

Spoils of War

International Newsletter. Nr. 1. 19.12.1995

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Spoils of War

International Newsletter, Nr. 1, 18.02.00

Editorial

Six months ago when the 0-number of „Spoils of War“ was internationally distributed we were sure that the newsletter was the beginning of a better international understanding and communication on the cultural losses of the Second World War. A step in the right direction of a complicated business.

In the editorial of the 0-number we formulated our lines of thinking and put forward our editorial policies, based on mutual concern, participation and an openmindedness of information. We are no followers of the McLuhan doctrine that only the medium is the message; contents play a more important role. We received supportive reactions from many countries and experts. All these reactions expressed a mutual concern about the cultural losses, the hope for a better protection of our cultural heritage and the necessity to communicate internationally. Mister Craig Hugh Smyth, the first ‘organizer’ of the Collecting Point Munich summarised it directly: „I do believe it is high time that such a newsletter should come into being“.

As important as the written encouragement were the growing number of contributions of officials and specialists from twelve countries. We are happy to present their articles in the first number of „Spoils of War“. Besides the country reports of the four countries already present in the 0-number we are more than pleased having received country reports from official institutions in the Czech Republic, France, Luxembourg, Poland and Ukraine, which reflect on, update and summarize the developments in their countries.

The editorial board had met in the middle of September in Brussels, thanks to the hospitality of Mr. A. Bourlet, Director General of the Belgian Ministry of Economic Affairs. In general the editorial board will continue it’s redactional policies. On the content level besides the enlarging of the country report section, the special and the archival reports and the bibliography, a new restitution section is introduced. The Brussels meeting gave us the insight that clearer modes of cooperation between the members of the editorial board as well as towards the authors were needed. These were discussed and finally approved.

Since the Newsletter is freely distributed and no subscriptions are asked a future financial backing is needed. Not to burden one or a few countries each time with the costs of new issues of the Newsletter we decided to look for financial support in the international community. A first constructive approach was undertaken with officials of the European Community for financing the Newsletter.

If you have further suggestions or contributions ready, please contact us or write to one of the members of the editorial board. We wish you personally a very happy, successful and healthy 1996.

Yours sincerely

FODOR, István, Budapest
LEISTRA, Josefine, Den Haag
LEMMERMEIER, Doris, Bremen
LUST, Jacques, Brussels

Special Reports

The View of UNESCO on Cultural Objects Displaced During World War II

In the founding issue of "Spoils of War" it was suggested (p. 18) that the new UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects would have some influence on Second World War losses. If it does, the effect will be only indirect, because it is clear that the Convention is not retroactive. Article 10 (1) and (2) provide that the Convention will apply only to objects stolen or illegally exported from the territory of a Contracting State after the Convention enters into force for that State.

However, it should be noted that Article 10 (3) provides that „This Convention does not in any way legitimise any illegal transaction of whatever nature which has taken place before the entry into force of this Convention or which is excluded under paragraphs (1) and (2) of this article, nor limit any right of a State or other person to make a claim under remedies available outside the framework of this convention for the restitution or return of a cultural object stolen or illegally exported before the entry into force of this Convention.“

This paragraph makes it clear that no inference can be drawn about claims arising from colonial history or earlier conflicts. In that respect, the situation remains unchanged.

Issues of cultural property taken during wartime have traditionally been resolved in general peace treaties as part of the peace process. It is perhaps an anomaly that this has not happened in the case of the Second World War and that the discussion of the issue is now being somewhat divorced from the general clearing up of the political questions left over from that conflict and the Cold War which prevented their earlier resolution.

Apart from bilateral negotiation, there is a procedure for the resolution of disputes concerning cultural property which are not within the terms of the *Convention for the Protection of Cultural Property in the Event of Armed Conflict* (the Hague Convention) 1954, the *Convention on the Means of Prohibiting and Preventing the*

Illicit Import, Export and Transfer of Ownership of Cultural Property 1970 nor of the UNIDROIT Convention. This is the *UNESCO Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation* established in 1978.

This is not an adjudicative but a mediatory body. When discussions first began after the beginning of transition in the countries of the former Eastern Bloc, UNESCO quietly let it be known that this procedure would be available for the resolution of disputes concerning cultural property displaced during the Second World War. However, at that stage, all the States concerned preferred to deal with the matter bilaterally. This was in any event necessary, since the Intergovernmental Committee has no competence until bilateral avenues and local remedies have been exhausted. It was also wise in view of the size of the problem: the Committee so far has dealt with very few cases, and the thousands of those now pending would surely swamp it. However, there are principles which are well grounded in legal principle, although not ignoring the political and emotional aspects of the problem, which would probably resolve over 90% of the cases concerned. For those remaining, the Committee may perform a very useful role.

Lyndel Prott, UNESCO, Paris

Principles for the Resolution of Disputes Concerning Cultural Heritage Displaced During the Second World War

The following is a summary of the lecture held at the International Conference „Spoils of War“ in New York (January 19th-21st 1995), organized by the Bard Graduate Center for the Decorative Arts. The proceedings of this conference, including the full version of the following text, will be published by Abrams, New York 1996 („Spoils of War“).

The following proposals are grounded in existing legal principles although the instruments concerned may not be strictly applicable, because developed after the date of the events concerned, or their applicability may be contested. Their use would take account of the social, cultural and economic developments of the intervening years and the general political delicacy of the subject.

The source of these proposed principles are:

- the Allied Declaration of 1943,
- the Protocol to the Convention concerning the Protection of Cultural Property in time of Armed Conflict (the Hague Convention) 1954 (which in effect legislated the principles of the Allied Declaration for future conflicts, 73 States party),
- the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (82 States party),
- the current UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects. This limits the rights of a purchaser of a stolen cultural object where he or she would normally be protected by the „bona fide“ rule - a recent confirmation of the principle in the London Declaration that misappropriated objects must be returned,

- principles recommended by ICOM for the resolution of disputes about movables which were proposed in 1978 in connection with the debate on the return of materials taken during colonial times, some of which have relevance for the present debate,
- „Plea for the Return of an Irreplaceable Cultural Heritage to those who Created It“ of the Director-General of UNESCO 1978.

The Principles

Principle 1:

Cultural objects which have been taken from territory occupied during World War II by any belligerent will be returned to the country from which they have been taken. (Declaration of London, Hague Protocol, analogy to UNESCO Convention 1970)

Principle 2:

Where there have been successive displacements, the objects will be returned to the territory where they were located at the outbreak of hostilities in 1939. (Analogy to UNIDROIT draft)

Principle 3:

Principle 1 will apply even where transfers of the cultural objects concerned have taken the form of open looting or plunder, or of transactions apparently legal in form, even when they purport to have been voluntarily effected. (Declaration of London)

Principle 4:

Cultural property taken from an occupied territory during armed conflict shall never be detained as war reparations. (Hague Protocol Art. 3)

Principle 5:

Where the cultural objects have passed into the hands of third parties, the State which has the responsibility for their removal from the country where they were located in 1939 shall reacquire them for return to the State from which they were taken by repurchase, indemnity or other appropriate means. (Hague Protocol Art. 4)

Principle 6:

No time limits can be set. (Precedents: such as the Congress of Vienna 1815 and post-World War I settlements)

Principle 7:

Cultural objects being repatriated are to be accompanied by the relevant scientific documentation where available. (The importance of the sharing of scientific information has been asserted in a number of UNESCO and ICOM documents).

Principle 8:

Restitution by replacement is an available remedy where unique cultural objects have been destroyed. (Precedent: Treaty of Versailles)

Requirements for a Successful Return Programme

I. Inventories

Lists of what was taken and the circumstances of its loss have to be prepared. While in some countries that work has been largely done, in others it has not. Because of the political delicacy of the issue in some countries, the authorities have to show that there will be an even-handed settling of claims. That cannot be done if one country has a good inventory of lost material and has identified their current locations and other countries with major losses have, for whatever reason, not been able to document these elements.

II. Identifying Categories of Special Importance

Priority in the exchange programme should be given to certain cultural objects that are of particular importance to the people of the country which has lost them, including

- objects which are indispensable to people in understanding their origin and culture such as
 - objects of spiritual value,
 - objects of special importance in national history (such as Crown jewels, objects of particular national significance),
- objects which have been dismembered from sites or were part of a complex object.

III. Publicity

This will reinforce the public conscience that cultural objects should not be displaced during conflict and, if so displaced, should be returned, that the principles of the Allied Declaration and Hague Protocol are now generally accepted as international law and that reconstituting cultural heritages dispersed during conflict is to be a normal part of peace settlements.

IV. A Suggested Method of Procedure

While drawing on the substantial body of legal principles which do exist, claimant States should not be unduly legalistic in their application, since this is a cultural and an emotional issue as well as a legal and political one.

- a) States agree on certain basic principles.
- b) These are then embodied in a bilateral agreement which is made public, so that the people in both countries can see the very reasonable and ethical and legal basis on which returns will be made.
- c) If bilateral agreement is not reached, they apply to an arbitrator to settle appropriate principles for such returns, or ask an organization such as UNESCO to convene a meeting of experts to agree on such principles.
- d) The process then requires a prioritization of claims.

- e) For specific claims that the bilateral authorities find themselves unable to resolve, there could be recourse to the mediatory functions of the UNESCO Intergovernmental Committee for Promoting the Return of Cultural Property to its Country of Origin or its Restitution in case of Illicit Appropriation.

Lyndel Prott, UNESCO, Paris

The „Sonderstab Musik“ of the „Einsatzstab Reichsleiter Rosenberg“ 1940-1945

While writing his thesis on the music of the French composer Darius Milhaud (1892-1974) in 1991, the Dutch musicologist Willem de Vries learned from Milhaud's widow Madeleine Milhaud that during World War II their apartment in Paris was completely emptied by the Germans. Their possessions, including manuscripts of Milhaud's compositions, correspondence and gramophone records, were never returned. Having undertaken some initial research in French archives, Willem de Vries was able to locate in Nuremberg in 1992 a number of the missing Milhaud manuscripts which were consequently handed over to Madeleine Milhaud 50 years after their disappearance. In the following years, intensive research led to the discovery of a sophisticated organization: the “Sonderstab Musik”, a command force of Alfred Rosenberg's “Einsatzstab”, and responsible for the systematic confiscation of music (compositions, manuscripts, instruments, libraries, records, etc.) from Jewish musicians and composers, followed in 1942 by the robbery of all music paraphernalia from the households of deported Jews.

“The confiscation of music by the Sonderstab Musik of the Einsatzstab Reichsleiter Rosenberg (ERR) in the occupied countries of Western Europe during World War II” will be published early in 1996 by the Amsterdam University Press. Below, the author gives a short overview of the two main topics of his book: the overall organization of the ERR, responsible for the unlimited and systematic theft of art and culture in Europe, and the activities of the Sonderstab Musik in France, Belgium and Holland.

In January 1934, Hitler ordered Alfred Rosenberg to direct *the Plenipotentiary of the Führer for the Supervision of the Entire Intellectual and Ideological Enlightenment of the Nazi Party* („Dienststelle des Beauftragten des Führers für die Überwachung der gesamten geistigen und weltanschaulichen Schulung und Erziehung der NSDAP“, DBFU).

After 1934, Rosenberg carried out this mission by establishing an extensive and sophisticated political organization that covered all fields of art, culture, and science. In 1939, this apparatus consisted of the following offices:

- „Amt Lehrplanung“ (Educational Planning)
- „Amt Weltanschauliche Information“ (Ideological Information)
- „Amt Schrifttumpfleger“ (Literary Endeavours)
- „Amt Wissenschaft“ (Science)

„Amt Vorgeschichte“ (Prehistory)
„Amt Kunstpflege“ (Artistic Endeavours)

Each Amt was subdivided into one or more main branches („Hauptstellen“). In the „Amt Kunstpflege“, for example, the *Main Branch for Visual Art* was directed by Robert Scholtz, while Dr. Herbert Gerigk managed the *Main Branch for Music*. Both Scholtz and Gerigk were to play an important role in the art robbery in the occupied countries of Western Europe during WW II. In 1939, the managerial staff of the DBFU numbered about one hundred.

After completing the „Westfeldzug“ (the invasion of the Netherlands, Belgium and France) of May and June 1940, Alfred Rosenberg founded the „Einsatzstab Reichsleiter Rosenberg“ (ERR) on July 17, 1940. The ERR was an operational unit that emerged from the DBFU during the war and which consisted of several individual command forces called „Sonderstäbe“, each with a specific field of expertise. Gradually, each main branch of the DBFU described above was assigned a corresponding „Sonderstab“, which followed the German occupation forces as the ‘entourage’ of the „Wehrmacht“. During the war, „Sonderstäbe“ were established for visual arts, music, theatre, folklore, prehistory, churches, archives, science, genealogy, etc. In the course of the war, the activities of the ERR would reach „... von Dänemark über die Niederlande, Frankreich, Italien und Südosteuropa bis Griechenland und vom Kaukasus bis Reval ...“ (Findbuch NS 30, Federal Archive Koblenz, page IV).

In the occupied territories, the ERR rapidly organized the greatest systematic theft of art and culture in history. The operation received support from several decrees by the Führer and physical assistance from the „Militärverwaltung“ (military authority), the „Sicherheitspolizei“ (Security Police, SiPo), the „Sicherheitsdienst“ (Security Service, SD), and the „Geheime Feldpolizei“ (Secret Field Police, GFP). There is no doubt that the sophistication of the DBFU organization gave Rosenberg an important advantage over other interested parties. The specialists who were sent out from Berlin knew what to look for and where. By 1943, the ERR employed some 350 people.

The specialist for music matters in Rosenberg’s Einsatzstab was Dr. Herbert Gerigk, a musicologist, who joined the „Reichsüberwachungsamt“ (Reich Supervisory Office) at Rosenberg DBFU in January 1935 where he became „Reichshauptstellenleiter“ for music in the „Amt Kunstpflege“. Gerigk was editor of the monthly periodicals “Die Musik” and “Musik im Kriege” (music in war) and published in 1940 the notorious “Lexikon der Juden in der Musik” (encyclopedia of jews in music). At the outbreak of WW II, Gerigk’s organization consisted of internal and external specialists in all fields of music, including musicologists of high reputation such as Dr. Wolfgang Boetticher and Professor Gustav Fellerer. After WW II, their careers were not hampered by their active participation in confiscating musicalia from Jewish owners during the war.

In August 1940, Gerigk opened the Paris office of the Sonderstab Musik on Boulevard Haussmann, the ERR-headquarters. Although he claimed that his main objective was “Sicherstellung deutscher Musikhandschriften in Frankreich” (repossessing

German music manuscripts in France) from the early Middle Ages until the present day, which had made their way into French libraries and private collections, Gerigk soon gave directives to confiscate material of the political adversaries of the Reich. Record companies were inspected, their stock of Jewish music (composed or performed by Jews) confiscated. Residences of German and German-Jewish emigrants were searched for music libraries or other music paraphernalia that they had taken with them. Jewish music publishers also merited inspection.

In September 1940, the first of a series of important individual confiscations of the possessions of Jewish musicians and composers took place: the valuable collection of historic music instruments of the famous harpsichord player Wanda Landowska was packed in crates and transported to Berlin, together with her library of some 10.000 music books. Among others, the apartments of Gregor Piatigorsky, Darius Milhaud and Arthur Rubinstein were completely emptied. The next step was to visit the major music libraries, such as the music departments of the Bibliothèque du Conservatoire. Obviously, the searches targeted important manuscripts of German origin.

In September 1940, ERR offices were opened in Brussels and Amsterdam. Subsequently, the „Sonderstab Musik“ also became active in Belgium and Holland.

Even before the deportation started in June 1942, Alfred Rosenberg had requested and received permission from Hitler to confiscate all personal possessions of Jews for transfer to the occupied territories of the East or to be given in compensation to German citizens who were bombed by the Allies. Between May 1942 and August 1944, enormous quantities of music instruments, literature, partitions and sheet music, grammophone records and players were transported by Gerigk's „Sonderstab Musik“ to the Reich. In June 1942, Gerigk mentioned in a note that some 200 piano's would become available every week in France alone, necessitating two transports per week. In April 1943, for instance, some 1,006 piano's and grand-piano's were stored in Paris ready for transport. In total, some 68,000 complete Jewish households from France and Belgium were brought over to Germany during the war.

All these music paraphernalia had various destinations. Valuable (historic) instruments, manuscripts and music libraries were to be reserved for 'study' at the „Hohe Schule“, a prestigious project of study centers in all fields of culture and science to be realized after the war. The German troops all over Europe needed instruments and music in their “Soldatenheime” (soldiers homes), while the home market in Germany received instruments in compensation.

Under the influence of the increasing Allied bombings of 1943, the enormous quantities of confiscated goods (including Gerigk's loot) in the Berlin warehouses of the ERR were transferred to other parts of the Reich, mainly to Upper Silesia (nom. Poland), where they were stored in depots, castles, churches, cellars, and the like. The Russian offensive early in 1945, however, forced the ERR staff to transfer much valuable material to e.g. Bavaria. The transport of the hundreds of thousands of books, such as the famous „Ostbücherei“, became more and more difficult:

“Upon the Russian invasion of Ratibor, ... several million volumes remained, including some on various Oder barges that had yet to be unloaded” (testimony of a former ERR agent).

Postscript:

The ERR files (“Rosenberg files”) in Western Europe are far from complete :

“Der Existenz und Wirksamkeit der Sonderstäbe nachzugehen ist besonders mühselig” (Foreword Findbuch NS 30 in the “Koblenz Bundesarchiv”)

Now that Eastern European archives are opening their files to researchers, the size of the confiscation of art and culture by the ERR in e.g. Ukraine, Poland, Lithuania, Estland and Latvia may come to light. By July 1943, the following „Außenstellen“ (foreign branches) of the ERR in the East were operational: Belgrade, Riga, Dorpat, Reval, Vilna, Minsk, Gorki, Smolensk, Kiev, Charkov, Dnjepropetrovsk and Simferopol.

Dr. Herbert Gerigk and his „Sonderstab Musik“ collaborators were also active in most of the above „Außenstellen“, following the German „Ostfeldzug“ of 1941. There are also reports of Gerigks visits to the music libraries of Poland in the fall of 1939. The activities of the „Sonderstab Musik“ in Eastern Europe and the size of the confiscations, however, have yet to be investigated.

Willem de Vries, Musicologist,
Independent researcher and music critic, Amsterdam

Whose Art is it Anyway?

Under this question the Smithsonian Associates held a one-day seminar on September 16th, 1995 which focused the discussion between Germany and Russia about the return of cultural property removed from their countries in time or as consequence of war.

According to Art. 16 of the „Treaty Between the Federal Republic of Germany and the Union of Soviet Socialist Republics on Good-Neighbourliness, Partnership and Cooperation“ from November 9th, 1990, all art treasures transferred during World War II have to be removed to their owner. All those paintings of seven private collectors and one museum of Germany presently in an exhibition at The Hermitage of St. Petersburg are included.

Paul Gottlieb gave an interesting overview of the history of several paintings and shared slides. Lynn Nicholas reviewed the history of how Germany bought and confiscated art goods during World War II. She also pointed out that some of these paintings came via art dealers also to the United States and other countries.

Sylvia Hochfield made interesting remarks on the „Super Museum“ by Stalin in Moscow similar to what Hitler planned for Linz. According to her, thousands of train wagons and airplanes transported an enormous quantity of art treasures from Germany to the Soviet Union. She reported, that the Pushkin Museum was not able to store all the goods and therefore paintings now shown in The Hermitage were brought to St. Petersburg.

In a panel discussion, Thomas R. Kline, Willi Korte and Constance Lowenthal reported about four interesting cases of art treasures from Germany found in Russia as well as in USA, including the Hambach documents, a Metsu painting, the drawings from the Bremer Kunsthalle and the treasure of Quedlingburg. It was also mentioned that not only art goods from Germany but also from France, the Netherlands and Austria are still in Russia and in the United States.

A panel discussion between representatives of the German and Russian Embassy showed that both parties insisted on their standpoints. Germany referred to the National and International Law, the mentioned Treaty and the Hague Convention which was also signed by Russia, but the Russian side pointed out that bringing art treasures to Russia after the War was not illegal.

Susanne Roschwalb, who was responsible for organizing the seminar, has to be thanked for an interesting day of information on the subject of World War II losses.

Günther Haase, Lawyer and Expert, Hamburg

The Role of IFAR and the Art Loss Register in the Repatriation of Cultural Property Displaced in World War II

The International Foundation for Art Research (IFAR) and its London-based colleague, the Art Loss Register, maintain an image database of stolen art reports which began in 1977. Displaced art of World War II is not the Art Loss Register's main focus, but because the information service was established to reunite legal owners with missing art, it has a role to play in this area.

The International Foundation for Art Research (IFAR) in New York is a not-for-profit organization founded twenty-five years ago as an information agency which would serve the art buying and collecting public. At that time, several scandals involving forgeries were in the news, and some art professors and dealers in New York believed there should be legislation to protect a growing number of new (and naive) art buyers in the most important art market in the United States. No legislation developed, but a small group of collectors, professors of art history, and attorneys got together to establish IFAR. IFAR's first program was its Authentication Service, which still operates today. This work has been overshadowed by the stolen art information service set up in 1977.

In that year, IFAR established the first archive of stolen art reports that could be consulted by the marketplace. The records kept by police agencies are generally reserved for law enforcement and to aid in criminal investigations and prosecutions; IFAR's primary goal is recovery and keeping the market free of stolen goods.

Before IFAR established its archive, it made a survey of museum officials. It was agreed that a single central archive would be an effective way to make the information available to the trade in a timely fashion. This was agreed even though U.S. museum officials at that time were reluctant to publicize thefts, thinking that it reflected badly on them and would deter gifts.

My predecessor, Bonnie Burnham, was aware that it was important to record information in a format that could be computerized. Starting in 1977, IFAR published a monthly newsletter, *Stolen Art Alert*, cataloguing and indexing recently reported thefts. These items were all reported to the police. We answered inquiries for buyers and for law enforcement. Searching wasn't so slow or laborious, since we had an index for each issue and a cumulative annual index. Before computers, compiling that index took two weeks of work. In 1987, a workable computer program was installed.

By 1990, IFAR had more than 30,000 listings of stolen art, antiques, and other objects of cultural property. The revolution in computers and communications was making it possible to be very efficient but also provided a challenge to be truly global. IFAR alone was not operating on the necessary scale. It is a not-for-profit organization and at that time had only three staff members. IFAR joined a consortium in London from the insurance industry and auction houses that wanted to set up a business like ours. IFAR helped to form a new corporation, the International Art & Antiques Loss Register. IFAR is a shareholder and board member, a contributor of its collected art theft records, and the operator of the Art Loss Register's New York office. The Art Loss Register database now has over 60,000 stolen items, many of them added within the last few years. The date of the losses may be old or recent; it is incorrect to say they are mostly from the last three years. The Art Loss Register includes information from the FBI and the Carabinieri. Insurance companies and Interpol are a major source of art loss reports. IFAR continues to publish the „Stolen Art Alert“, now a section of its monthly newsletter, *IFARreports*.

To list a theft of cultural property with the Art Loss Register, a unique description is required and proof of theft or, failing that, documentation of ownership that will permit us to register something as missing. The minimum value is only \$500. For a small fee (\$40 in the U.S.), some private persons have registered art missing during World War II. The London office receives publications on war losses and enters them into the computer system as time permits, without charge. Although the ALR asks both insurance companies and private persons for a contingency fee in cases where the Art Loss Register is crucial in effecting a recovery, other arrangements are possible with nations and uninsured museums.

The identical image database operates in New York and in London.

Reports are received from police agencies (local, state, occasionally from the FBI, regularly from Interpol) and numerous insurance companies that subscribe to the registration service. There are daily registrations from theft victims - dealers, collectors, church committee people, museum registrars and library professionals. The database is not dissimilar to the FBI's National Stolen Art File or Interpol's system. However, the Art Loss Register has images and is available to the marketplace. The Art Loss Register has contracts with leading auction houses in the U.S. and U.K. to compare the stolen art to future sales.

If an item in the database is being offered for sale, ALR informs (1) the office which registered the stolen or missing item, (2) the auction house, and (3) the relevant police authority. Therefore, it is false to say that the ALR does not help theft victims recover.

Increasingly, art buyers check with ALR before purchase. The J. Paul Getty Museum, as a matter of policy, checks its potential acquisitions in the area of antiquities through the Art Loss Register. The Metropolitan Museum of Art recently adopted a similar policy for all potential acquisitions over \$35,000. Several other U.S. museums and active collectors use the service regularly as well. There is a \$50 fee to check each item for museums, dealers, and private collectors, and the service is free to law enforcement.

IFAR also works with the art trade and the police to recover items that are not listed on the ALR database. One example is the tiny group of old master drawings from Bremen that were offered for sale in New York by Yuli Saet. IFAR received two telephone calls from dealers in old master drawings who were worried because of the Bremen stamps on the drawings, and we worked with the FBI who seized the drawings when Mr. Saet attempted to sell them.

Checking with the Art Loss Register is one way to make inquiries about ownership status and can help a buyer exercise care. The term "due diligence" is inexact because U.S. courts have not yet defined the care required to make a person a good faith buyer. Still, checking with the Art Loss Register and other databases is prudent and may be helpful if you find later on that you've bought someone else's stolen art.

The legal risks of buying stolen art are real and especially costly in common law countries: in the U.S., Canada, and the U.K. A recent court case in New York (*Guggenheim v. Lubell*) clarified the rule as it applies to art that finds its way to New York State. [Since many U.S. transactions take place in New York or can be tried there, it is a very important decision, even though the other 49 states are not bound by it.] Also, since New York art recovery law has more cases and is therefore more 'evolved', other courts tend to look to New York examples.

The *Guggenheim* decision allows an art theft victim to bring a lawsuit to recover the property many years after the theft and only limits the time permitted to three years after the victim locates the art and the current possessor refuses to return it. This leaves the innocent buyer of stolen art in a position of uncertainty for an indefinite period - until the original owner discovers that the buyer has it. All the defendants were involved some twenty-five years after the sale of the *Guggenheim's* stolen Chagall.

It is helpful to a theft victim's legal position to record the loss with any available database and to make any possible efforts to locate the property. If it surfaces in a common law country, chances of recovery are better than in Europe.

Constance Lowenthal, Executive Director,
International Foundation for Art Research

Country Reports

Belgium

Thanks to information of P. Grimsted, A. Grenzer and G. Boriak an important collection of documents concerning Belgium during the Second World War was discovered in the State Archives in Kiev (Ukraine). These German documents give an overview on the activities of the „Einsatzstab Reichsleiter Rosenberg“ in Belgium. After the Second World War Belgium had only a very speculative impression of the plundering actions undertaken by the ERR on its territory. This lack of documentary evidence led to unsystematic research.

The vast collection of documents in Kiev, more than 6,000 pages, gives a clear insight in the targeted cultural goods in Belgium and their concentration on the plundering of private libraries. From July 1940 onwards the ERR started in close collaboration with the „Sicherheitspolizei-Sicherheitsdienst“ the spoils of freemason's cultural possessions. The SIPO-SD was only interested in the political information, the ERR undertook the selection of the larger historical material. A few months later they searched the houses of Belgian ministers and professors, who fled the country in 1940. Especially leading members of the Jewish community, socialist and liberal institutions and newspapers, later on communist organisations were robbed.

Firstly the documentation shows clearly the organisation of the ERR in Belgium and their employed staff. The well known archeologist R. Stampfuss worked for the ERR in Belgium, before he started to plunder archeological collections in the Ukraine. Secondly the archives give an insight in the close collaboration with other nazi organisations as the SIPO-SD and services of the „Militärverwaltung“.

Jacques Lust, Ministry of Economic Affairs, Brussels

Czech Republic

World War II affected also the cultural heritage of the Czech nation. The losses of national cultural institutions themselves were most significant at the places with important war operations. Among the most seriously affected was the *Silesian Provincial Museum* in Opava, the third biggest museum of the country (ranging after museums in Prague and in Brno), where some 5,000 collection objects of great artistic

and/or monetary value were either lost or disappeared. Other losses occurred in buildings occupied by the German army or the SS.

A specific and very tragical chapter of German cultural policy were confiscations of artistic and religious objects belonging to the Jewish population in the Czech lands. Nowadays, these collections are under the care of the *Federation of Jewish Communities* in the *Jewish Museum* in Prague.

Special attention should be paid to the depository established at the *Mikulov castle*. The Germans used it to store works of art seized during the war in Belgium and France. Unfortunately, at the end of the war the castle was set to fire by the Germans. A major part of the castle interiors and deposited works of art burned down. It is hardly possible to say what was preserved and taken over to Germany. After the fire only a small collection of objects was found at the castle but quite a detailed inventory of the remaining objects is available. However, a great majority of them are seriously damaged.

Other significant losses occurred in the post-war period, including another two waves of plundering cultural monuments. The first is dated to the period immediately after the year 1945, when much of what had been left over by the Germans in the historical objects occupied by the German army was destroyed by Soviet troops. The socially unadaptive part of the local population was plundering mainly buildings that had been occupied by the Germans during the war, or those whose owners had left or had been deported to Germany.

The second wave of plundering occurred after the communist Coup d'Etat in 1948, affecting mostly sacral buildings. It is estimated that in the post-war approximately 10-15 times more objects of cultural value disappeared than during war itself.

In 1994, the Ministry of Culture of the Czech Republic made a research in cultural institutions, concerning documentation of lost works of art. According to the data obtained, some 10,000 objects of cultural value were lost during World War II, which in any case does not represent a relevant part of the cultural heritage in this country, neither in quantity nor in quality. At present, a database of missing objects of cultural value has been elaborated by the Ministry of Culture in cooperation with the Ministry of Interior Affairs of the Czech Republic. The database includes information on all missing objects, irrespective of the date of their disappearance. This is the way which will be developed in the future as well. Any questions concerning the search for missing works of art should be addressed directly to the Ministry of Culture of the Czech Republic.

Pavel Jirásek, Advisor on Security of Cultural Property,
Ministry of Culture, Prague

France

The country report of France wants to give an overview of the results on the restitution of former French goods. Firstly the Government of the Russian Federation agreed to create a French-Russian Commission to examine the cultural losses during the Second World War. This initiative led to the restitution of a large quantity of French archives, which were stolen by the nazis and stored in Moscow. The lost archives belong partly to the national patrimony (the Ministry of War, the State Security) and to private French citizens (L. Blum, M. Bloch). Secondly the German Chancellor H. Kohl restituted to the French Republic, during the French-German summit-meeting of the 30th and 31st of May 1994 in Mulhouse, one of the 28 paintings found in Berlin. The restitution of the other works of art officially took place by protocol on the 27th of June, signed for France by Mr. Renouard, Director of the Archives and Documentation of the Ministry of Foreign Affairs and Head of the French delegation of the French-German Working Group on cultural goods.

The short history of these paintings merits interest: in 1972 monsignor H. Solbach, archbishop of Magdeburg gave to a representative of the *State Museums* of Berlin a total of 28 paintings, essentially paintings and drawings from the 19th and beginning of the 20th century (Delacroix, Corot, Millet, Manet, Monet, Renoir, Seurat etc.), which were deposited in the *National Gallery* of East-Berlin. The works of art were given back by a German officer posted in Paris, who passed them on to a soldier of the Wehrmacht with the mission to bring them to Germany where the officer would collect them after the war. The last thing never happened, so that the ex-soldier found it important to ask under the secret of the confession the restitution of the paintings to the real proprietors. Between 1974 and 1988 the Ministry of Foreign Affairs started up negotiations with the German Federal Republic on different matters. The goal of the French negotiators was to regulate simultaneously the compensation of owners of their lost real estates, the restitution of cultural goods, etc. The restitution of these paintings were the result of negotiations of the Ministry of Foreign Affairs.

The reunification of Germany opened the possibilities of new research on the former territory of the German Federal Republic, re-opened the dossiers of spoiled works of art during the Second World War and led to the institution of a French-German Working Group on cultural goods, of which the first meeting was held in March 1992. The research undertaken by the Direction of Archives and Documentation of the Ministry of Foreign Affairs within the framework of the Working group could identify the owners of 7 of the 28 paintings (2 works of Corot, 2 works of Cross, 2 of Harpignies, 1 Gauguin belonging to two families). These works were immediately restituted. The other ones the Ministry of Foreign Affairs entrusted to the *Direction of the Museums of France* under the heading of M. N. R. („Musée nationaux récupération“), awaiting the results of the researches undertaken by the Direction of Archives and Documentation of the Ministry of Foreign Affairs to identify the other ownerships. An exhibition of the works of art was organised in the *Musée d'Orsay*, Paris from the 17th of October until the 19th of December 1994, on which thirty articles were published and broadcasted by the written press, radio and television.

Secondly a private person from Leipzig restituted a vane, taken on the battlefield of 1940. He had conserved it at home for more than fifty years to preserve it from profanation. After the reunification of Germany he came in contact with a French liaison officer at the WAST with the demand to restitute this flag. This object was given from the Direction of Archives and Documentation to the *Army Museum* in Paris. Thirdly the Direction of Archives and Documentation of the Ministry of Foreign Affairs was contacted by an inhabitant of Lübeck with the proposal of restitution of the bronze grips of the Armistice-wagon of Rethondes, saved from a fire in 1945 by his father. These grips are about 136cm long, weight 10kg and are fixed on wooden pieces of 2m long, which bare the traces of fire. This wagon was conducted on the order of Hitler during the last months of the war to Crawinkel, near Ohrdruf (Thüringen), left on a siding in a munition depot in a forest, which was set to explosion when the allies were nearing the site. These grips were recuperated by the father of Mr. X who let them be repatriated by the French Embassy in Germany in April 1994 and deposited in the *Army Museum* in Paris. An anonymous German soldier, more then 90 years of age has restituted, more then 54 years later to the *Castle of Nogent-Le-Rotrou* (Eure-et-Loire) a bowl of Chinese porcelain and a Japanese cup, which he had taken during the occupation. The restitution took place by an intermediary of the German community to the municipality of Nogent-le-Rotrou, who bought the castle in 1950.

Marie Hamon, Conservateur en chef du Patrimoine,
Ministry of Foreign Affairs, Paris

Germany

The interest in the lost cultural treasures in Germany is still very intense. The research of the losses continues. New documentations of various institutions were published recently (see bibliography). The official negotiations Germany is leading with Russia, Poland and Ukraine have different results.

The last meeting of the joint German-Russian restitution commission took place in June 1994. The meeting originally planned for 1995 was postponed until next year. In Berlin the exhibition „Berlin-Moskau, Moskau-Berlin“ was opened on September 3rd and will go on until January 7th, 1996. The exhibition which is located in the *Martin-Gropius-Bau* gives an interesting and varied overview of the cultural relations between Berlin and Moscow from 1900 until 1950. In the catalogue of the exhibition the director of the *Pushkin Museum* in Moscow, Irina Antonowa, once again expressed her personal and strict view on the German cultural treasures now in Russia.

During the last negotiations between Germany and Poland in April 1995 the Polish side handed over a list of 114 objects lost during World War II and now suspected in German institutions. As a result of that the federal states carried out a survey in the cultural institutions. The findings will be presented to the Polish side at the next meeting of the delegations, which probably will take place at the beginning of next year.

In November 1994, Ukraine and Germany agreed that experts of each side will be granted access to their cultural treasures. In Germany there are only some Ukrainian objects left. The head of the *National Commission on the Restitution of Cultural Treasures to Ukraine*, A. Fedoruk, visited Germany in August this year. He had the opportunity to see some of the Ukrainian cultural treasures in Munich and to work in the Federal Archive in Koblenz. German experts will be in Kiev in December for the second time, and they hope to be able to see German objects kept there. The next meeting of the joint commission will take place in Ukraine in December or January next year. In the meantime some private initiatives lead to the restitution of Ukrainian and German cultural treasures (more information see section „restitutions“).

The painting „The Holy Family with the Holy Johannes, the Holy Elizabeth and angels“ by Joachim Wtewael of the *Schloßmuseum Gotha* was stolen by Russian soldiers and appeared in 1992 at Sotheby's in London. The city of Gotha went to court. The question of financial resources, however, was a difficult one. The federal state Thuringia together with the Ministry of the Interior and the city of Gotha now came to an agreement on the financing of the trial in London. All sides stated that it is of special importance to take legal action as an important signal for the black and grey art market.

Doris Lemmermeier, Koordinierungsstelle der Länder
für die Rückführung von Kulturgütern, Bremen

HUNGARY

On June 28th-29th, 1995, members of the Hungarian and the Russian Restitution Committee met to discuss the current state of possible solutions to issues of restitution between the two countries. The Russian party has undertaken to locate the gobelins from Hungarian collections, and also to prepare a list of the Hungarian paintings in the *Grabar Conservation Institute*, as well as of the Hungarian books in Nizhni Novgorod.

On November 1st-4th, 1995, a group of senior librarians visited Nizhni Novgorod to locate and identify the books taken by the Soviet Army from various Hungarian libraries during World War II. They were able to identify the majority of books and incunabula that disappeared from the *Reformed Library of Sárospatak* and from various private collections.

István Fodor, Director of the Magyar Nemzeti Múzeum, Budapest

Luxembourg

In Luxembourg the problem of spoils of war was no longer in public discussion when the events in eastern Europe showed that the restitutions directly after the Second World War had not returned all the works of art to their rightful owners. Lu-

xembourg officials thought then that this did not directly concern their country. Nevertheless, the Ministry of Culture responsible for all questions pertaining to the arts thought that Luxembourg should be present at the international meetings and undergo a regional collaboration in this field with Belgium and the Netherlands (Benelux). After the conference in Bremen (Nov./Dec. 1994) the representatives of the Benelux-countries met twice in Brussels to coordinate their research and exchange information.

When research in the field of restitution of works of art began in Luxembourg, it appeared that immediately after the war an „Office de Récupération Economique Luxembourgeois“ (O.R.E.L.) had been created. The mission of the O.R.E.L. was defined as to search for all wares and other movable property mainly in Germany, to identify these goods and to bring them back to their rightful owners. No word was said about works of art in special. The documentation pertaining to the O.R.E.L. apparently has not yet been transmitted to the „Archives Nationales“ in Luxembourg. At the same time, the „Office Belge de l'Economie et de l'Agriculture“ (O.B.E.A.) discovered that the Belgian „Office de Récupération Economique“ had done the research work and had led the restitution mission for Luxembourg after the War. So Luxembourg was informed of the documentation available in Brussels. Information on archives in Germany, Austria and the Ukraine was transmitted to Luxembourg, so that the creation of a Luxembourg documentation on the spoils of war can start in fall this year on a very positive basis.

A recent interview in the German paper „Die Zeit“ gave indications as to works of art from Luxembourg having stranded in Moscow. The same seems to have happened with archival documents pertaining to freemasonry in Luxembourg and documents of the Luxembourg Ministry of Foreign Affairs. This has still to be confirmed.

Paul Dostert, Representative of the Ministry of Culture

The Netherlands

On October 2nd, 1995, the Moscow *Pushkin museum* opened the exhibition „Five centuries of European Drawings - old master drawings from the former Franz Koenigs collection“. The exhibition will run until January 21, 1996. The opening ceremony included speeches by Russian Minister of Culture Sidorov, the director of *the Pushkin Museum* Mrs. Antonova and the Netherlands ambassador Baron De Vos van Steenwijk.

The *Pushkin Museum* holds 307 drawings from the Koenigs collection which are claimed by the State of the Netherlands. Since 1945, there have been efforts to locate these drawings which were illegally taken out of the country and were missing since the war. In 1992, their presence in Moscow was officially acknowledged.

The title of the exhibition is incorrect in so far as there is no 'former' Koenigs collection. The collection formed by the German-born Franz Koenigs, who lived in the Netherlands from 1922 and became a Dutch citizen, comprized 2671 drawings by

old masters from all schools. During the occupation of the Netherlands, in 1941, a quarter of these drawings illegally left the country and eventually ended up in Russia. The rest of the drawings was donated to museum Boymans in Rotterdam and is kept there as the Koenigs collection, of which the 307 drawings in the *Pushkin Museum* are a part. Negotiations about their return continue.

The exhibition in the *Pushkin Museum* is accompanied by an illustrated catalogue in a Russian and an English version (Five centuries of European Drawings. The former collection of Franz Koenigs, published by Leonardo arte, Milan 1995, ISBN: 88-7813 547 X.).

On November 30th, the State Secretary for Culture of the Netherlands opened the exhibition's counterpart: old master drawings from the Koenigs Collection in the *Museum Boymans-van Beuningen* in Rotterdam. This exhibition in the Library for Foreign Literature presents 30 masterpieces from the Koenigs Collection, which have been chosen for their quality and their art historical relationship to the drawings now on view at the *Pushkin Museum*. The exhibition will run until January 21st, 1996 and is accompanied by an illustrated catalogue in Russian, with English summary (ISBN 90-6918-1764-9).

Josefine Leistra, Rijksdienst Beeldende Kunst, The Hague

Poland

Part I: Historical Overview

Being well experienced during the First World War, Polish intellectuals started to collect information on the destruction and looting of the national cultural heritage from the early days after the outbreak of war in September 1939. Their task was especially complicated because they faced the losses resulting from two occupations, Nazi in the Western, and Soviet in the Eastern part of Poland (after 17th September). At the beginning, the work was undertaken by the commission spontaneously organised in November 1939 in Warsaw. Then, the Government of Poland in Exile (in London) created the *Delegation for Home Affairs* which worked in secret on occupied territories. This commission was incorporated as one of the sections of the *delegation's Department of the Liquidation of the Effects of War*. The section was assisted by a well developed network of specialists who covered the entire country and were able to collect evidence of the occupant's activities in the field of culture and art.

The results of this work elaborated in form of monographic reports were secretly sent to London where they could be further processed and published by the Ministry of Information and Documentation of the Government of Poland in Exile. The first of such reports was ready in March 1940 and contained a list of losses suffered during the military operations and the beginning of occupation.⁽¹⁾ In effect of this cooperation two documentary books were issued in London: a catalogue in 1944, „Cultural losses of Poland. Index of Polish cultural losses during the German occu-

pation 1939-1943“, and secondly a comprehensive study in 1945 entitled „The Nazi-Kultur in Poland by several Authors of necessity temporarily anonymous (written in Warsaw under the German occupation)“.(2)

Information received from occupied Poland was also presented to the *Commission for Protection and Restitution of Cultural Material* (chaired by Professor Paul Vaucher) organised in London by *Conference of Allied Ministers of Education*. One of the most important tasks of this body was to establish a systematic database containing information on cultural losses of all Allied countries.(3)

In fact, almost all material collected in the way described above has never been used in practice as a source of information for restitutional purposes. Works in Poland were stopped by the Warsaw uprising in 1944. Documentation of losses already collected was in majority confiscated by new authorities and closed in communist party archives as a product of enemy regime. Also Vaucher's Commission database was in 1945 taken over by the British Council and then, according to my knowledge, deposited in the Public Record Office in London.

For these reasons, the Polish Ministry of Culture established in Warsaw in 1945 had to begin its restitutional action once again with the collection of information. The official *Bureau for the Revindication and Reparations* was formed to identify cultural losses and prepare restitution claims as well as reparation postulates. Methods used by the Bureau in fulfilling these tasks were in general similar to works carried out by its predecessors. Based on the material available 14 volumes dealing with different kinds of missing works of art (e. g. paintings, sculptures etc.) were published.(4) About 200 important works of art returned to Poland mostly due to the activity of Charles Estreicher in the American Zone of Occupation in Germany.

Because of political atmosphere, the Bureau and with it the whole problem of cultural restitution and reparations were closed in 1951. No other institution was systematically collecting information on cultural losses nor was working in the field in any other way. For a moment, this issue came up again in 1956 when the Soviet Union decided to return 835 paintings and circa 4,000 other works of art to Poland. That was the definite end of war in the field of culture and put the problem on ice for nearly 40 years.

It was only „perestroika“ which has brought the first signal of a coming new era. In 1989, the Royal Castle in Warsaw recovered four paintings by Pillement that had been looted by the Nazis and surfaced unexpectedly in storerooms of Tsarskoe Selo. The Renaissance bronze tomb plates from the Poznan cathedral, for which a search had been conducted for a long time in Germany, were found a year later in St. Petersburg's Hermitage and restored to their rightful place.(5)

Taking into account the importance and the complexity of the problem, the Polish Government decided in 1990 to create the post of *Commissioner for Cultural Heritage Abroad*, whose main purpose is to collect all documents related to cultural losses and to draw up the final account of the outstanding war debts. After two years of intensive work it was possible to publish a comprehensive study of losses in

books and libraries, although it is still only an introduction to the problem.⁽⁶⁾ Other catalogues are in preparation.

Poland has also begun bilateral negotiations on the question of restitution of still missing cultural property which can be located and identified. The basis of the talks with the Federal Republic of Germany is the article 28.3 of the Polish-German treaty on the good neighbourhood policy and friendly cooperation signed on June 17th, 1991. The said provision reads as follows:

„The pacting sides will strive to resolve in this spirit (of concord and reconciliation - W.K.) the problems related to the cultural goods and archives starting with individual cases.“⁽⁷⁾

The first result of these negotiations was the return in the summer of 1992 of circa 30 pieces of ancient gold jewellery and of over 1,700 silver and a few gold coins removed from the State Archaeological Museum in Warsaw and from the prehistoric collection of the former Wielkopolska Museum in Poznan during the occupation.⁽⁸⁾ The talks are continuing.

As a consequence of new Polish-Russian relations, the treaty on the friendly and good neighbourly cooperation signed by both States on May 22, 1992 contains the following general clause related to the problem discussed:

„Sides will cooperate in order to reveal and unify, to introduce to the cultural currency and to insure the necessary legal material and other protection regarding the assets, historical monuments and objects found in their territories that are related to the historic and cultural heritage of the nations of the other side“. (art. 13.3)

„In accord with the international standards and agreements the sides will regard with favor the mutual efforts to reveal and return the cultural and historical goods, including archive material which had been seized and unlawfully removed or that by some other unlawfully manner had come to be found in the territories of the other side“ (art. 13.4).⁽⁹⁾

According to the Declaration on cultural, scientific and educational cooperation signed the same day as a treaty, Poland and Russia decided to establish Government Commissioners who are in charge of the execution of these provisions. The Commissioners have been appointed and negotiations have begun.

Wojciech Kowalski, Expert,
Professor at the University of Silesia, Katowice

(1) For the comprehensive list of reports and work on them see: W. Kowalski: Liquidation of the Effects of World War II in the Area of Culture. Warsaw 1994, p. 16 and subs.

(2) Cultural losses of Poland. Index of Polish cultural losses during the German occupation 1939-1943. Ed. Charles Estreicher, London 1944. The Nazi-Kultur in Poland, by several authors temporarily anonymous out of necessity (written in Warsaw under the German occupation). London, HMSO, 1945. Further publications were issued by Polish authorities in USA, e.g.: German Destruction of Cultural Life in Poland Documents Relating to the Administration of Occupied Countries in Eastern Europe. No 2, New York.

(3) The Commission produced three important documents which had to lay down the basic rules of the post-war restitution. They had the following, self-explaining titles: „Recommendation as to the Methods of Arranging and Pooling Information“, „Memorandum Upon the Measures to be Taken Immediately Upon the Occupation of Germany“ and „Scheme for the Restitution of Objects d'Art,

Books and Archives“. These documents have never been applied in practice by any State. For more information see: W. Kowalski, op. cit., p. 54 and subs.

(4) Two of these catalogues were published in English: W. Tomkiewicz: *Catalogue of Paintings Removed from Poland by the German Occupation Authorities during the Years 1939-1945*. Vol. I. Foreign paintings. Warsaw 1950. Vol. II. Polish Paintings. Warsaw 1953.

(5) See photographs of painting and tomb plate: W. Kowalski, op. cit., fig. 44 and 45.

(6) Résumé of this comprehensive study was published in English: B. Bienkowska: *Losses of Polish Libraries During World War II*. Warsaw 1994.

(7) *Vertrag zwischen der Bundesrepublik Deutschland und der Republik Polen über gute Nachbarschaft und freundschaftliche Zusammenarbeit vom 17.6.1991*. Die deutsch-polnischen Verträge vom 14.11.1990 und 17.6.1991. Bonn 1991.

(8) For more information and photographs of returned objects see: W. Kowalski, op. cit., p. 98 and subs.

(9) Treaty between the Republic of Poland and the Russian Federation on Friendship and Good Neighbourly Cooperation of May 22, 1992. Official Journal 1993, No 61, item 291.

Part II: Problems Related to the Recording of the War Losses in the Area of Works of Art

The war losses incurred by Poland in the area of objects of art are immense and, at the same time, difficult to assess. Responsible for this fact are, on the one hand, the lack of complete archival materials and, on the other, a random data derived from different years which were used as a basis for the records and listings drawn up at later date. Superimposed on this has been additionally the fact of the changed frontiers as a result of which Poland lost over 40% of its former territory. Considering all the facts, Poland's losses in the domain of culture came to be assumed at some 43% of the total possession in 1939.⁽¹⁾ It is noteworthy that scores of museums or private collections have altogether disappeared during the hostilities.

Other archival sources report Poland to have lost over 516 thousand single works of art.⁽²⁾ However, the number is clearly too low considering that it accounts merely for the losses claimed by former owners after the end of the war. It will be noted that it encompasses both the objects derived from provincial ethnographic collections and outstanding masterpieces owned by the most celebrated museums or private collections of museum character, like the Prince Czartoryski Collection in Goluchów and Cracow.

It will be of interest to recall the art work classification system adopted by the Germans in Poland for the purpose of their sequestering, as it was of some importance both during the revindications carried out as the War ended and today in the search for the materials related to war losses. The system was applicable to the entire area of Poland (being the most pronounced over the territory of the General Government established by the Germans with the capital in Cracow). The system adopted subdivision into three categories. The first category comprised pieces of art of supreme artistic value or those which could substantiate the influence of German art on the works created over Poland's territory. There were 521 pieces that were described in „Sichergestellte Kunstwerke im Generalgouvernement“ published in 1940⁽³⁾ and were designed for their shipment to the Reich, among others to the Hitler's museum planned in Linz. Another group were the works of art of no less value which re-

mained at the disposal of superior German officers. The third and largest group comprised the pieces of art created after 1850, thus, as believed at that time, of mediocre value, including the works of Polish artists which were readily „borrowed“ by German officers of various ranks. The latter pieces of art were usually taken away to Germany in private luggage. The least data are available on these works of art, as they were not included in any German inventory or shipping document, which is not the case with the first and second group of items.

The recording of war losses in respect of culture in a broader sense was conducted virtually from the first day of the war. Though, the relevant data were sent to London - even in the time of the fiercest German terror - to the *Bureau of Revindication of Cultural Losses of the Ministry of Congress Affaires* of the Polish Government in Exile. The result of these actions was, among others, the publication of the Loss Catalogue in 1944 which comprises all the arts, including architecture.⁽⁴⁾ Unfortunately the catalogue fails to account for the immense devastation Warsaw suffered after the fall of the Rising in 1944, when the city virtually ceased to exist. However, before the outbreak and during the war thousands of works of art were brought into the capital from all over Poland - both from the eastern borderland and from the western territory where they were hoped to be safe from hostilities.

Since we embarked upon the recording of the losses of objects of art that Poland suffered 50 years after the end of the war, we are faced with serious problems relating to nearly all aspects of the assignment, from issues based on their merits to some purely technical matters: the lack of verified (following the revindication action conducted in the years 1945-1958) catalogues of losses, archival records partly being damaged or lost, thousands of linear meters of records requiring careful study (including the German ones), and last but not least, the lack of an adequate bibliography on the subject. All these aspects were extremely discouraging and deterring factors.

The work commenced in 1991 at the *Office of the Commissioner for the Polish Cultural Heritage Abroad* with the collection of records by the Ministry of Congress Affaires mentioned above and the *Bureau of War Revindication and Reparations* at the Ministry of Culture and Art in the years 1945-1951. The result of the work of the Bureau has been the publication of five catalogues covering individual fields of art⁽⁵⁾ and several relevant post-war publications. The authors of the material based their work on the inquiry forms distributed both to museums and to private individuals which were objects-of-art owners as well as to religious denominations. As early as 1945, a total of 10,000 of such forms were distributed⁽⁶⁾ while their overall number is estimated at about 30,000. Unfortunately, only a few thousands of these are preserved until today. A second action aimed at the evaluation of losses in the area of culture, launched in the early 1970s and classified as „confidential matter“, failed to provide many elements of significance to the issue, being based largely on the archival material and on the records of cross-examinations of the Nazi war criminals at the Nuremberg Trial.⁽⁷⁾ It has merely contributed to a systematic order that could be effected in relation to certain questions connected with this issue.

As mentioned earlier, all this was concerned with the aspects of the issue as judged by their merits, primarily the information sources. For the sources to be properly used, organisational framework had to be developed for verification and elaboration of the material. The first principle adopted was that the museums which have been in operation continuously since the prewar times prepare the listing of their own losses. Those museums which ceased to exist after the war as well as private collections, on the other hand, will be included in the work of thirteen regional *Centres for Documentation of Objects of Historical Value*. A much more serious problem was the acquisition of the data on the losses inflicted upon religious denominations primarily the Catholic Church and Jewish communities. The latter losses have been extremely difficult to follow up because of the complete annihilation of the Jewish community by the Germans and the destruction of all the signs related to its presence on the Polish lands. As to the losses sustained by the Catholic Church, the Diocesan Chancelleries volunteered to take their records, often in collaboration with the regional Centres for Documentation of Objects of Historical Value.⁽⁸⁾

To give a uniform appearance to the material provided, on consultations with the historians of art, archivists and information science specialists the *Office of the Commissioner* has worked out a special computer program that permits not only the entering of just any item of information, with its subsequent retrieval, but also the preparation of the whole portion of the data for subsequent use in preparation of the catalogue of the lost objects of art. The program has been modified and supplemented as the new material was coming in and was prepared on the basis of the surveys previously worked out by the office.

More than three years have passed since the recording of war losses was started. Since then searches in nearly all the archives in Poland have been made, including church records, and a collaboration has been commenced with the museums and individuals who lost their collections during the war. The materials thus obtained were used to enter the data into the computer program for over 41,000 lost pieces of art most of which are identifiable on the basis of a photograph attached. In that number are included about 3,550 paintings of Polish painters and 3,870 paintings of foreign schools. Catalogues of losses in Polish archeology, in the Mediterranean Basin archeology, and paintings are being compiled on the basis of the data.

The work is going on uninterruptedly. Taking the amount of the incoming information into account, the work will be continued for several years. The result will be a document which visualises the huge losses inflicted upon Polish culture as the result of the hostilities.

Monika Kuhnke, Office of the Commissioner for
the Polish Cultural Heritage Abroad, Warsaw

(1) Archiwum Ministerstwa Spraw Zagranicznych, zespół 10, wiazka 23, teczka 207, s. 44 (Archives of the Ministry of Foreign Affairs. Section 10, file 23, folder 207, p. 44).

(2) Archiwum Akt Nowych w Warszawie, zespół Ministerstwa Kultury i Sztuki, Biuro Rewindykacji Odszkodowan Wojennych, sygn. 387/187, s. 242 (Archives of New Records in Warsaw, Section, Ministry of Culture and Art. Bureau of Revindication and Reparations, sig. 387/187, p. 242).

(3) Der Generalgouverneur, Der Sonderbeauftragte für die Sicherung der Kunst und Kulturgüter, Sichertgestellte Kunstwerke im Generalgouvernement, Breslau (1940).

(4) Estreicher, Ed. Ch.: Cultural Losses of Poland. Index of Polish Losses During the German Occupation 1939-1944, London 1944.

(5) Tomkiewicz, W.: Katalog obrazów wywiezionych z Polski przez okupantów niemieckich w latach 1939-1945. Tom I. Malarstwo obce. (Catalogue of Paintings Removed from Poland by the German Occupation Authorities During the Years 1939-1945. Vol. I. Foreign Paintings). Prace i materiały Wydziału Rewindykacji i Odszkodowan Ministerstwa Kultury i Sztuki Nr. 9, (Papers and materials of the Department of Revindication and Reparations of the Ministry of Culture and Art no. 9) Warszawa 1949, 1950.

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Ukraine

Ukraine being on the stage of its formation and moulding of its statehood declared to all the world that the fate of its national relics and cultural values was tragic. Under different circumstances a considerable part of it was either lost or discovered outside its own territory. Exactly for these reasons the *National Commission on the Restitution of Cultural Treasures to Ukraine under the Cabinet of Ministers* was established.

The main objectives of the Commission are the following:

- investigation and promotion of the restitution of cultural treasures to Ukraine which for various reasons and in various historical periods were displaced beyond its territorial borders,
- protection of the national interests of Ukraine with regard to the cultural treasures of its people that are located beyond its borders,
- prevention of the loss of cultural property and taking measures to obtain compensation for losses due to destruction, deterioration and damage to cultural treasures,
- development and accomplishment of national and international programs for the discovery, exchange, study and recovery of cultural treasures along with other Ukrainian and foreign organisations,
- coordination of the work of Ukrainian agencies, institutions, and organizations to reconstitute cultural treasures to Ukraine, as well as the provision of research, methodological and informational resources,
- creation of information banks and data bases on missing treasures of Ukraine and foreign Ukrainica.

The Commission has begun working on the creation of the national information system for monitoring missing cultural treasures that should ensure the accumulation of information on missing cultural treasures. Work is also underway on the publication of thematic catalogues.

As part of the USSR, Ukraine was not able to bring to life its sovereign right for the return of cultural values although formally it was subject to international law. Now, as a member of the Helsinki process, Ukraine has ratified the respective conventions which confirm the importance of the cultural values to the countries of their origin and to their people.

It was purely by chance that in September 1994 in the Ukrainian town of Chernigiv, which was leveled to the ground by the Hytlerites, an international conference took place under the auspices of the UNESCO on the subject: the problem of returning

cultural relics of the nation lost or replaced during the Second World War. In his address to the participants of the conference L. Kuchma, President of Ukraine, underlined that the problem of the return of cultural values is an integral part of the cultural policy and of agreements on cultural cooperation, and it should be regarded in the context of international relations.

According to very low estimates, Ukrainian cities and villages lost about one thousand monuments of architecture due to damage and destruction of which 347 were lost irrevocably. The losses of the state archive fund amount to 46 million files including the unique documents of the Ukrainian history from the 12th to the 20th centuries which were excluded from the scientific and cultural circulation. The Ukrainian libraries lost over 51 million books during the Second World War. The facts about the war of Ukrainian museums are being defined more precisely. According to the first official post-war data the German occupational army and its allies took over 40 thousand exhibits from the museums of Ukraine. New data were published in 1987. 151 museums were robbed and 300 thousand exhibits were either destroyed or taken to the West. For example, in the museums of Ukrainian art invaders destroyed and robbed 55,875 exhibits (which was 90 % of its funds), 4,873 exhibits were moved about and destroyed in the *Museum of Russian Art* in the Ukrainian capital. 1,348 paintings and sketches, and 332 articles of decorative and applied art were sent to Germany from the *Kharkiv Picture Gallery*. Everything left behind was burnt. According to the latest data, about 75 thousand works of art which were collected in the exhibits the Nazis took away from the *Kharkiv Museum of History*. The remaining pieces were burnt. The *Lviv Picture Gallery* lost 229 most valuable articles.

Considerable losses were also suffered by the museums of Dnipropetrovsk, Donetsk, Lutsk, Odessa, Poltava, Rovno, Sumy, Kherson, Chernigiv, Yalta and other cities of Ukraine. This is only a small part of the sorrowfull list.

The question about the evacuation of the cultural values from Ukraine to the Eastern areas of the USSR is quite pressing. The objects were not returned to the place of their origin. The same applies to those which were robbed by the Nazis and their allies in Ukraine and were sent to the Soviet Union after the war but were not returned to the Ukrainian people. Together with Belarus the Ukraine suffered most of the robbery of the German army, and its allies never recovered an adequate part of this property to compensate the terrible losses. The first experience in the identification and return of the cultural values lost during the war shows the urgency of a fundamental development of the international legal aspects of the problem.

We would like to mark the positive character of our dialogue with the authorities of Germany, Poland, Hungary, and a number of other countries. We consider that the direct contacts of the archivists, librarians, museum workers and scientists of the different countries are the most productive. It is obvious that we should continue the

practice of organizing joint conferences, seminars, round table meetings, and other measures directed to increase the international cooperation and wide exchange of information.

Alexander Fedoruk, Head of the National Commission
of the Restitution of Cultural Treasures to Ukraine, Kiev

Archival Reports

German Archives in Moscow Concerning Belgium During the Second World War

In the Spring of 1992, José Gotovitch and Wouter Steenhaut, the Directors of the Centre for Research and Studies on the History of the Second World War and the Archives and Museum of the Socialist Labour Movement respectively, returned from Moscow with an initial sensational impression of the Belgian and German files contained in the "Special Archives" (now: Center for the Preservation of Historico-documentary Collections) which had finally become available. It was hoped that the Belgian archives (taken by the Nazis and after the war transferred to Moscow) would soon return to Belgium. Due to the internal political situation in Russia there can, however, be no question of this at the moment.

In the meantime, Dirk Martin, head of the archives of the Centre for Research and Studies on the History of the Second World War and Patrick Nefors, a temporary researcher at the same Centre, in April 1994 conducted a mission to Moscow to investigate specifically the German files concerning Belgium in the "Special Archives" and to start systematically making photocopies.

A. German Civil Authorities

In the first place these concern German judicial files that relate to Belgian espionage in Germany during the interwar period including 1940. A second part comprises part of the archives of Himmler's „Reichssicherheitshauptamt“ and some Gestapo files. Although of a varied nature, the emphasis here lies on the pre-war political Nazi-espionage of German emigrants and their "treasonable" activities and on the Belgian internal political situation (going back to 1920). The period of the Occupation itself is not so fully represented: Flemish volunteers for "Wehrwolf"-assignments in 1944, workers in Germany, health conditions and food supplies, the rounding up of members of the Belgian military intelligence service in 1940.

There is, however, an abundance of economic files, especially of the „Reichswirtschaftsministerium“ and to a lesser degree of the „Vierjahresplan“. They contain interesting information on all aspects of the Belgian economy during the occupation, in particular on the problem of food supply, on some branches of industry such as non-ferrous metals and the chemical industry, and on the Belgian world of banking and the establishment of the „Banque d'Emission“.

A fourth file concerns German civil and military research institutes and archives. This involves the hunt for Belgian official (military) documents in 1940 but also the censorship of the mail of the Belgian prisoners of war. Above all, however, these files make it possible to construct an archive on the activities of Robert Oszwald. This German historian and archivist (1883-1945) was one of the architects of the „Flamenpolitik“ of the First World War. During the inter-war period (in the „Propagandaministerium“ and „Abwehr“) and the Second World War (for the „Reichskommissar“ of the Netherlands and in the SS-„Hauptamt“) he continued to promote Flemish-German contacts.

Finally, some files were copied from the „Innenministerium“, „Propagandaministerium“ concerning among other things music in Flanders), „Reichskommissar für Öffentliche Ordnung“ (Belgian espionage in Germany until 1930) and „Verwaltung okkupierter Gebiete“ (Flemish national organisations).

B. „Waffen-SS: Dienststelle Fürsorgeoffizier Flandern und Wallonien“

The main task of this „Dienststelle“ of the „Fürsorge und Versorgungsamt der Waffen-SS Ausland“, which came under the „Hauptfürsorge und Versorgungsamt“ of the „Rasse- und Siedlungshauptamt“, was to give a variety of financial and material assistance to Flemish and Walloon Waffen-SS volunteers and their families.

These archives contain among other things monthly „Tätigkeitsberichte“ (activity reports) of the „Dienststelle“, a detailed correspondence concerning the recruitment for the Eastern front and its implementation, and more specifically lists of names (with birth dates, addresses and often professions and party membership) of thousands of Waffen-SS volunteers and their families. They also provide details of Belgian DRK-nurses (German Red Cross), „Kriegsmarine“ volunteers, Flemish volunteers in „Fliegerhorst-Wachen“, „Hilfsfeldgendarmen“, etc. These consist of transport lists, lists of casualties, deserters and criminals, details of payments, etc.

It hardly needs to be said that these some 3,000 pages of documents, from 1940 until the bitter end of Flemish and Walloon supporters of Nazism in Germany in 1945, could be a new incentive for the study of collaboration.

Non-German Authorities

In the German files we also discovered the archives of the Belgian department of the pre-war Sozialistische Jugendinternationale. These have also been photocopied for our Centre.

Finally, we took the opportunity to investigate the so-called French department for documents relating to Belgium. We specifically searched the important archives of the French military intelligence service, the „Deuxième Bureau de l'Etat Major de l'Armée“ (called the „Cinquième Bureau“ during the war), mostly for the inter-war period, but also under the Vichy regime (1920-1942).

These particularly interesting files in the first place make it possible to reconstruct the activities of German spies in Belgium and their Belgian accomplices. Apart from this, however, there are smaller, but no less interesting files on the Belgian intelligence

services and their contacts with their French and British counterparts, on Italian and British agents, Belgian aid to Republican Spain, and on the general political situation in Belgium before and during the war (up until 1942). Finally, a number of files concern the initial organisation of Belgian intelligence services and escape routes in France after 1940.

These new and original documents are now available to researchers, providing they make a justified application on the grounds of scientific research and observe the law on privacy, in particular with regard to the files of the Waffen-SS.

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The Russian Archives and their Files - Researching the Soviet Losses of Property

Until the beginning of the nineties it was nearly impossible for foreign researchers to seriously pursue historical studies in the archives of the former USSR. With few exceptions, the same is true for the Soviet historians. The archives of the former Soviet Union were completely sealed off. Their purpose consisted in withholding archival material from the public except from a selected group of party historians and apologists of the Soviet historiography. After the breakdown of the coup in August 1991 the situation has changed. President Yeltsin put the Soviet archives under the control of the Russian government with the exception of the *Central State Archive of the Soviet Army* and the *Central State Archive of the Ministry of Defence*, which both are under the control of the CIS-General staff. The new *State Archive Service of the Russian Federation* (Rosarchiv) is run by the historian Rudolf Pikhoya. He is responsible for all the state archives including the previous KGB archives. Only the archives of the President and of the Ministry of Foreign Affairs are not under the control of Rosarchiv. Nearly all archives are in a most desolate condition. Without state aid or support from Western partners for publishing records proper storage of the archives can no longer be guaranteed.⁽¹⁾

There is only a small number of archives with files concerning the losses of the Soviet cultural property. The relevant Russian archival material is in the *Moscow State Archive of the Russian Federation* (GARF), in the *Moscow Archive for Literature and Art* (RGALI), and also in the previous *Central Party Archive* (RCChIDNI). In GARF and RGALI are the records of the Soviet government concerning the Soviet evacuations of art objects at the outbreak of war and records on the damage inflicted on the mobile and immobile cultural property of the USSR by the German side. Furthermore, these records contain informations concerning new compilations of an inventory in different museums after the war. The material also includes information on shipments from Germany to the Leningrad Central depot and the passing on of the cultural properties to the owners.⁽²⁾

Archival material of the *Soviet Military Administration in Germany* (SMAD) has not to date been accessible. It contains information on the Red Army receiving and

on sending back Soviet cultural property returned by the Americans. Certain batches of this material are in the *Russian State Archive* and the previous *Central Party Archive*.⁽³⁾ It cannot be ruled out, that also in the archive of the Ministry of Defence and in the previous KGB archives there are documents with information on the fate of the cultural properties that were given back to the Soviet Union by the Americans as a considerable act of restitution after the war.

There is no doubt, however, that the work in Russian archives has improved over the last four years. Nevertheless, closed special files („spezfondy“) which are unknown even to many Russian archivists still exist.

It remains very difficult to look for new archival material concerning the Soviet losses of cultural property because of the fact that the "spoils of war" are still an extremely explosive subject and because of the uncertain result of the elections of the Russian parliament in December.

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(1) Final Report of the Joint Task Force on Archives, American Association for the Advancement of Slavic Studies and the American Historical Association. April 1995. In: *Slavic Review* 54 (1995), p. 407-426; M. Wehner: Archivreform bei leeren Kassen. Einige Anmerkungen zur politischen und ökonomischen Situation der russischen Archive. In: *Osteuropa* 44 (1994), S. 105-124.

(2) GARF F. 2306, op. 9, 10, 15, 69, 70, 75; F. 7021, op. 1, 2, 19, 29, 34, 37, 44, 116, 121; RGALI F. 962, op. 3, 6, 11; F. 2075, op. 1, 7, 8.

(3) GARF F. 7044, 7077, 7103, 7133, 7184, 7317; RCChIDNI F. 17.

Archival Material on National Socialist Art Plundering During the Second World War

The fragmentary character of archival material on Nazi art plundering, scattered over numerous archives in Germany and abroad, is symptomatic of the vast geographical spread of those organizations which took part in this robbery.

This observation certainly applies to the documents of the most important Nazi art plundering organization: „Einsatzstab Reichsleiter Rosenberg“ (ERR). Founded in 1940, the Einsatzstab set up offices in the occupied territories in Western and Eastern Europe. Operating from these bases the Einsatzstab organized the transport of valuable archival, library and museum stocks as well as Jewish collections of private ownership. Record group NS30 „Einsatzstab Reichsleiter Rosenberg“, kept in the *Bundesarchiv Außenstelle Berlin-Zehlendorf*, contains materials on Western as well as Eastern operations.⁽¹⁾ Additional documents can be found in the record groups NS8 „Kanzlei Rosenberg“ and R146 „Reichsarchivverwaltung“, also stored in Zehlendorf as well as record groups 11.01 „Reichsministerium für die besetzten Ostgebiete“ and 62Di1 „Dienststellen des Reichsleiters Rosenberg“ in the *Bundesarchiv Potsdam*. Outside Germany the most important Einsatzstab files are kept in the *Centre de Documentation Juive Contemporaine* in Paris, the central state archives in Kiev and Riga and the so called *Special Archives* in Moscow. Among other documents the *Special Archives* also keep card files, noting the various places

of operation, the most important objects discovered on-the-spot, and the respective measures taken by the Einsatzstab. Unfortunately, these card files are not yet available for public use.⁽²⁾

The confiscations and dubious purchases of art objects, destined for Hitler's envisaged Führermuseum Linz as well as for Feldmarschall Hermann Göring's private art collection mainly concentrated on Western European countries. The most important respective documents are stored in record group B323 „Treuhandverwaltung für Kulturgut“ in the *Bundesarchiv Koblenz* and NS6 „Partei-Kanzlei“ in the *Bundesarchiv Außenstelle Berlin-Zehlendorf*.⁽³⁾

A further Nazi organization which took part in confiscating archival and library materials in occupied Western and Eastern European countries was the „Sonderkommando Künsberg“ (SK Künsberg). The SK Künsberg, founded upon the outbreak of the Second World War served as staff of the Foreign Office and was incorporated in the Waffen-SS in summer 1941. The most important SK Künsberg files are concentrated in the *Politisches Archiv des Auswärtigen Amtes* in Bonn. Additional documents are kept in record group R153 Publikationsstelle Berlin-Dahlem“ in the *Bundesarchiv Koblenz*. Furthermore, the military historical archives in Prague are in possession of a huge collection of SS-material among which one record group comprises documents of the „Bataillon der Waffen-SS“.⁽⁴⁾

Mainly restricted to Eastern Europe were the activities of the research council „Forschungs- und Lehrgemeinschaft Das Ahnenerbe“, also subordinated to the SS. The academic members of the Ahnenerbe chiefly confiscated archaeological collections and specialist literature but also carried out excavations in occupied territories. Material of the Ahnenerbe can be found in record group NS21 „Ahnenerbe“ in the *Bundesarchiv Koblenz* as well as in the record group Research Ahnenerbe in the *Bundesarchiv Außenstelle Berlin-Zehlendorf*.

Confiscations of cultural assets were furthermore undertaken by military units. In the first place preoccupied with this task were the units „Chef der Heeresarchive, Heeresbibliotheken and Heeresmuseen“ of which material is now available in the *Special Archives* in Moscow. Further documents on respective military activities are stored in the *Bundesarchiv Militärarchiv* in Freiburg.⁽⁵⁾

Apart from the record groups mentioned above there are edited collections of documents of varying provenances. Extensive material on Nazi art plundering can be found in the trial records compiled for the international military tribunal in Nuremberg. Besides the official edition, further unpublished documents are kept in the *Institut für Zeitgeschichte* in Munich.⁽⁶⁾ A well structured documentation of confiscations and plundering on occupied Soviet territories provides an inventory of respective documents from former GDR archives. This collection had been compiled by order of the GDR state security service and is now available at the so called Gauck-Behörde in Berlin.⁽⁷⁾

Enquiries on individual protagonists offer a possibility for further research. Compilations of personal files, correspondences etc., ascribed to individual officials are

stored in the Berlin branches of the *Bundesarchiv* in Zehlendorf and Dahlwitz-Hoppegarten.

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For further information on the archival material mentioned above, it is advisable to consult the respective archives personally.

- (1) The Bundesarchiv branch Zehlendorf embodies the former Berlin Document Center, BDC.
- (2) J. Billig: Alfred Rosenberg dans l'action idéologique, politique et administrative du Reich hitlérien. Inventaire commenté de la collection de documents conservés au C.D.J.C. provenant des archives du Reichsleiter et Ministre A. Rosenberg. Paris 1963. Detailed information on the ERR files stored in Riga cannot be provided.
Tsentral'nyi derzhavnyi arkhiv vyshchikh orhaniv derzhavnoi vldy Ukraina, TsDAVO (Central State Archive of High Organs of Government of Ukraine): fond 3676 (Einsatzstab Reichsleiter Rosenberg für die besetzten östlichen Gebiete), opisi 1 and 2; fond 3206 (Reichskommissariat Ukraine Rovno), opis 5. A small section of archival material from Riga and Kiev is available in the form of microfilms in the Holocaust Memorial Museum in Washington, HMM.
Tsentr khraneniya istoriko-dokumental'nykh kollektzii, TsKhIDK (Center for the Preservation of Historico-Documentary Collections): fond 1358 (Reichsministerium für die besetzten Ostgebiete); fond 1401 (Einsatzstab Reichsleiter Rosenberg).
- (3) Apart from documents of various Nazi art plundering organizations, record group B323 also contains files of the US-military art saving unit, Monuments, Fine Arts and Archives (MFA&A), and the trust company Treuhandverwaltung für Kulturgut of the later FRG. The MFA&A files allow a detailed reconstruction of US-restitution policy concerning cultural assets in the US-occupation zone. In parts record group B323 corresponds with record group 260 in the National Archives in Washington, NA.
- (4) Politisches Archiv des Auswärtigen Amtes, PA: R27542 - R27621. Vojensky Historicky Archiv, VHA (Military Historical Archive): Rada N, Samostatne jednotky SS, Soubor inventara I (record group N, independent SS-units, record inventory I), Nr.7 Bataillon der Waffen SS z.b.V.
- (5) TsKhIDK: fond 1256 (Chef der Heeresarchive, Abteilung Danzig-Oliva). Bundesarchiv Militärarchiv Freiburg, BA MA: RH18 (Chef der Heeresarchive, der Heeresbibliotheken, der Heeresmuseen); RH19 (Heeresgruppen Süd, Mitte, Nord); RH22 (Befehlshaber rückwärtiger Heeresgebiete); RH26 (Infanteriedivisionen).
- (6) Der Prozeß gegen die Hauptkriegsverbrecher vor dem Internationalen Militärgerichtshof Nürnberg, 14.11.1945-1.10.1946, 42 Bde. Relevant documents are published in volume XXV.
- (7) Aufstellung der in den Archiven der DDR aufgefundenen Dokumente über den faschistischen Kunstraub in den okkupierten Gebieten der UdSSR, compiled by order of the Ministerium für Staatssicherheit der DDR, now available at the Sonderbeauftragter der Bundesregierung für die personenbezogenen Unterlagen des ehemaligen Staatssicherheitsdienstes.

**Researches in the National Archives of Hungary Relating
to Cultural Property Displaced from Hungary During World War II**

The Hungarian *National Gallery* has a database, made by Laszlo Mravik, an art historian who worked on that topic for many years, which contains data of displaced cultural property from Hungary during the Second World War. Mr. Mravik found

traces of several thousands of paintings and other art treasures displaced by German and Soviet troops as well as Hungarian collaborators of the German fascists kept in ministerial records in the *National Archives of Hungary*. In the last months a working group looked through the archival holdings not yet examined by Mr. Mravik. Many data were found on the circumstances of displacing art treasures in the records of the *National Bank of Hungary*, the *Central Corporation of Banking Companies* (Penzintézetl Központ), as well as the nationalized (1948) trade banks. These data show how the Soviet military authorities emptied the safes hired by private persons and public institutions. It turned out that the records of the *Central Corporation of Banking Companies* which have not been transferred to the Archives also contain important data on the restitution. It is hoped that research in this material will take place soon. We also wait until the Russian archival authorities give the permission to do research in their material.

Janos Lakos, Director General of the
National Archives of Hungary, Budapest

Restitution in the GDR - Files in the Archives of the Ministry for Foreign Affairs („Auswärtiges Amt“)

It is often claimed that the restitution of cultural property transferred to the former German Democratic Republic following World War II is a topic of tabu. If one were to rely solely on the information that has circulated in the form of public statements, this view can only be confirmed. All the more surprising was the discovery that a comprehensive amount of restitution material is to be found in the Archives of the Ministry for Foreign Affairs (Archiv des Auswärtiges Amtes, Dienststelle Berlin); in particular, there are numerous documents from the former Ministry for Foreign Affairs of the GDR („Ministerium für Auswärtige Angelegenheiten“). The number of those concerning restitutional negotiations alone spans several meters.

The research archive of the Ministry for Foreign Affairs of the former GDR has been in existence since 1949. In contrast to other archives, the research archive was not shut down in 1993. Today, the archive is under the supervision of the Ministry for Foreign Affairs and use of the facility has been possible since 1994. Access to documents stored there can be gained with the official permission of the Ministry for Foreign Affairs in Bonn. This accessibility applies to material before 1965. For documents from subsequent years special approval is required before one is granted permission. At the present time documents leading up to the year 1990 are available. Material from the past five years is not yet ready for the use of research.

Restitutional negotiations were carried out by the GDR from the 1950's through the 1990's. The GDR made its own restitutional claims from other countries, as did other countries in return from the GDR. The documents in this archive consist mainly of preparatory negotiation papers, aide mémoires, negotiation records, lists of transferrals and returns, correspondences between institutions and auction houses, notes recorded from discussions with various embassies, as well as handwritten material.

Negotiations were conducted with the Soviet Union, Poland, and the United States, but also with Switzerland, France, The Netherlands, Austria, Turkey, Great Britain, and, of course, the Federal Republic of Germany. Most of the efforts made for returns are concentrated in the mid-50's to early 60's, with renewed efforts made once again in the mid 70's to late 80's period. The negotiations were handled by the Ministry for Foreign Affairs of the former GDR in consultation with the Ministry of Culture. In 1980, a centralized card-index was established for lost cultural property which, in addition to work done by the ministries mentioned above, also drew on the resources of the *Institute for Museums* („Institut für Museumswesen“). One year later the Ministry of Culture founded a *Cultural Protection Commission* („Kulturschutzkommission“) which took on the bulk of the research work. Unfortunately the files of the *Cultural Protection Commission* are not located in their entirety at the archive of the Ministry for Foreign Affairs. Coordination of the negotiation was taken over by the legal and contracting department („Rechts- und Vertragsabteilung“) of the Ministry for Foreign Affairs of the former GDR. The documents therefore were distributed into archive sections concerning special countries, in „Länderabteilungen“ files.

The major part of the files deal with the return of the cultural property from the Soviet Union to the GDR in the 50's and the documented proof is all there for the reading. The course of the return is recorded exactly to the last organizational detail. The negotiations for the returns from the Soviet Union did not break off after the 60's. Until the 90's only individual negotiations were carried out. At that time the Soviet Union did not support the idea of reparation. The cultural property still missing from the institutions of GDR „was to remain at its given location in the Soviet Union“. No initiatives for restitution were undertaken by the GDR government until the 1980's.

The second most substantial cultural property concerns negotiations with Poland. Until the mid-60's demands for returns were filed from both sides. Since the 1970's Poland has made claims on displaced German cultural property stored in Polish institutions since the end of World War I. Poland was now pursuing a policy of „access to cultural property on the basis of reciprocity“. Cultural property is supposed to stay in Poland. This decision was not acceptable to the GDR. Negotiations ended up deadlocked and, as a result, the return of cultural property between Germany and Poland has remained unresolved until the present day.

The negotiations with socialist countries were based on the motto of mutual friendship. With capitalist countries the primary problem was the late recognition of the GDR's official nation status. This prevented it from becoming a negotiating partner, making claims on returns from the USA problematic until the mid-70's. For example, the *Kunstsammlungen zu Weimar* (Art Collection in Weimar), as an institution within the GDR, was first allowed to take legal action on its own behalf in February of 1975. A court case concerning the restitution of two paintings by Dürer had already been started by the FRG and the duchess of Sachsen-Weimar-Eisenach in 1969. In 1982 the court ruled that the Dürer portraits were to be returned to the *Kunstsammlungen*. This decision, however, appeared to be dependent on the settle-

ment that Feiniger paintings, located in the GDR, were given back to the Feiniger heirs, now living in the USA. The records mention twenty-one works of art, including paintings by Dürer, Rubens, Rembrandt, de Sylvestre. Indications were found that other cultural property could be found in the possession of American institutions or private persons. Many of these artworks appeared in the USA since the 1970's mainly in the context of the art market.

In addition, auction houses in Switzerland and also in Great Britain offered for sale what were believed to be lost works of art. The GDR government offices registered official claims on these works, but auction houses began to officially recognize these claims not before the 1980's. Often the sale of these works could be prevented. The GDR did not possess the means to buy back the works of art or to take the necessary judicial steps to facilitate their return. The result was that they could only be registered. Returns were carried out only in two other instances in addition to the case mentioned above.

Two-way negotiations for restitution were dependent on the given political climate. Significant influence on the negotiations of the GDR with other countries often had the relationship to the FRG as the officially recognized partner. In other cases delays in negotiation settlements came up between parties, e.g. with Turkey, which were based on irreconcilable political differences. The cooperation with the Netherlands in the area of cultural property restitution was considered fruitful and, to a certain extent, exemplary.

The archive of the Ministry for Foreign Affairs of the former GDR is currently in the process of moving its location to a building in the Werderscher Markt in Berlin. Use of the archive will therefore not be possible in the next months.

Jost Hansen, Koordinierungsstelle der Länder
für die Rückführung von Kulturgütern, Bremen

Restitutions

U.S. Court Orders Return of Drawings Stolen After World War II to Kunsthalle Bremen

The *Kunsthalle Bremen*, a private art museum in Germany, recently prevailed in litigation in the United States seeking the return of three drawings stolen from the museum in the closing days of World War II. On January 5, 1995, the U.S. District

Court for the Southern District of New York ordered that the drawings be returned to the museum.

The drawings include (1) an aged, bearded man, sometimes referred to as “God Father” or “Father Time” possibly by Pellegrino Tibaldi, (2) a Bacchanal by La Fage, and (3) a depiction of Saint George and the Dragon by an unknown artist. These drawings were originally part of the Kunsthalle’s celebrated collection of prints and drawings, thousands of which disappeared at the end of World War II. The Kunsthalle had placed its collections in storage, towards the end of the War, for protection from air raids. One storage facility, the *Castle of Karnzow*, ended up in the Soviet zone of occupation. The castle storeroom holding the Kunsthalle’s collection was located and looted. (This is the same castle from which Victor Baldin, then a Soviet Army officer, rescued two paintings and 362 drawings which are presently being held by Russian officials).

Recently, artwork belonging to the Kunsthalle that had been stored at the *Castle of Karnzow* has begun appearing on the New York art market. Yuly Saet, a Russian refugee, offered these three Kunsthalle drawings to various dealers in New York. Saet claimed to have acquired the drawings lawfully in the 1950’s before emigrating to the U.S. One of the dealers reported this occurrence to Dr. Constance Lowenthal of the *International Foundation for Art Research* in New York. Law enforcement authorities were notified; the *Federal Bureau of Investigation* arranged a sting operation and seized the drawings. U.S. authorities, however, determined not to initiate a criminal prosecution of Saet, and the government filed suit in federal district court in New York, asking the court to resolve the conflicting ownership claims of the Kunsthalle and Saet.

The court’s determination that the drawings must be returned to the Kunsthalle came in response to the Kunsthalle’s motion for summary judgment. That motion, filed with the court in late 1994, recited the historical facts and reviewed the applicable law, and asked the court to award the drawings to the Kunsthalle. Saet’s lawyers, recognizing the overall force of the Kunsthalle’s motion, advised Saet that it would do him no good to oppose the motion. No opposition was ever filed, even though the Judge, Hon. Peter K. Leisure, ordered Saet to respond. Judge Leisure then ruled in favor of the Kunsthalle.

Under U.S. law, a judge is not required to grant a summary judgment motion, even if it is unopposed. Summary judgment can only be granted if there are no significant factual disputes, and the case can be decided purely on the law. The judge must decide whether there is any genuine issue of material fact that would require a trial of the case. (Disputed factual matters can only be resolved by holding a full trial). By ordering Saet to respond to the Kunsthalle’s summary judgment papers, Judge Leisure must have considered that the museum’s motion was well-founded. The Order granting the motion on default follows from Saet’s failure to comply with the Court’s earlier order directing him to respond. For this reason, judgment would not have been entered in favor of the Kunsthalle if the Court did not believe the museum’s motion for summary judgment had merit.

The Kunsthalle was represented in the case by Thomas R. Kline of the Washington D.C. office of the law firm of Andrews & Kurth L.L.P. Dr. Willi A. Korte, a German lawyer and researcher, also assisted the Kunsthalle with the development of its case. Mr. Kline and Dr. Korte previously represented the *Lutheran Church of Quedlinburg*, Germany, in locating and recovering the Quedlinburg Treasures, which also disappeared at the end of World War II and were ultimately found in private hands in the United States. The Kunsthalle's victory demonstrates, once again, that U.S. courts provide a sympathetic forum for the recovery of stolen art and cultural property. Because U.S. courts take a flexible approach to the statute of limitations, generally holding that the statute does not begin to run as long as a theft victim is diligent in searching for its stolen property, even property stolen during World War II may be recovered if found in the U.S.

Thomas R. Kline, Andrews & Kurth L.L.P., Washington D.C.
Willi A. Korte, Historian, Washington D.C.

President of the Ukraine Returns Icon to Belorussia

In July 1995 during his visit in Belorussia the president of Ukraine, L. Kutchma, gave back the icon „Apostol“ of the 17th century. This icon was located in Belorussia until the Second World War. During the war the icon was moved to Germany, from where it came to the Petchersky monastery in Kiev.

The proportions of the icon „Apostol“ are 168 x 62 x 18cm. Formerly it was located at an unknown place in the deisis composition of a high iconostasis, of which almost none was preserved in Belorussia. Similar examples are the iconostasis of the Nykolsky church in Mogiljov (1669) and the iconostasis, created by belorussian masters in the Smolensk cathedral of the Novodevitchy monastery in Moscow (1683-1868).

The icon „Apostol“, which now returned to Belorussia was created on a highly professional level and adds to our idea of the icon painting in Belorussia in the 17th century in an important way. The return of the icon is an important and special event in the cultural life of Belorussia.

Nedezhda Vysotskaya, Art historian, State Art Museum of Belorussia, Minsk

Restitutions between Ukraine and Germany

In the Russian-German controversy one tends to ignore the fact, that about two thirds of the cultural losses which the USSR suffered during the Second World War pertained to the present Ukrainian state. All of its territory had been occupied by German forces, scarcely any other country suffered in the same way. Research on this painful chapter of our common history has only just begun. It should not, however, take place in a spirit of confrontation. Rather it calls for a German-Ukrainian joint effort. The *Museum of Western and Eastern Art* in Kiev has recently published

an excellent list of the works of art which are still missing, 475 objects of European standing. In spite of intensive efforts by Ukrainian and Bremen researchers to locate the present whereabouts, their traces vanish in the last months of the war and the immediate post-war period (given the vast number of lost objects this in itself remains somewhat of a mystery). At the same time an inventory is being drawn up which lists the German treasures of art which were taken to Ukraine right after the war. They are still stored away in Ukrainian museums but nobody, as far as is known, wants to declare them as Ukrainian state property. On the contrary, the Ukrainian government is believed to be searching for a mutually acceptable solution which must, however, take into account the enormous cultural losses which the Ukraine suffered between 1941 and 1944.

In the meantime matters between Ukrainians and Germans have advanced from theory to practical gestures. A short while ago a Ukrainian engineer approached the city of Bremen wanting to return the famous selfportrait of Hans von Marées, a German 19th century painter. His father had brought the painting, which belongs to the collection of the *Kunsthalle Bremen*, back home after the war and had kept it privately until the recent political changes. The Ministry of Culture in Kiev agreed to the transfer to Bremen and forebore to ask for any compensation. Now the painting is hanging again in its proper place. In gratitude for the return the young man received a grant for one year for further studies in Germany. Almost at the same time more than 700 valuable 19th and 20th century books on prehistory were returned to Kiev, where they had been seized in 1943 by a German institution. They were hidden away at the *Pfahlbaumuseum* on Lake Constance („Bodensee“) by Hans Reinerth, the organizer of national-socialist predatory expeditions and later on director of this museum, and have only recently been discovered (still packed in the original wrappings) by Reinerth's successor, Dr. Günther Schöbel, who immediately decided to send them back to their Ukrainian owners. This action, including the financing of it, was a private initiative.

Only a few weeks before the director of the Goethe Institut on the Dnepr, countess Ute Baudissin, handed over to the *Historical Archives* of the Ukraine a charter of Peter the Great with the Czars's seal and his signature from the year 1700. She had received the document which was stolen in Kiev by the Germans during the war, via

an American soldier with the request to send it back to its legitimate owner. Thus a network of citizens' initiatives came into being. The state structures may take this as a model.

Wolfgang Eichwede, Director of the Forschungsstelle Osteuropa
at the University of Bremen

Bibliography

This bibliography gives an overview of books in two parts: 1. Books on general aspects, giving a good insight in the policy of restitutions immediately after the war and of legal issues related to cultural property and published during the last years; 2. important publications about looted art of various countries. Each newsletter will update the information and enlarge the bibliography on general aspects as well as on all concerned and contributing countries.

1. Books on general aspects:

Akinsha, Konstantin & Grigorii Kozlov with Sylvia Hochfield: *Stolen Treasure. The Hunt for the World's Lost Masterpieces.* London (Weidenfeld & Nicolson) 1995 (ISBN: 0 297 81428 1).

German edition: *Beutekunst. Auf Schatzsuche in Russischen Geheimdepots.* Deutscher Taschenbuch Verlag 1995 (ISBN: 0 297 81428 1)

[The book contains among others chapters on Schliemann's treasure, the Amber Room, the coin collection of Gdansk and the Krebs collection of paintings now in the St. Petersburg Hermitage.]

Conte, Luigi: *Restitution: Italy. Some are Found - But Many are Still Lost: Can You Help?* In: *The Art Newspaper.* No. 52 (October 1995). Pp. 24-25, 45.

Esterow, Milton: *A Little Justice in Austria.* In: *ARTnews.* Vol. 94. No. 7. (September 1995). P. 25.

[About the so-called Mauerbach case.]

Opper, Dieter, Doris Lemmermeier: *Cultural Treasures Moved Because of the War - A cultural Legacy of the Second World War. Documentation and Research on Losses. Documentation of the International Meeting in Bremen (30.11.-2.12.1994).* Edited by Jost Hansen and Doris Lemmermeier. Bremen 1995.

[This documentation can be ordered at the editorial address.]

Waxman, Sharon: *Austria: Ending the Legacy of Shame.* In: *ARTnews.* Vol. 94. No. 7 (September 1995). Pp. 122-125.

[About the so-called Mauerbach case.]

2. Books on specific countries:

France:

Feliciano, Hector: *Le Musée disparu. Enquête sur le pillage des oeuvres d'art en France par les nazis.* Paris 1995.

[Overview of the plundering and art market in France during the Second World War, including the Schenker list of the French art dealers and persons, who sold to German Museums.]

Germany:

Elsner, Tobias von: Alles verbrannt? Die verlorene Gemäldegalerie des Kaiser Friedrich Museums in Magdeburg. Sammlungsverluste durch Kriegseinwirkungen und Folgeschäden. Magdeburger Museumshefte 5. Magdeburg 1995. (ISBN: 3-930030-15-2)

[„All burnt? The lost picture gallery of the Kaiser Friedrich Museum Magdeburg. Losses effected by war and resulting damages“. Historical depiction in form of a case study and catalogue.]

Kostenevich, Albert: Hidden Treasures Revealed. Impressionist Masterpieces and Other Important French Paintings Preserved by the State Hermitage Museum, St. Petersburg. New York 1995. (ISBN: 0-8109-3432-9).

German edition: Aus der Eremitage. Verschollene Meisterwerke deutscher Privatsammlungen. München 1995. (ISBN: 3-463-40278-5)

[Catalogue of the exhibition in the Hermitage of the paintings from the Krebs, Gerstenberg/Scharf, Koehler and other collections.]

Klugmann, Claudia: Kriegsverluste der Gemälde- und Plastiksammlung des Museums der bildenden Künste. In: Museum der bildenden Künste Leipzig. Jahresheft 1994. Pp. 7-40

[„War losses of the picture and sculpture collection of the Museum of Fine Arts“. This is an illustrated list of ca. 200 paintings and sculpture missing since the war from the Leipzig Museum of Fine Arts.]

Knyschewskij, Pawel Nikolaewitsch: Moskaus Beute. Wie Vermögen, Kulturgüter und Intelligenz nach 1945 aus Deutschland geraubt wurden. München, Landsberg am Lech 1995. (ISBN: 3-7892-8290-1)

[„Moscow's loot. How property, cultural treasures and intelligence was robbed from Germany after 1945“. The book gives a good insight in the transport of industrial plants from Germany to the Soviet Union. It also mentions the looting of cultural property.]

Kotrelev, N.V.: Katalog nemeckojazychnych izdanij XVI veka v fondach VGBIL. Moskva 1992.

[„Catalogue of the German editions of the 16th century in the Allrussian Library for Foreign Literature M.I. Rudomino“.]

The Thomas J. Watson Library of the Metropolitan Museum of Art in New York possesses a copy of the so-called Kümmel Report, which is available for consultation by qualified researchers:

Kümmel, Otto: Geraubte Kulturgüter 2. Bericht auf Erlass des Herrn Reichsministers und Chefs der Reichskanzlei ... und des Herrn Reichsministers für Volksaufklärung und Propaganda ... betr. Kunstwerke und geschichtlich bedeutsame Gegenstände, die seit 1500 ohne unseren Willen oder auf Grund zweifelhafter Rechtsgeschäfte in ausländischen Besitz gelangt sind..., Berlin 1941.

[„Stolen cultural object. Second report [...] regarding works of art and historically important objects which have been transferred into foreign possession since 1500 without our consent or on dubious legal grounds“. This is a "wish list" of objects to be retrieved by the Germans when they took over a specific country.]

Italy:**Ministero Degli Affari Esteri & Ministero Per i Beni Culturali e Ambientali:**

L'Opera da Ritrovare. Repertorio del patrimonio artistico Italiano disperso all'epoca della Seconda Guerra Mondiale. Roma 1995.

[Repertory of the Italian losses of works of fine arts of the Second World War, from Italian public and private collections. An English version is in preparation.]

The Netherlands:**Oostrum, Hilde van:** Op het spoor van een verloren collectie. 1995

[„On the trail of a lost collection“ is a television documentary in Dutch of approx. one hour about the search for the drawings of the Koenigs Collection which disappeared from the Netherlands during World War II and surfaced in Moscow in 1992. The film covers the years from 1987 until halfway 1995 and was made by NPS/OnderMeer Productions in Amsterdam.]

Poland:**Bienkowska, Barbara:** Straty bibliotek polskich w czasie II wojny swiatowej.

Ministerstwo kultury i sztuki. Biuro pelnomocnika rządu do spraw polskiego dziedzictwa kulturalnego za granica. Warszawa 1994.

English version: Losses of Polish Libraries During World War II. Ministry of Culture and Art. Bureau of the Government Plenipotentiary for the Polish Cultural Heritage Abroad. Warsaw 1994.

[Historical Depiction with Tables.]

Straty bibliotek w czasie II wojny swiatowej w granicach Polski z 1945 roku.

Wstepny raport o stanie wiedzy. Ministerstwo kultury i sztuki. Biuro pelnomocnika rządu do spraw polskiego dziedzictwa kulturalnego za granica. Warszawa 1994.

[„Losses of Libraries During World War II on Polish Territory from 1945“. Two parts: Analysis, Tables.]

Straty bibliotek w czasie II wojny swiatowej. Czesc III. Bibliografia.

Ministerstwo kultury i sztuki. Biuro pelnomocnika rządu do spraw polskiego dziedzictwa kulturalnego za granica. Warszawa 1994.

[„Losses of Libraries During World War II.“ Bibliography.]

Ukraine:**Gimaldinova, Z.:** Ukraine's Libraries Within the Great Patriotic War. In: Library

Science and Bibliography. 1985. Release 25. Pp. 10-16.

[Taking out and destruction of Ukraine's library treasures during the War.]

Gimaldinova, Z., T. Samiylenko, T. Skrypnyk: Library Business Development in the Soviet Ukraine. In: Library Science and Bibliography. 1987. Release 27. Pp. 10-19.

[New information on destruction and taking out of library funds to Germany from Ukraine during the Great Patriotic War.]

Grimsted, Patricia: The Fate of Ukrainian Cultural Treasures During World War II: The Plunder of Archives, Libraries and Museums under the Third Reich. In: Jahrbücher für Geschichte Osteuropas 39. 1991. Heft 1. Pp. 53-80.

Latest News

Exhibition „Bureaucracy and Cult“ in Munich

From October 19th until February 4th the Central Institute for Art History („Zentralinstitut für Kunstgeschichte“) in Munich will show the exhibition „Bürokratie und Kult. Eine Photodokumentation. Das Parteizentrum der NSDAP am Königsplatz in München“ (Bureaucracy and Cult. A Photodocumentation. The Headquarter of the National Socialist Party at the Königsplatz in Munich). Since 1948 the Central Institute for Art History is located in the former administration building of the NSDAP. This building was the first important architectural project of the National Socialists in Germany. It is the very same location where immediately after the war the American military government established the first Central Collecting Point for art works. The exhibition uses unpublished photo and archival material and shows the history of the building until today. (See bibliography)

International Conference on legal aspects of the restitution in Ukraine

The National Commission on the Restitution of Cultural Treasures to Ukraine under the Cabinet of Ministers of Ukraine is planning an international conference on the question of law and restitution. The conference under the title „The legal Aspects of the Restitution. Theory and Practice“ will take place at the end of 1996 under the auspices of UNESCO.

Call for papers:

This newsletter depends on your contributions and activities. Please send us your contributions (special reports, archival reports, country reports, bibliographical data, reports on restitutions) for the next number of „Spoils of War“ as soon as possible, not later than at the end of April 1996.

We are also looking forward to your comments on the project, your proposals for the improvement and any further suggestions.

- The second number will appear on the 1st of June 1996.

Technical note:

Please send your papers in form of a printout as well as on diskette. Possible text processing programmes are: Winword 6.0, Winword 2.0, WordPerfect, Word. Please don't make any special formats, just write the plain text. Indicate any special formats (bold, centering etc.) on the printout. If you have notes, please don't insert them; attach the notes on a separate page. Indicate on the printout where to put them.

The reports should have a size of 2-3 pages maximum. Any longer report will be either shortened by us or must be rejected.

For the bibliography, please give the correct title reference, a translation in english and a short annotation.

Please send your papers to the address given in the imprint.

**DEADLINE FOR THE 2nd NUMBER OF „SPOILS OF WAR“:
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