and in the surrounding communities has also been improved.

To date, the great majority of Dr Gustav Rau's fortune is tied up in art. Proceeds from the sales of some of pieces of art in 2013 significantly increased the capital of the UNICEF Germany Foundation. Between 2014 and 2016, the capital inflows from Dr Rau's legacy generated earnings worth €6 million. These funds were allocated towards UNICEF's programs worldwide.

## **What is the role of the art advisory board?**

As specified by the bylaws, the "art advisory board of the art collection Dr Rau" initiated by Gustav Rau has to grant its approval prior to any agreements made regarding loans of artwork to museums or decisions regarding sales, and has to make relevant recommendations.

UNICEF is bound by the decisions of the art advisory board, unless factual reasons speak against it.

The members of the art advisory board are:

- Dr Jürgen Heraeus, chairman of the board of the UNICEF Germany Foundation and the art advisory council
- Anne Lütkes, deputy chairwoman of the board of the UNICEF foundation and the art advisory council
- Prof Dr Rainer Budde, former director of the Wallraf-Richartz-Museum, Cologne
- Prof Dr Hubertus Gaßner, former director of the Hamburger Kunsthalle
- Prof Henrik Hanstein, Kunsthaus Lempertz, Cologne

- Dr. Klaus Albrecht Schröder, director of the Museum Albertina, Vienna
- Prof Dr Karin von Welck, former senator for cultural affairs in Hamburg and former general secretary of the federal cultural foundation
- Prof Dr Armin Zweite, former director of the art collection North Rhine-Westphalia and the collection Brandhorst, Munich

### **What is the role of the national foundation supervisory authority?**

The national foundation supervisory authority monitors compliance with the foundation statute, in particular the foundation purpose and the obtainment of assets (the competent authority is the regional administration of Cologne – “Bezirksregierung Köln”). UNICEF is committed to maintaining the highest governance standards in dealing with inheritances and donations. Accordingly, UNICEF coordinates all strategic decisions regarding Gustav Rau’s art collection with the national foundation supervisory authority. The national foundation supervisory authority authorized all sales.

### **Has UNICEF had to make any restitutions of the artwork it has been entrusted with?**

As owners of the collection Rau for UNICEF, the UNICEF foundation takes potential restitution claims extremely seriously. Given the size of the collection, it can never be ruled out that in individual cases, a legitimate claim is brought forward. In such a case, UNICEF examines these claims carefully and does everything to find consensual solutions. To date UNICEF has made two restitutions.

In 2010, UNICEF and the joint heirs of the art-dealer family Drey agreed to sell the painting „Johannes der Täufer“ from the so-called „Meister of 1419“ from the collection Rau to meet their legitimate claims. In 2010, Christie’s in London - on behalf of UNICEF - sold the artwork for 400.000 Pounds. The proceeds were split between the joint heirs of the Kunsthaus Drey and UNICEF. In 1936, the Nazi regime forced the owners of the Kunsthaus A.S. Drey to sell their artwork. Gustav Rau acquired the painting „Johannes der Täufer“ from Christie’s in 1983. At that time, no restitution claims were known. The painting formed part of the collection Rau for UNICEF at the Arp Museum Bahnhof Rolandseck and went on view for the first time as part of the exhibition „Tiepolo und das Antlitz Italiens“. Following the sale, the Arp museum was loaned another painting (a painting of John the Baptist from Jacobo Landini).

In 2013, Lempertz - on behalf of UNICEF- sold a drinking vessel in form of a bull for 250,000 Euros to meet the legitimate restitution claim of heirs of the Austrian branch of the Rothchild family, the proceeds of which went proportionally to the heirs of the family and the UNICEF Germany Foundation.

### **Why did Gustav Rau entrust UNICEF Germany with his collection?**

Initially, Gustav Rau founded several foundations in Switzerland and Liechtenstein. Eventually, however, he decided to entrust UNICEF with his assets. In 1999, his contacts to UNICEF intensified.

As far as UNICEF can judge, Gustav Rau considered UNICEF an organization with the experience and the professional network to realize his humanitarian goals. “I know my material possessions are in good hands now”, the 79-year-old Rau said on the occasion of the donation to UNICEF in Stuttgart in 2001. “I entrust them to an organization that is committed to one cause only, to which I have given my own life: helping destitute children”.

### **How did Gustav Rau bequeath UNICEF Germany his art collection?**

In October 1999, Gustav Rau concluded a contract of inheritance for the benefit of the UNICEF Germany Foundation. In September 2001, he donated the major part of his collection – 621 works of art – to the UNICEF Germany Foundation. The remaining pieces are part of the bequest. In December 2008 the district court of Konstanz issued the certificate of inheritance to the UNICEF Germany Foundation. This makes the Foundation of the German Committee for UNICEF the sole heir to Gustav Rau's art collection which comprises 780 pieces of art.

### **What was the reason for the legal dispute over the bequest?**

UNICEF did not start this legal dispute. In January 2003, the district court of Konstanz had issued the preliminary decision on the certificate of inheritance in favor of the Foundation of the German Committee for UNICEF. A complaint against the decision of the court was submitted. Following this, the presiding judge commissioned an expert report to review all facts once again. Professor Dr Clemens Cording from Regensburg, the external expert appointed by the court, found that there are no reasons to call into question Gustav Rau's capacity to contract when he signed the contract of inheritance for the benefit of UNICEF. Hereupon, the district court of Konstanz issued the certificate of inheritance to UNICEF Germany in December 2008.

For further information on the history of the former foundations, please see the report of the 'Geschäftsprüfungskommission des Ständerates', Switzerland.  
(<http://www.admin.ch/opc/de/federal-gazette/2006/7707.pdf>).

**For any queries please contact Rudi Tarneden, UNICEF Germany Press Office, +49 (0)221-93650-235 or [presse@unicef.de](mailto:presse@unicef.de).**