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**RUSSIA'S "TROPHY" ARCHIVES:  
STILL PRISONERS OF WORLD WAR II?**

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## **Russia's "Trophy" Archives—Still Prisoners of World War II?**

### **Abstract**

The existence of displaced foreign cultural treasures held in Russia has been one of the dramatic revelations since the collapse of the Soviet Union, while Russia's failure to return them to the countries of their provenance has become one of the most thorny elements in Russia's foreign relations. Five years ago, when accepted as a member of the Council of Europe in January 1996, Russia committed itself to the restitution of cultural treasures and, specifically, archives. Despite this commitment, restitution matters are not moving rapidly in Russia and continue to engender controversies, although there have also been symbolic breakthroughs and some areas of progress. This article examines the background and recent history of these restitution efforts and controversies, focusing mainly on archives, but also considering library books and works of art.



## Introduction

The existence of displaced foreign cultural treasures held in Russia has been one of the dramatic revelations since the collapse of the Soviet Union, while Russia's failure to return them to the countries of their provenance has become one of the most thorny elements in Russia's foreign relations. Five years ago, when accepted as a member of the Council of Europe in January 1996, Russia committed itself to the restitution of cultural treasures and, specifically, archives – among a number of other specific intents – by agreeing “(§ xiv) to settle rapidly all issues related to the return of property claimed by Council of Europe member states, in particular the archives transferred to Moscow in 1945.”<sup>1</sup> Despite this, restitution matters are not moving rapidly in Russia: Here we consider mainly archives, where there have been a few notable recent achievements, despite continuing frustrations. These need to be seen against the backdrop of stalemate in the case of library books. Meanwhile a few recent “gestures of goodwill” provide more symbolic breakthroughs in the world of art, all in the context of important new legal, procedural, and descriptive developments affecting the many displaced cultural treasures remaining in Russia.<sup>2</sup>

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An earlier version of this essay was presented as a lecture at the Central European University in Budapest, 19 July 2001. It updates my report, “Twice Plundered or Twice Saved? Identifying Russia's ‘Trophy’ Archives and the Nazi Agencies of Their Plunder,” which appears in Russian and in English with the proceedings of the conference “Mapping Europe: Fate of Looted Cultural Valuables in the Third Millennium,” Moscow, 10–11 April 2000, at the website of the All-Russian State Library for Foreign Literature (VGBIL) – <http://www.libfl.ru/restitution/conf>; a printed edition is in preparation. Some of the data are drawn from my book, *Trophies of War and Empire: The Archival Heritage of Ukraine, World War II, and the International Politics of Restitution* (Cambridge, MA: distributed by Harvard University Press for the Ukrainian Research Institute, 2001). See also Grimsted, “Twice Plundered or Twice Saved?: Russia's ‘Trophy’ Archives and the Loot of the Reichssicherheitshauptamt,” *Holocaust and Genocide Studies* 15(2) (Fall 2001): 191–244; and my earlier articles, “‘Trophy’ Archives and Non-Restitution: Russia's Cultural ‘Cold War’ with the European Community,” *Problems of Post-Communism* 45(3) (May/June 1998): 3–16; and “Displaced Archives and Restitution Problems on the Eastern Front in the Aftermath of the Second World War,” *Contemporary European History* 6(1) 1997: 27–74, originally published as *IISG Research Paper*, no. 18 (Amsterdam: IISH/IISG, 1995), and reprinted in *Janus: Revue internationale des archives/ International Archival Journal* 1996 (2): 42–77.

<sup>1</sup> Council of Europe Parliamentary Assembly, Opinion No. 193 (1996), “On Russia's request for membership of the Council of Europe,” adopted by the Assembly on 25 January 1996 when Russia was admitted to membership on its basis. Another paragraph in the admission document signed by Russia committed it “xi. to negotiate claims for the return of cultural property to other European countries on an ad hoc basis that differentiates between types of property (archives, works of art, buildings etc.) and of ownership (public, private or institutional).”

<sup>2</sup> Among the many bibliographies covering displaced cultural treasures in Russia, see “Beutekunst”: *Bibliographie des internationalen Schrifttums über das Schicksal des im Zweiten Weltkrieg von der Roten Armee in Deutschland erbeuteten Kulturgutes (Museums-, Archiv- und Bibliotheksbestände) 1990–2000*, compiled by Peter Bruhn, 2d ed. (Berlin: Staatsbibliothek zu Berlin–Preußischer Kulturbesitz, Osteuropa-Abteilung, 2000 [Veröffentlichungen der Osteuropa-Abteilung, Staatsbibliothek zu Berlin – Preußischer Kulturbesitz, 26; Literaturnachweise zu aktuellen Rußland-Themen, vol. 1]). See also the selected bibliography by Adalbert Goertz,

In April 1998, Russia enacted a law that potentially nationalizes all of the cultural property brought to the Soviet Union at the end of the Second World War. That law with its May 2000 amendments, prohibits restitution of any cultural treasures (with no distinction for archives) to Germany and its wartime allies (including Hungary). Russians use the word "trophies" for all of the foreign cultural property brought back to the USSR after World War II, because those captured cultural treasures are considered "compensation" for the tremendous losses, damage, and destruction Russia suffered during the war. Those trophies represent symbols of the victory Russians celebrate in what they still call the Great Patriotic War of the Fatherland. But many Russians overlook the fact that the "trophy" archives – hidden away for fifty years – are in reality the records of other European countries that also suffered wartime losses and destruction, and in many cases the memory of individuals and institutions who were also victims of the Nazi regime.

## **Russian spoils of war**

### *Trophy art*

Russia's trophy archives need to be viewed in the context of – although they should be considered distinct from – the works of art and library books that were brought back to the Soviet Union after World War II. Although those cultural treasures were – and still are – considered "compensation" for wartime loss and destruction, they were hidden from the world for almost half a century. Revelations about the over a million works of art transferred to the USSR in the aftermath of World War II first appeared in *ARTnews* (New York) in April 1991.<sup>1</sup> The headline story was picked up in the Moscow press in many

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"Looting Mother Russia" at <http://www.oldcolo.com/~goertz/beu.html>, and additional listings on the NARA website: <http://www.nara.gov/research/assets/bib/lootart.html>; those websites provide further links.

<sup>1</sup> Revelations about the trophy art first appeared in a series of articles by Konstantin Akinsha and Grigori Kozlov in *ARTnews* in 1991. See the later book by the same authors (with Sylvia Hochfield), *Beautiful Loot: The Soviet Plunder of Europe's Art Treasures* (New York: Random House, 1995), which unfortunately still has not appeared in Russian. The major museum shipments to Russia are listed by Waldemar Ritter, "The Soviet Spoils Commissions: On the Removal of Works of Art from German Museums and Collections," *International Journal of Cultural Property* 7 (1998): 446–55. See also the revelations of Pavel Knyshevskii with published texts of many still-classified documents in *Dobycha: Tainy germanskikh reparatsii* (Moscow: Soratnik, 1994; also available in a German edition), and the

variants. One Moscow journalist quoted the figure of 1,208,000 museum exhibits received by the Committee on Cultural and Educational Institutions of the RSFSR (predecessor of the Ministry of Culture of the USSR), but that was only one of the agencies involved in cultural transfers.

Another account, which lists most of the major museum shipments, quotes the figure of “2.5 million cultural objects,” but the library shipments are not included. And those figures do not include all of the military or private transfers, nor the archives transferred by the Main Archival Administration (Glavarkhiv) under the NKVD/MVD. Published documents suggest 450,000 freight-train wagonloads were received in 1945 alone, along with factories, pianos, and wine. There were also a few air cargo planes for some of the most valuable loot, such as the Trojan gold from Berlin and a Gutenberg Bible from the Leipzig Museum of the Book. But quantities are impossible to establish. Since their revelation, Russians as well as foreigners flocked to the exhibits of “Hidden Treasures” at the Hermitage and the “Twice-Saved” masterpieces at Moscow’s Pushkin Museum. But abroad, the budding Cold War on cultural restitution issues, particularly between Germany and Russia, was noticeable at the international symposium on “the Spoils of War,” held in New York City in 1995, where specialists from many affected countries discussed the issues, and even viewed Stalin’s secret plans for a museum to rival the one Hitler had planned for Linz.<sup>4</sup>

Organizers of the Washington Conference on Holocaust-Era Assets expressed appreciation that the Russian delegation adhered to the “Washington Conference Principles on Nazi-Confiscated Art” and pledged more archival openness. But the wording of those principles unfortunately did not extend to confiscated archives, and significant documentation regarding “trophy” cultural treasures retains a classified status.<sup>5</sup> Russia was less well represented in the follow-up “Vilnius International Forum on

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review by Mark Deich, “Dobycha – V adres Komiteta po delam iskusstva postupilo iz pobezhdennoi Germanii svyazhe 1 miliona 208 tysiach muzeinykh tsennostei,” *Moskovskie novosti*, no. 50 (23–30 October 1994): 18.

<sup>4</sup> See the impressive published volume from that conference, *The Spoils of War: World War II and Its Aftermath: The Loss, Reappearance, and Recovery of Cultural Property*, ed. Elizabeth Simpson (New York: Henry N. Abrams, 1997).

<sup>5</sup> *Washington Conference on Holocaust Era Assets November 30–December 3, 1998: Proceedings*, ed. J. D. Bindenagel et al. (Washington, DC: U.S. Government Printing Office, 1999) [=Department of State publication



Holocaust-Era Cultural Assets" in October 2000, but as one potential breakthrough, it was announced that Russia had accepted an offer of half a million dollars from Christie's to aid identification of displaced cultural property of Holocaust victims. Also at the Vilnius Forum Sotheby's offered funding to help database development for displaced art under the auspices of the Council of Europe. Most controversy in Vilnius developed over the Israeli position that all heirless Jewish cultural property should be consigned to Israel, which was strongly opposed by representatives of Jewish museums and other institutions in various European countries anxious to preserve the memory of their Jewish Communities. Following up on the Christie's proposal, a concrete agreement for a year-long descriptive project for cultural treasure of Holocaust victims was signed in Moscow in early December 2001 by representatives of a new American foundation and the Ministry of Culture.<sup>6</sup>

The Yeltsin years after 1991 saw no restitution of art to Germany, nor was there any since the late 1950s when the most of the paintings from the Dresden Gallery and many other "twice-saved" cultural treasures were returned to East Germany. As the first important breakthrough under the presidency of Vladimir Putin and the new Russian law, an "exchange" took place at the end of April 2000: some mosaics and a commode from the Amber Chamber in the Catherine Palace of Tsarskoe Selo (Pushkin) that had been plundered by the Nazis and recently found in Germany were returned to Russia. In "exchange" Russia handed over a collection of 101 drawings and prints from the Bremen Kunsthalle that a Red Army officer (who requested anonymity before his death) personally brought home from their wartime hiding place in the Karnzow Castle north of Berlin. Germany has already been subsidizing the reconstruction of the symbolic Amber Chamber with a \$3.5 million grant from Ruhrgas. Germany may be less than satisfied with the "exchange," because the 101 Bremen drawings had already been transferred

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10603]; available electronically, <http://www.state.gov/regions/eur/holocaust/heac.html>. See especially the "Principles" (pp. 971-72) and the concluding remarks of U.S. Under Secretary of State Stuart E. Eizenstat, pp. 125-32.

<sup>6</sup> The program and proceedings of the Vilnius Forum, including my own presentation, are available at <http://www.vilniusforum.lt/proceedings>. See also the report by Martin Bailey in *The Art Newspaper*, 3 November 2000, also available on the Internet. I am grateful to Konstantin Akinsha for updating me about the non-profit "Research Project for Art and Archives, Inc., in New York, sponsored by Ronald S. Lauder and Edgar M. Bronfman; Christie's is no longer involved in the project.



to the German Embassy in Moscow in 1993, but remained under export embargo until the spring of 2000.<sup>7</sup>

The sad fate of the Kunsthalle collections is but one of the most blatant examples of the wide dispersal of cultural treasures brought to Russia, which can only be touched on here. Another 362 drawings and 2 paintings from the Bremen Kunsthalle rescued by fellow officer Viktor Baldin remain in state custody in the Hermitage, where 192 of them in 1992 formed part of the first exhibition of trophy art in Russia. Baldin, an art historian and architect who personally brought them to Russia in a suitcase in 1945, had long pleaded for their restitution with Soviet, and more recently Russian, heads of state. In 1947 he deposited them for safekeeping in the Shchushev Museum of Architecture when he became director, but in 1990, when Boris Yeltsin was on the verge of returning them on his first visit to Germany as president of the Russian Federation, the Soviet Ministry of Culture (then headed by Nikolai Gubenko) ordered their transfer to the Hermitage. Another officer in Baldin's brigade donated his cache of Bremen drawings to a Tashkent museum, but they were transferred to the Pushkin Museum in Moscow, where they remain today alongside another group that had been donated by another officer in the same brigade to a museum in Novosibirsk.<sup>8</sup>

Still other Bremen drawings were widely dispersed in the former Soviet Union, although the locations of all of them are still not known, and only a few of them have been returned. Twelve recently surfaced in New York (with an estimated value of about \$15 million), among them a Rembrandt and two Dürer drawings, having been stolen from a museum in Azerbaijan, along with 150 other works of art. As a "happy ending" to an incredible tale of international intrigue, they were seized by U.S. Customs and

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<sup>7</sup> See Sylvia Hochfield, "A German-Russian Breakthrough: Negotiators Agree to an Unprecedented Exchange of War Loot," *ARTnews* 99 (3 March 1999): 68–70. "Panel from Amber Room Exchange with Bremen Drawings," *The Art Newspaper* 11(101) (March 2000): 6. Celestine Bohlen, "Arts Abroad: A Homecoming for Treasures Looted in War," *New York Times*, 27 April 2000. Recovery of the drawings in provincial Russia and their delivery to the German Embassy is described by Akinsha and Kozlov's chapter "The Bremen Drawings," in *Beautiful Loot*, pp. 243–50.

<sup>8</sup> Regarding Baldin's rescue and the fate of the drawings in the USSR, see Akinsha and Kozlov's chapter "The Bremen Drawings," in *Beautiful Loot*, pp. 243–47. Viktor Baldin was one of the featured segments in a two-hour 1995 Russian television film, "Po prava pobeditelei" (By the Right of the Victors).

returned to Bremen in July 2001 under order of a New York court. An estimated no less than 50 Bremen drawings ended up in private hands in Ukraine, according to unconfirmed reports. Six years before the recent Russian act of restitution one of them was returned to Bremen from Kyiv in 1995, when a self-portrait by the German artist Hans von Marées became "the first official return to Germany of World War II art booty by one of the former Soviet republics since the collapse of the USSR." In a subsequent presidential visit in February 1998, three additional drawings went back to Bremen from Kyiv.<sup>9</sup>

A few subsequent "gestures of goodwill" have broken through the earlier "Cold War" standoff on cultural restitution between Russia and Germany. In August 2001 the new Interagency Council on Restitution approved the return of the fourteenth-century stained glass panels held by the Hermitage from the Lutheran Church of St. Mary (Marienkirche) in Frankfurt-on-Oder. The transfer will not take place for another two years, however, given the long procedure of required documentation and a promised exhibition in the Hermitage before return. In exchange Germany will contribute a million and a half dollars towards the reconstruction of a medieval Russian Orthodox church of the Dormition of the Mother of God near Novgorod that was destroyed during the war. The return comes under a paragraph in the Russian law that permits restitution of property of religious organizations in Germany.<sup>10</sup>

The Hermitage was also in the restitution spotlight in February 2001, when the museum returned to Ukraine several frescoes from the twelfth-century cathedral of St. Michael of the Golden Domes, looted by the Nazis from Kyiv in 1943, but held in Russia since their return by the United States from Germany after World War II. That was the first significant act of restitution to one of the successor states since the collapse of the Soviet Union in 1991. Controversy over this issue continues, however, because still more

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<sup>9</sup> Regarding the U.S. Customs seizure in New York, see Ralph Blumenthal, "Twice Stolen, Twice Found: A Case of Art on the Lam," *New York Times*, 19 July 2001 (electronic version from NYTimes.com). Officials in the Russian Ministry of Culture told me about the Bremen drawings in Ukraine. Regarding the 1995 transfer, see Jamey Gambrell, "First Return of War Booty," *Art in America*, no. 6, June 1995, p. 31; the 1998 return is noted by Doris Lemmermeier in *Spoils of War: International Newsletter*, no. 5 (June 1998), p. 57. Regarding other transfers and the international context of restitution, see Grimsted, *Trophies of War and Empire*, ch. 12.

<sup>10</sup> See, for example, the article by John Varoli, "Restoring a Window's Glow, Healing a War's Wounds," *New York Times*, 27 December 2000. See also Sof'ia Andreeva and Igor' Grebel'nikov, "111 oskolkov germanskoi istorii," *Kommersant*, 30 August 2001, p. 10, after the exchange had been approved, and an earlier article in the issue

important mosaics and frescoes from the church, which was destroyed by Stalin in 1936, remain in Russia.<sup>11</sup>

Boris Yeltsin's only gift of trophy cultural treasures during presidential visits with German Chancellor Helmut Kohl involved some symbolic archival files. While still legally blocked from restitution of cultural treasures from state collections, Putin has recently backed a new series of "gestures of goodwill," involving the return from private Russian collections of trophy art seized after the war in Germany. Most recently (27 September 2001) Putin was accompanied to Dresden by Russian businessman Timur Timerbulatov, director of the large construction company "Konti," who presented the Dresden Gallery with three paintings acknowledged to have been held there before the war. Curiously, all three (two seventeenth-century paintings of the Flemish School and one by Max Slevogt painted in 1914) reportedly had been purchased in the Izmailovo (near Moscow) market in 1992 from a private collector. Perhaps not entirely coincidentally, the presentation took place a week after the Ukrainian Council of Ministers approved the restitution of the long-lost Sing-Akademie collection of music scores (including part of the Bach family archive) to Berlin (see below). As a similar "gesture of goodwill" in Putin's presence in April, at the palace of Tsarskoe Selo near St. Petersburg, Russian businessman Timerbulatov presented Germany the seventeenth-century painting "Heyduke" by Christopher Paudiss, also from the prewar Dresden Gallery and also purchased in the Ismailovo market in 1992.<sup>12</sup> There have been

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for 6 June. See also Pavel Simonov, "Germania poluchit vitrazhi i pomozhet otstoit' khram," *Izvestia*, 21 February 2001, p. 8.

<sup>11</sup> Among other accounts, see the article by Serhii Kot, "Povernennia mykhailivskikh fresok: kul'turno-istorychnyi barter?" *Polityka i kul'tura*, no. 7(90) (27 February–5 March 2001): 40–41, and Elena Gerusova, "Freski poekhali," *Kommersant*, 2 February 2001, p. 13; and Liliia Didenko, Kirill Razumovskii, and Grigori Revzin, "Freski sdali, freski priniali," *Kommersant*, 7 February 2001, p. 14.

<sup>12</sup> Regarding the Dresden paintings, see Kira Dolinina, "Trofei s izmailovskoi barakholki privez Vladimir Putin v Drezdenskuiu galereiu," *Kommersant*, 28 September 2001, p. 13; and "Germanii podarili kartinu s izmailovskoi barakholki," *Kommersant*, 12 April 2001, p. 13. See also the press release from the Russian Information Agency "Novosti," at the website <http://Lenta.ru>. Among other major projects, Timerbulatov's company is under long-term contract for the construction of the new inner ring highway ("Novoe kol'tso Moskvy") and several luxury housing complexes. A colored photograph of Timerbulatov making the April presentation with President Putin and German Chancellor Schroeder is found at the "Konti" website <http://Konti.ru>. Harrod Marx, Director of the Staatliche Kunstsammlung Dresden, who was personally involved in the September transfer, confirmed the details to me.

fragmentary reports of Russian transfers of other "trophies" from the Dresden Gallery, but details have not been publicized.

It should be stressed that all of these "gestures of goodwill" involve the restitution of art that had been recovered from private collectors, not from state repositories, and hence they were not subject to the new Russian law on cultural treasures. These recent transfers, although only small steps in light of the hundreds of German cultural treasures remaining in Russian public and private collections, nevertheless give some hope for more positive breakthroughs in the highly contested restitution issues between Russia and Germany, as recently acknowledged by both sides. Yet if restitution is going to move on a piece-by-piece barter basis, or occasional "gestures of goodwill" on presidential encounters, it is going to take centuries to resolve the issue. With this new emphasis on the return of German cultural treasures from private Russian holdings, the Russian government holds out the hope of bringing response from the German private sector. Already in 2000, in addition to the return of mosaics and commode from the Amber Chamber, the Germans presented Putin with a sixteenth-century icon looted during the war from the Pskov-Pokrovskii Monastery that recently surfaced in Germany.<sup>13</sup> But Germans are still concerned about the major "trophy" holdings of their cultural property in large state museums and other repositories. Libraries and archives may be in a lesser spotlight, but restitution in those areas will undoubtedly also need more stimulus from the new Russian policy of "gestures" within the context of the international politics of restitution.

#### *Trophy library books*

The library world was shocked by the 1990 revelation about the millions of "trophy" German books that had been left to rot under pigeon droppings in an abandoned church in Uzkoie outside of

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<sup>13</sup> Among other Russian press commentaries, see Iulia Kantor, "Iantarnaia politika," *Izvestiia*, 23 July 2001, p. 8; and Andrei Riskin, "Pskovu vernuli ikonu Bozhiei materi," *Nezavisimaa gazeta*, 7 September 2001, p. 7.

Moscow, including many valuable early imprints from famous collections.<sup>14</sup> Since that revelation there have been only two library restitution transfers – both to the Netherlands in 1992 – one of Dutch books from the All-Russian State Library of Foreign Literature (VGBIL), and another of European socialist literature from the former library of the Institute of Marxism-Leninism (now the State Socio-Political Library, GPOB). A Russo-German Library Roundtable, sponsored by VGBIL was held in December 1992. A document released there gives the figure of eleven million trophy books brought to the USSR from Germany after the war, but that figure does not include those brought by other agencies or those that came intermixed with archival shipments. Initially at that meeting directors of many Russian libraries were not even prepared to admit that they held any trophy books at all, and only gradually has the truth about trophy collections been surfacing.<sup>15</sup>

Since the end of 1992, however, the initial optimism about accommodation and possible restitution waned, and there have been no further library transfers from Russia. The growing Russian nationalist reaction led to the Duma prohibition of all cultural restitution in the spring of 1994 until a new Russian law on the matter could be enacted. The Cold War battle lines were drawn as German librarians (as if in reply to the prohibition) published a volume of German translations of secret Soviet Trophy brigade reports and related documents (many of them now classified in Moscow), several of them documenting how many books (or crates) were taken from each of hundreds of German libraries and museums.<sup>16</sup>

<sup>14</sup> See Evgenii Kuz'min, "Taina tserkvi v Uzkorn," *Literaturnaiia gazeta* 38 (8 September 1990): 10. Kuz'min now heads the Library Division of the Ministry of Culture.

<sup>15</sup> See Grimsted, *Trophies of War and Empire*, especially chapter 7, especially pp. 257–70, with citations to relevant literature. See especially the article by Evgenii Kuz'min, "Neizvestnye stranitsy istorii nemetskikh bibliotechnykh kollektii v gody Vtoroi mirovoi voyny," in *Restitutitsia bibliotechnykh sobranii i sotrudnichestvo v Evrope: Rossiisko-germanskii "kruglyi stol," 11–12 dekabria 1992 g.* (Moscow, 1994; also published in German), and the article by Ingo Kolasa, "Sag mir wo die Bücher sind. . . . Ein Beitrag zu 'Beutekulturwerten' und 'Trophäenkommissionen'." *Zeitschrift für Bibliothekswesen und Bibliographie* 42(4) (1995): 357–60. The Kuz'min article and a few other selections from the 1992 Roundtable are available electronically, <http://www.libfl.ru/restitution>, together with extensive bibliography.

<sup>16</sup> Ingo Kolasa and Klaus-Dieter Lehmann, eds., *Die Trophäenkommissionen der Roten Armee: Eine Dokumentensammlung zur Verschleppung von Büchern aus deutschen Bibliotheken* (Frankfurt am Main: Vittorio Klostermann, 1996 [=Zeitschrift für Bibliothekswesen und Bibliographie, Sonderheft 64]). Although some of the



Despite the prohibition on restitution, some libraries have become more open about their "trophy" holdings, and several descriptions have appeared in print. The trophy Gutenberg Bible in the former Lenin Library (now the Russian State Library, RGB) came out of hiding in 1994, with an article by Adrian Rudomino, the man who helped engineer its transfer to Moscow, who was also featured in a Russian television film on the spoils of war.<sup>17</sup> Since then, the Leninka (as the library is still known in Moscow) has been publicizing more data about its extensive trophy holdings. A RGB librarian addressed broader issues of trophy books in a 2000 article directed to the library world honoring the "55th Anniversary of the Great Victory," ostensibly rejecting any idea of restitution of their trophies, which (as explained in a headline caption) "indeed like all of our holdings are part of our state heritage." Another headline insert explained that "in the treaties signed after the end of the Great Patriotic War, there was no provision obliging the victors to return trophies to the vanquished."<sup>18</sup> Of course, no peace treaty was ever signed between the Soviet Union and Germany, and even postwar border changes came by fiat rather than formalized international treaties.

In contrast, the Library of Foreign Literature (VGBIL), now named after Margarita Rudomino, has become one of the leaders of openness in Russia with respect to trophy holdings. VGBIL, led by its director, Evgeniia Genieva, has long stressed the benefits of "gestures of goodwill" in terms of restitution to libraries abroad. In addition to the catalogue of Dutch books returned to the Netherlands, VGBIL has issued several catalogues of its trophy holdings, including two volumes covering sixteenth-century imprints and a database compendium of foreign book markings.<sup>19</sup> The VGBIL website, produced by its

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original Soviet documents are partially declassified in GA RF, those among former Communist Party records in RGASPI and RGANI remain classified

<sup>17</sup> Adrian Rudomino, "Polveka v plenu," *Nashe nasledie* 32 (1994): 92–96 (also available electronically: <http://www.libfl.ru/restitution/rudomino/index.html>), and Oleg Borodin and Tat'iana Dolgodrova, "Kollektsiia Nemetskogo muzeia knigu i shrifla v sobranii Rossiiskoi gosudarstvennoi biblioteki," *ibid.*, 97–106. The transport of the Gutenberg Bible was among the examples featured in a two-hour 1995 Russian television film, "Po prava pobeditelei" (By the Right of the Victors).

<sup>18</sup> L. Koval', "i u knig svoia sud'ba – v Rossiiskoi gosudarstvennoi biblioteke," *Biblioteka*, 2000, no. 7, pp. 86–88.

<sup>19</sup> *Katalog der Drucke des XVI. Jahrhunderts aus den Beständen des VGBIL/Katalog nemetskoizdannykh izdanii XVI veka v fondakh VGBIL/Catalogus librorum sedecimi saeculi qui in Totius Rossiae reipublicae litterarum*

new Center for the Study of Displaced Cultural Treasures, provides a virtual bulletin board for Russian and related international developments. A catalogue appeared in 1997 of the trophy collection of rare imprints from the Calvinist college of Sárospatak in northwest Hungary, which surfaced in Nizhnii-Novgorod.<sup>20</sup> Books from that plundered Hungarian collection were displayed in VGBIL during their April 2001 international seminar on restitution issues, "Legislation and Gestures of Goodwill," while the collection itself remains one of the many restitution claims that seriously impede Hungarian-Russian cultural relations. Appropriately, the conference bore the title of the new Russian government restitution policy for the arts. However, there were no similar "gestures" to report in the library world, and German participants went home very discouraged about Russian government attitudes.<sup>21</sup>

An earlier VGBIL conference in April 2000 – the first international conference in Russia addressing such issues – heard many relevant reports on "Displaced Cultural Treasures in the New Millennium," but the treasures themselves remain displaced. Among the surprising revelations, 26 books from the Turgenev Library in Paris have been identified in Voronezh. The director of the State Public Historical Library (GPIB), Mikhail Afanas'ev, thereupon appealed that all books that had been seized by

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*externarum bibliotheca asserrantur*, comp. I. A. Korkmazova and A. L. Ponomarev, ed. N. V. Kotirelev (Moscow: "Rudomino," 1992; 2nd ed. 1996), and the more recent *Katalog izdani XVI veka v fondakh VGBIL Catalogus librorum sedecimi saeculi qui in totius Rossiae Reipublicae litterarum externarum bibliotheca asserrantur*, part 2: *Knigi na novykh evropeiskikh iazykakh (krome nemetskogo): Libri verba aliarum linguarum vernacularum continentes* (Moscow: "Rudomino," 2001). The database of book markings is available electronically, <http://www.libfl.ru/restitution>, and has also been issued in printed form (Moscow: "Rudomino," 2000).

<sup>20</sup> *Trofeynye knigi iz biblioteki Sárospatakskogo reformatskogo kolledzha (Vengriia) v fondakh Nizhegorodskoi gosudarstvennoi oblastnoi universal'noi nauchnoi biblioteki: Katalog Displaced Books from Sárospatak Calvinist College Library (Hungary) in the Collections of Nizhny Novgorod Regional Research Library: Catalogue*, comp. E. V. Zhuravleva, N. N. Zubrov, and E. A. Korkmazova (Moscow: "Rudomino," 1997).

<sup>21</sup> See the program and reports: <http://www.libfl.ru/restitution/conf01/index.html>, including my own brief contribution, "Gestures of Goodwill and the Unfinished Business of Post-World War II Restitution," available in English and Russian translation. The conference texts are published: "Zhesty dobroï voli i zakonodatel'stvo" / "Gesten des guten Willens und Gesetzgebung," ed. E. Iu. Genieva, Klaus Michaelitz, and Olaf Werner (Berlin: Verlag Arno Spitz; Moscow: Rudomino, 2001), including my article in Russian, "Zhesty dobroï voli i nezakonchennoe delo poslevoennoi restitutsii," pp. 126–31, and in German "Die Gesten des guten Willens und die unbeendete Sache der Nachkriegsrestitution," pp. 132–37. Regarding Russo-Hungarian restitution issues, see, for example, Ivan Dolgov, "Eshche odni pretendenty na restitutsiu: Vopros vozvrashcheniia kul'turnykh tsennostei peshet rossiisko-vengerskim otnosheniiam," *Nezavisimaia gazeta*, 14 February 2001, p. 6. Regarding the German attitudes, see for example, the negative report by Roland Eggleston, "Russia: Germany Sees Only Slow Progress in Regaining Art Treasures," in *RFE/RL Newswire*, 22 May 2001, at <http://www.rfer.org/nca/features2001/05/21052001122244.asp>, which parallels accounts in German papers and reports from colleagues who took part.



the Nazis from the Turgenev Library and then ended up in Russia should be returned to Paris, in tribute to the unique function of that library as an outpost of Russian culture in the French capital. A specialist from the Ministry of Culture later included Afanas'ev's suggestion in a published article.<sup>22</sup>

Subsequently the Ministry of Culture authorized transfer of 118 books with stamps of the Turgenev Library (identified in the former library of the Institute of Marxism-Leninism, now the State Socio-Political Library, GPOB). That collection had been a "gift" from the Polish Communist Party in the early 1980s, so it was exempt from the new Russian law. However, the export papers expired before the transfer could take place. Hence not even a single symbolic volume was delivered to Paris by the Russian delegation attending the Colloquium honoring the 125<sup>th</sup> Anniversary of the Library in January 2001. Instead, the Mayor of Moscow sent an official gift of 500 recently published Russian books. Significantly at the Colloquium, a representative of RGB (the former Lenin Library) revealed for the first time that 3,400 books with Turgenev Library stamps had been identified in her library (earlier such holdings were denied), but so far no word about possible restitution has been uttered. In November 2001, the 118 books from GPOB were transferred to the Russia Abroad Library Fund (Biblioteka-fond "Russkoe zarubezh'e"), where an exhibition will proceed their return to Paris.<sup>23</sup>

#### *Captured archives and restitution negotiations*

In February 1990 a Russian journalist's "Five Days in the Special Archive" (TsGOA SSSR, Central State Special Archive of the USSR) first publicly revealed the extensive captured Nazi records there, less than a year after she had reported the long-suppressed "death books" and other Auschwitz

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<sup>22</sup> See the program and reports: <http://www.libfl.ru/restitution/conf/index.html>.

<sup>23</sup> In July and August 2001, RGB colleagues reported to me the figure of 4,300 volumes and stressed that they are actively trying to identify their trophy holdings, which have been dispersed throughout many divisions of the library. Fragments of my new findings on the wartime odyssey and tragic postwar fate of the Turgenevka presented at the Colloquium were reported by Ivan Tolstoi, "Ot mifov k podlinnoi istorii," *Russkaia myst'* (Paris), 28–29 January 2001, p. 13. My summary article detailing the wartime and postwar fate of the library will appear with the Colloquium proceedings, and my more detailed study, "The Odyssey of the Turgenev Library from Paris, 1940–2001," with appended documents is planned as a separate publication.

(Oblivion) concentration camp records had finally been turned over to the Red Cross.<sup>24</sup> But it was another year and a half before the world knew that there were also captured state and private archives from countries all over Europe in Moscow, including long-lost French intelligence records.

In an October 1991 interview with me, a Russian journalist friend first revealed over seven linear kilometers of French records that had been hidden for half a century; a week later the director of the top-secret "Special Archive" confirmed and elaborated on the findings of the "well-known 'archival' spy Grimsted."<sup>25</sup> Euphemistically rebaptized the Center for the Preservation of Historico-Documentary Collections (TsKhIDK) in 1992, in March 1999 it was abolished as a separate repository and incorporated into the neighboring Russian State Military Archive (RGVA).<sup>26</sup>

Soon after the story of captured French records became front-page news in Paris, the director of the Archives Nationales queried his Russian counterpart: "How soon can we send transport to pick up our archives?"<sup>27</sup> The answer turned out to be ten years. Nevertheless, restitution of archives from Russia, and earlier from the Soviet Union, has fared much better than has been the case of art and library books. A bilateral agreement for archival restitution was signed between France and the Russian Federation in November 1992, but only about two-thirds of the archives of French provenance were returned to France

<sup>24</sup> Ella Maksimova, "Piat' dnei v Osobom arkhive," *Izvestia*, nos. 49–53 (18–22 February 1990), based on an interview with TsGOA director Anatolii Prokopenko. A notice by Maksimova, "Arkhivnyi detektiv," *Izvestia*, no. 177 (24 June 1989), was the first mention of the archive in print in connection with the transfer of microfilms of Auschwitz records to the Red Cross.

<sup>25</sup> Evgenii Kuz'min, "Vvezti 'unichtozhit' spriatat' . . . Sud'by trofeinykh arkhivov" (interview with P. K. Grimsted), *Literaturnaiia gazeta*, no. 39 (2 October 1991), p. 13; publication of that interview was delayed for almost a year and was permitted in print only after August 1991. See the follow-up interview with TsGOA director, Anatolii Prokopenko, in the article by Ella Maksimova, "Arkhivy Frantsuzskoi razvedki skryvali na Leningradskom shosse," *Izvestia*, no. 240 (9 October 1991).

<sup>26</sup> See more information about the merger and a brief overview of the history, holdings, and bibliography of published reference literature, in *Archives of Russia: A Directory and Bibliographic Directory of Holdings in Moscow and St. Petersburg*, English edition ed. Patricia Kennedy Grimsted, Introduction by Vladimir P. Kozlov, 2 vols. (Armonk, NY, London: M.E. Sharpe, 2000), vol. 1, pp. 225–30, with bibliographic updates on the ArcheoBiblioBase website, <http://www.iisg.nl/~abb>. Since the merger, fond numbers have remained the same for all of the former TsGOA/TsKhIDK holdings as now held in RGVA, except that the letter "K" now follows the fond number. Data from the parallel ABB Russian-language file is available at <http://rusarchives.ru/>.

<sup>27</sup> As recounted to me by the Russian archival leader who had been sent to Paris for ICA discussions. There were many newspaper accounts in Paris about the French archives, for example, Thierry Wolton, "L'histoire de France dormait à Moscou" (interview with Anatolii Prokopenko), *L'Express* (21 November 1991).

before the Duma embargo on restitution in May 1994.<sup>28</sup> The latest segment of the twice-plundered archives from France were turned over to French authorities in October 2000, but negotiations continue for the remaining French claims.<sup>29</sup> The official authorizing resolution of the Duma for the resumption of transfers in 1998 called it an "exchange" rather than restitution: indeed France paid approximately half a million dollars and turned over to Russia some original files of Russian provenance in exchange.<sup>30</sup> A few fonds of French provenance remain in the former Special Archive, now part of RGVA, but not all of the archival materials in other archives have even been identified, nor have any of the books and museum exhibits.

Liechtenstein (July 1997) and Great Britain (July 1998) are the only two other countries to have received their archives from Moscow since 1991. In both cases, an act of the Russian Duma was also required. Approximately half of the entire archives of the Grand Duchy (predominantly seventeenth- and eighteenth-century records) had been seized in Vienna by Soviet authorities in 1945. First placed in the Library of the Academy of Sciences (BAN) in 1945, but then transferred to TsGOA, the fond with estate records of the Grand Duchy was virtually forgotten until the early 1990s. Restitution to Liechtenstein was approved by the Duma (after initial refusal) only when there was a significant "exchange" of documentation relating to the 1918 assassination of the Russian imperial family, which the Prince of

<sup>28</sup> Regarding the materials returned to France earlier, see Claire Sibille, "Les Archives du ministère de la Guerre récupérées de Russie," *Gazette des Archives*, no. 176 (1997): 64–77, and Dominique Devaus, "Les Archives de la direction de la Sûreté rapatriées de Russie," *ibid.*, pp. 78–86. See also Sophie Coeuré, Frédéric Monier, and Gérard Naud, "Le retour de Russie des archives françaises. Le cas de fond de la Sûreté," *L'ingénieur*, no. 45 (January–March 1995): 133–39.

<sup>29</sup> The 2000 restitution was not publicized at the time in either Moscow or Paris. I first learned of the October transfer when it was announced that the reading room of the former Special Archive (now part of RGVA) was closed that day. An earlier transfer took place in February 2000. Colleagues in Rosarkhiv and at the Quai d'Orsay kindly briefed me on the transfers. Regarding the return of the Masonic archives, see Pierre Mollier, "Paris–Berlin–Moscou: Les archives retrouvées," *L'Histoire*, no. 256 (July–August 2001): 78–81, and Grimsted (interview by Pierre Mollier), "Les prises de guerre de l'Armée rouge: Témoignage de Patricia Kennedy Grimsted," *ibid.*, 84–85.

<sup>30</sup> Avoiding the term "restitution," it was then dubbed "an exchange for archival records of Russian provenance, located on the territory of the French Republic." – "Ob obmene arkhivnykh dokumentov Frantsuzskoi Respubliki, peremeshchennykh na territoriiu Rossiiskoi Federatsii v rezul'tate Vtoroi mirovoi voiny, na arkhivnye dokumenty rossiiskogo proiskhozhdeniia, nakhodiashchiesia na territorii Frantsuzskoi Respubliki": Postanovlenie Gosudarstvennoi Dumi Federal'nogo sobraniia RF ot 22 maia 1998 g., no. 2504–II GD, *Sobranie zakonodatel'stva Rossiiskoi Federatsii*, 1998, no. 24 (15 June), statute 2662.

Liechtenstein agreed to purchase from Sotheby's. A Vaduz newspaper at the time of the transfer appropriately complained that the Grand Duchy had been forced "to repurchase its archival heritage."<sup>31</sup>

Many millions of files "saved by the Soviet Army" had been restituted to Eastern-bloc countries before 1991, always positively portrayed as examples of the Soviet role of "helping other countries reunify their national archival heritage."<sup>32</sup> But that internationalist policy was abandoned after the collapse of the Soviet Union. Initial archival restitution agreements signed in 1992 with the Netherlands, Belgium, Poland, Hungary, and Germany have still not resulted in actual transfers, and so those archives still remain prisoners of war.<sup>33</sup> Rosarkhiv Deputy Chairman Vladimir Tarasov has spoken out at several conferences regarding post-1991 Russian archival restitution developments, with examples of the transfers to France and Liechtenstein, although he avoids the term "restitution."<sup>34</sup> His remarks reflect the Rosarkhiv point of view that most important for Russia in the return of other nations' archives seized by Soviet authorities after World War II is the receipt in "exchange" of important components of archival Rossica, i.e. lost fragments of the Russian archival legacy dispersed abroad.<sup>35</sup> He accompanied then Rosarkhiv Deputy

<sup>31</sup> Details are provided in Grimsted, *Trophies of War and Empire*, chapter 10, and my earlier article, "'Trophy' Archives and Non-Restitution."

<sup>32</sup> See, for example, E. G. Baskakov and O. V. Shavblovskii, "Vozvrashchenie arkhivnykh materialov, spasennykh Sovetskoi Armiei," *Istoricheskii arkhiv*, 1958, no. 3, pp. 175–79; S. L. Tikhvinskii, "Pomoshch' Sovetskogo Soiuzu drugim gosudarstvam v vossozdanii natsional'nogo arkhivnogo dostoiianiia," *Sovetskie arkhivy*, 1979, no. 2, pp. 11–16.

<sup>33</sup> Regarding captured German records in Moscow and related restitution problems, see Kai von Jena, "Die Rückführung deutscher Akten aus Russland – eine unerledigte Aufgabe," in *Archiv und Geschichte: Festschrift für Friedrich P. Kahlenberg*, ed. by Klaus Oldenhage, Hermann Schreyer, and Wolfram Werner (Düsseldorf: Droste Verlag, 2000), pp. 391–420. An estimated two million files were restituted to the German Democratic Republic (GDR) before 1991, but none since.

<sup>34</sup> Vladimir Tarasov's remarks have been reprinted in several variants. For example, his 1998 contribution, "The Return of Archival Documents, Moved to the USSR as a Result of World War II," *Spoils of War: International Newsletter*, no. 6, pp. 53–57 (also available in Russian), was reprinted (unfortunately without updating) in *Arkhivy Ukrainy*, 2001, no. 3, pp. 75–77. All versions are available electronically: English, <http://lostart.de> and Russian, <http://www.libfl.ru/restitution>. See also Tarasov's more recent contribution to the 2000 VGBIL conference, "Problems of Looted Archives"/"Problemy peremeshchennykh arkhivov," <http://www.libfl.ru/restitution/conf/>.

<sup>35</sup> See the Russian version of my report on the Russian retrieval of archival Rossica "Tsel' vyavleniia zarubezhnoi arkhivnoi Rossiki: politika ili kul'tura?" in *Zarubezhnaia arkhivnaia Rossika: Itogi i perspektivy vyavleniia i vozvrashcheniia. Materialy Mezhdunarodnoi nauchno-prakticheskoi konferentsii, 16–17 noiabria 2000 g.*, Moskva, ed. Vladimir P. Kozlov (Moscow, 2001; Rosarkhiv, Rossiiskoe obshchestvo istorikov-arkhivistov); an English version of my paper is in preparation.

Chief Vladimir Kozlov to the 1994 CITRA meeting in Thessalonica, where Russia was one of only three countries to abstain from the concluding resolution declaring that archives should not be used as trophies or objects of exchange.

## **The new Russian legal framework for restitution**

### *Recent legal developments*

It has taken ten years since the revelations about displaced cultural treasures for the Russian Federation to develop a legal basis and procedures for processing restitution claims, but still most of the trophy cultural property and archives held in Russia have not been openly described. The Duma prohibition on further restitution of cultural treasures brought to Russia as a result of World War II was predicated on the need for a new law dealing with the matter. After three years of bitter debate, in May 1997 the Russian parliament almost unanimously passed the law that potentially nationalizes all cultural treasures brought to Russia at the end of World War II – passed a second time over President Yeltsin's veto. After Yeltsin was forced to sign the law in April 1998, the Constitutional Court upheld the text in a July 1999 ruling, but pointed out a number of legal irregularities.<sup>36</sup> President Putin signed a law providing a number of amendments in May 2000. In what could be termed a new version, the law now reinforces the prohibition of restitution of cultural property to Germany and the Axis powers, but provides for the potential restitution under specified conditions to countries that fought against the Nazi regime and from

<sup>36</sup>

See Grimsted, *Trophies of War and Empire*, especially chapter 11. The full text of the law appears as "O kul'turnykh tsennostiakh, peremeshchennykh v Soiuz SSR v resul'tate Vtoroi mirovoi voyny i nakhodiashchikhsia na territorii Rossiiskoi Federatsii" (signed 15 April 1998–64-FZ), in *Sobranie zakonodatel'stva RF*, no. 16 (20 April 1998), statute 1879. An English translation (along with the original Russian text) is available electronically, <http://docproj.loyola.edu>. The Constitutional Court decision is printed in *Sobranie zakonodatel'stva RF*, no. 30 (26 August 1999), statute 3989, pp. 6988–7007. The Russian texts of both the law and the Court decision appear electronically, <http://www.libfl.ru/restitution/law/index.html>. See the statements by the then Minister of Culture, Vladimir Egorov and several museum leaders in "Nachinaem restituirovat'. No Germanii ne dadim nichego," *Kommersant*, no. 127 (21 July 1999), p. 10, and "Spravedlivoe reshenie v nespravedlivykh obstoiatel'stvakh," *Kul'tura*, no. 27 (29 July–4 August 1999), p. 1.



those victimized by the Nazis.<sup>37</sup> Specified conditions for restitution include provisions for high financial charges by the Russian side, including storage, appraisal, and processing fees.

A Regulation (*postanovlenie*) of the Government of the Russian Federation (2 December 2000, no. 913) puts the Ministry of Culture in charge of processing restitution. Subsequently, another Government Regulation (11 March 2001, no. 174) established and named the members of a new Interagency Council on Restitution, with offices under the Ministry of Culture, in charge of management of cultural trophies and processing potential claims. Minister of Culture Mikhail E. Shvydkoi chairs the Council, and Chief Archivist of Russia and Chairman of Rosarkhiv Vladimir P. Kozlov serves as Deputy Chair. The Council includes the directors of major museums and also Nikolai N. Gubenko, who shepherded the nationalization law through the Duma, where he now chairs the Committee on Culture.<sup>38</sup>

Each act of restitution must now be approved by the new Interagency Council. Once it is approved by the Council and an appropriate agreement with the holding repository (usually RGVA for archives) or Rosarkhiv is in place, a government regulation is still required for export.

#### *The new law in action*

So far three cases of restitution of archives have been approved by the Council, but by early December 2001, only the first has actually been realized. The return of the Rothschild family papers confiscated by the Nazis from Vienna was approved in May after almost four years of negotiations. But that restitution is in fact a remarkable "exchange" for a collection of over 3,000 love letters of Russian Emperor Alexander II to his morganatic wife, Princess Catherine Dolgorukii, purchased from Christie's in 1999 by the Rothschild family for the prospective "barter" (the asking price was \$250,000). The family

<sup>37</sup> The text of the amendments, "O vnesenii izmenenii i dopolnenii v Federal'nyi zakon 'O kul'turnykh tsennostiakh, peremeshchennykh v Soiuz SSR v resul'tate Vtoroi mirovoi voyny i nakhodiashchikhsia na territorii Rossiiskoi Federatsii'" (25 May 2000—No. 70-FZ) appears in *Rossiiskaia gazeta*, no. 155 (27 May 2000), pp. 4–5; *Sobranie zakonodatel'stva RF*, statute 2259, and electronically, <http://www.libfl.ru/restitution/law3/>.

<sup>38</sup> "O vnesenii izmenenii i dopolnenii v Polozhenie o Ministerstve kul'tury Rossiiskoi Federatsii" (2 December 2000 – no. 913), and "O merakh po realizatsii Federal'nogo zakona 'O kul'turnykh tsennostiakh, peremeshchennykh v Soiuz SSR v resul'tate Vtoroi mirovoi voyny i nakhodiashchikhsia na territorii Rossiiskoi Federatsii'" (11 March 2001, no. 174). An electronic version now appears at the VGBIL website, <http://www.libfl.ru/restitution/law/index.html>.

papers from Austria in Moscow were turned over to the director of the Rothschild Archive at the end of November 2001, and he personally conveyed them to London, where they join other parts of the family business archive.<sup>19</sup> The much larger group of records of the French branch of the family, which were confiscated by the Nazis and likewise captured by Soviet authorities in Silesia, were recently returned to France and have now also been deposited in the Rothschild Archive in London. The latest Rothschild restitution is of tremendous importance, because it could open the road for the return of many more groups of twice plundered Jewish and Masonic records initially confiscated by the Nazis from "enemies of the regime" in Austria and other Axis countries. However, Rosarkhiv officials say they are not prepared for that eventuality, emphasizing that the Rothschild "exchange" was a special private arrangement and should not be seen as a precedent for the restitution of other archival materials from Germany, Austria, or other countries that were allied with the Nazis during the war, many of which remain in the former Special Archive.

A second case involves the Netherlands, following up on an abortive 1992 agreement for the return of Dutch archives. During Queen Beatrix's visit to Moscow in early June 2001, she and Russian President Vladimir Putin issued a joint declaration announcing that 31 archival fonds of Dutch provenance were to be restituted to the Netherlands by the end of 2001, although not even a symbolic file was

<sup>19</sup> I am grateful to Victor Gray, director of the Rothschild Archive in London, for sharing with me the news of this transfer. Rosarkhiv colleagues informed me about the negotiations last summer in Moscow, and Richard Davies kindly shared with me a series of articles on the "exchange" by Geraldine Norman that appeared in *The Telegraph* (19 May 2001) Internet version, "Rothschilds in deal over Tsar's love letters to mistress"; "How banks dynasty recovered its heritage"; and "3,000 letters that spell out a tsar's love." Russian accounts include Tat'iana Andriasova, "Liubovnye pis'ma v obmen na finansovyi otchet. Sem'ia Rotshil'dov darit Rossii arkhiv Aleksandra II i ego morganaticheskoi zheny Ekateriny Dolgorukoi," *Moskovskie novosti*, 2001, no. 38 (18–24 September), p. 25; and Dmitrii Vladimirov and Dmitrii Starostin, "Arkhibazhnyi arkhiv: Rotshil'dy prosiat vernut' im otobrannoe imushchestvo," *Izvestiia*, 12 May 2001, p. 2. The actual price at the private sale through Christie's has not been disclosed.

See Frank Trentmann, "New Sources on an Old Family: the Rothschild Papers at the Special Archive, Moscow – and a Letter from Metternich," *Financial History Review* 2:1 (April 1995): 73–79. Those papers constituted RGVA fond 637K (2 opis; 419 file units; 1769–1939). See also the description in Gerhard Jagschitz and Stefan Karner, "Beuteakten aus Österreich": *Der Österreichbestand im russischen "Sonderarchiv" Moskau* (Graz, Vienna: Selbstverlag des Ludwig Boltzmann-Instituts für Kriegsfolgen-Forschung, 1996; = *Veröffentlichungen des Ludwig Boltzmann-Instituts für Kriegsfolgen-Forschung*, vol. 2), pp. 128–30.



transferred at the time.<sup>40</sup> Negotiations continued as to how much the Dutch government should pay Rosarkhiv, including payment for microfilming, although many of the materials involved have already been filmed at Dutch expense. The Dutch government found itself in a difficult position, because almost all of the non-governmental Dutch institutions involved held strongly to the position that they should not have to pay to retrieve their legitimate archival heritage. (Ironically, many of the archives had been seized by the Nazis during 1940 and early 1941, while the USSR was still allied with the Nazi regime.) The transfers were further delayed because the former Special Archive had inadequate descriptions of the Dutch records, but during September and October of 2001, Dutch specialists assisted the descriptive process in RGVA. The formal transfer of the initial 22 fonds took place in Moscow on 6 December, and a further ceremony is planned for the end of January in the Netherlands, when it is to be hoped that all of the twice-plundered records will finally be home.

Third, the Interagency Council approved the restitution of Belgian archives from RGVA at the end of August 2001, bringing to a climax negotiations that have dragged on for almost ten years. Then in November, word came through that the Ministry of Culture had issued a decree in preparation of higher Russian Government approval for the return of a specified 40 fonds of Belgium provenance. However, again, the terms of payment to Rosarkhiv (and RGVA) were the subject of exceedingly difficult negotiations, and the Belgian government was obliged to pay fifty-year "storage charges" for materials they did not even know (until recently) had been preserved and "microfilming charges" for materials many of which had already been microfilmed at Belgian expense six years ago. Besides, Rosarkhiv was pressing for barter of archival materials of alleged Russian provenance in Belgium, despite the fact they remain in private hands. Finally in early December 2001, a compromise was agreed. After yet another Russian government decree, it is to be hoped that the Belgian archives will soon be on their way home.

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According to the formal agreement (6 June 2001), 22 fonds of Dutch provenance were to be restituted immediately and the additional nine fonds claimed by the Netherlands were to be transferred by the end of 2001. I am grateful to Eric Ketelaar, who heads the Dutch archival expert commission, for acquainting me with the text of the agreement, and for discussions on the subject with RGVA archivists. See Ketelaar's recently published report, "Nederlandse archieven in Moskou: Winterslaap ten einde," *Archievenblad* 105/6 (August 2001): 36-39.

The return of related books and printed materials identified by Belgian specialists in the former Special Archive has yet to pass further professional scrutiny, and Rosarkhiv claims inadequate proof of ownership (especially for those lacking stamps) has been put forward by the Belgian side. Belgian specialists have not yet been permitted to examine or file a formal claim for files of alleged Belgian provenance in two other Moscow archives.<sup>41</sup>

Negotiations continue with Greece, but that case has not reached the Interagency Council. Greek specialists might have hoped that Putin's visit to Greece in early December 2001 would bring a breakthrough, but the displaced Greek archives in Moscow were not on the presidential agenda.<sup>42</sup> Croatia is still working on a formal claim for a few groups of Jewish records recently identified, and specialists from several other countries, including Norway and Hungary, have been trying to identify displaced files in Moscow. Polish specialists working with Russian colleagues have prepared a new guide to fonds of Polish provenance, but diplomatic arrangements for their return appear to stagnate despite a Russo-Polish agreement providing for restitution in 1992. Restitution to Poland is technically not covered by the new Russian law, because most of the Polish records in Moscow were seized before World War II or were produced during the prerevolutionary period when a large part of Polish lands were part of the Russian Empire. Polish archival authorities are currently concentrating on mutual restitution negotiations with Ukraine.

Thus, experience of the last five years since Russia signed the Council of Europe "intents" shows little hope for "rapid" return of archives to the countries of their provenance, although there is some progress. Negotiations are long and often exasperating; costs to the receiving country (as prescribed within the new Russian law) run high; and usually Rosarkhiv tries to exact some archival Rossica in return. Rosarkhiv reportedly now intends to move more carefully in restitution matters, since it was discovered

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<sup>41</sup> I am grateful to colleagues from the Amsab Institute of Social History in Ghent for keeping me informed of archival restitution developments for Belgium, for which they have been serving as experts. Michel Vermote (Amsab) presented a report on the negotiations at an IISH seminar with me in Amsterdam in late September 2001, the papers from which will soon be available electronically at the IISH website, <http://www.iisg.nl>

<sup>42</sup> I appreciate the kindness of specialists in the Greek Ministry of Foreign Affairs who have been keeping me informed about archival restitution negotiations.

that some files of Belgian and German origin were mistakenly returned to France. At the same time, foreign negotiators are struck by increasing complications, decreasing "goodwill," and the extent to which Rosarkhiv appears to "barter" their foreign "trophy" archives as a means of compensating for budget shortfalls and trying to regain alienated archival Rossica abroad.

### **Inventorization of cultural "trophies"**

Another important new development occurred at the end of March 2001. The Ministry of Culture issued a decree (*prikaz*) ordering all cultural institutions to undertake a full accounting of their trophy holdings (including archives). Minimal descriptive components were outlined for museum exhibits and books, while Rosarkhiv was to provide instructions for archival materials (manuscript books and archival documents). The Ministry is suggesting the need for identification on the level of individual books and documentary units, but librarians and archivists point out that that would take years.

As of September 2001, Rosarkhiv reports that the descriptive level is still under negotiation, and it is not clear which federal archives will be included. VGBIL has already prepared an item-level catalogue of the collection of rare books from the Sarospatak Calvinist College, but now inexplicably the Ministry is negotiating a new contract for their description by the holding library in Nizhnii Novgorod. Plans call for inventorization to be completed during 2001–2002 and the database to be formulated by the fall of 2002, but as things appear in Moscow in fall 2001, those dates are as unrealistic as the identification of all displaced treasures. According to the order, the displaced treasures are not to be displayed during the inventorization period without permission of the Ministry, and special permission is also required (at least in the case of museums and libraries under the Ministry) for the participation of foreigners in their identification.<sup>43</sup>

The Ministry of Culture calls for a special catalogue to be prepared from the database to be printed and circulated on the Internet. Once the special catalogue is published, "foreign countries or

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<sup>43</sup> *Prikaz* of the Ministry of Culture, no. 305 (30 March 2001), "Ob inventarizatsii peremeshchennykh kul'turnykh tsennostei."

individual citizens will have 18 months to file claims in accordance with the Federal Law on Displaced Cultural Treasures.” Those not claimed will become federal property to be registered accordingly. The inventorization project covers:

those cultural treasures (currently held in state repositories) that were displaced in implementation of compensatory restitution from the territories of Germany and her former military allies – Bulgaria, Hungary, Italy, Romania, and Finland – to the USSR, under the authority of orders from military commanders of the Soviet Army, the Soviet Military Administration in Germany, or directives of other competent agencies of the USSR, or in accordance with decisions of the Committee on the Cultural and Educational Institutions under the Council of People's Commissars of the USSR [RSFSR].

But what about the many freight wagon loads of books and archives (and musicalia as we will see below) – among them many “twice-plundered” – that were directed to Moscow from Silesia? (That area was part of Germany until the end of the war, but with redrawn postwar borders became part of Poland.) Most non-German archival materials now in RGVA were seized by Soviet authorities from Nazi hideaways in Silesia and the Sudetenland, having been evacuated from the Berlin area after Western Allied bombing intensified in 1943. If cultural property (including “German”) from those areas is not inventoried, there is no way of knowing which items might have come from Holocaust victims in Western Europe, as well as those in Germany or other Axis countries. Cultural treasures that were “displaced to the Soviet Union as gifts or purchase, or even personal trophies of individual service men or citizens” are not to be included in the database; these, as is explained, are to be regulated under the Civil Codex of the Russian Federation and the federal law “On the Import and Export of Cultural Treasures.”<sup>44</sup>

It is not clear to what extent repositories will (or even will be obliged to) describe all cultural valuables that are already registered as state property. Many books and archival materials seized by Soviet authorities after the war – some with clearly displayed stamps or other markings of ownership – were in fact integrated into the main holdings of state libraries and archives. Claims in such cases are nonetheless anticipated by the Ministry of Culture – as the instructions explain, “in case of the approved confirmation

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<sup>44</sup> See the explanatory instructions (20 June 2001), “Ob inventarizatsii peremeshchennykh kul’turnykh tsennostei,” issued over the signature of Deputy Minister of Culture Pavel Vadimovich Khoroshilov.

of concrete pretensions on the part of a foreign state or citizen proprietor, they will be excluded from their now-assigned status in the state fond as having been incorrectly registered.”<sup>45</sup>

According to the Ministry, Russian repositories are being encouraged to report provenance and migratory data (if known), and not only the source of acquisition. But such information would require years of technical “provenance” research, and the data needed are not always readily available, especially in Russia. As trophy shipments were often so jumbled as to proprietary source and their contents so widely dispersed after arrival in the USSR, it will often be exceedingly difficult to determine their prewar origin and proprietor. Given the immensity of the descriptive task, it is unlikely today’s librarians, museum specialists, and archivists will have the long hours needed in archives outside their own repositories or for consultation with colleagues abroad. Besides, many documentary sources regarding the seizure and disposition of cultural treasures and even their previous descriptions are still classified, and there is no evidence of increased declassification efforts in this respect. A Russo-German joint project has started to describe the records of the Soviet Military Administration in Germany (SVAG), but records of the Property Division (involved in many trophy and restitution transfers) remain closed (along with related documents originating with SVAG in other record groups). Likewise the reports to Communist Party authorities about trophy musicalia, already published in German translation, are still classified in two different former Communist Party archives in Moscow.

## **World War II captured records in Russia: then and now**

### *Trophy archives: quantity*

Archives constitute a very small, but nonetheless very important, percentage of the overall Soviet WWII cultural plunder. Only in the past decade has it been possible to piece together the extensive Soviet archival retrieval and plunder operations, but still there are no reliable data about how many trophy files

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<sup>45</sup> Ibid.

from how many different groups of institutional records or personal papers were transferred to the USSR.<sup>46</sup>

Estimating the quantity of archives is still virtually impossible. Various shipments were measured alternately in freight cars, crates, or tons; we do not know how tightly the freight cars were packed, and in many instances they had to be reloaded at the Soviet frontier. The size of crates varied tremendously; many of them included printed books and art, in one case, nine freight cars of steel shelving, and another, a printing press. One top-secret report of the Main Archival Administration under the NKVD (Glavarkhiv) for 1945, for example, notes 55 wagon-loads of German and Romanian materials and 44 wagon-loads of other foreign materials (predominantly French and Polish) brought to Moscow during the year, but those figures diverge from or do not include those reported elsewhere.<sup>47</sup>

Scattered trophy archival receipts from Germany continued through the end of the 1940s, as specialists working with the Soviet Military Administration in Germany and Austria combed archives in their zones of occupation for appropriate materials to send to Moscow. Transfers ranged from German aeronautic patent files to documentation on the German labor movement and emigré socialists, from seventeenth-century charters to reports on Russian military operations during the Napoleonic wars. Unfortunately, many of the available precise descriptions of those transfers and their Soviet destinations are still classified.<sup>48</sup> And displaced archival fragments of the European cultural heritage were scattered so widely in the former USSR that it is unlikely they will all ever be found and identified.

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<sup>46</sup> See my earlier article, "Displaced Archives and Restitution Problems."

<sup>47</sup> "Spravka o resul'tatakh raboty GAU NKVD SSSR po vozvrashcheniiu v Sov. Soiuz dokumental'nykh materialov GAF SSSR i o vyvoze v SSSR arkhivov inostrannogo proiskhozhdeniia," signed by Golubtsov and Kuz'min (15 August 1945), GA RF, 5325/10/2148, fols. 1-4, and the accompanying top secret memorandum signed by Golubtsov, "Svedeniia o dokumental'nykh materialakh inostrannogo proiskhozhdeniia vyvezennykh v Sovetskii Soiuz v 1945 godu," fol. 5, with indication of the archives in Moscow to which they were directed.

<sup>48</sup> Many reports of materials forwarded by SVAG to the Archival Administration in Moscow, sometimes with accompanying inventories, are found, for example, in GA RF, 5325/2/2579 and 2580, among others. In most cases memoranda indicate the archives or other repositories to which the archival and library materials were directed. These two files were briefly available, but are now classified. Presumably the following two files similarly described (nos. 2581-2582) contain additional reports.



### *Categories of captured records*

Soviet captured records can, for the purpose of analysis, be classified provisionally into eight principal categories (sometimes with overlap):

- (1) official records of the Nazi regime itself, with three subcategories: (a) central state agencies; (b) local occupation authorities; and (c) technical and scientific documentation, including factory records transferred with factories or equipment from German research institutions;
- (2) records, manuscript collections, and personal papers of German Jewish, Masonic, and other private institutions and individuals earlier confiscated by Nazi agencies; some of these were returned to East Germany during the Soviet regime;
- (3) "trophy" pre-Nazi German archival materials of predominantly historical interest; many of these also were returned to East Germany: (a) records of official state agencies; and (b) manuscript collections, such as musicalia and other cultural archives;
- (4) displaced official state (including police and military) records of other European nations, most of which had previously been seized by Nazi agencies;
- (5) records, manuscript collections, and personal papers of non-German Jewish, Masonic, and other private or community institutions and individuals, almost all of which had been previously seized by Nazi agencies from "enemies of the regime" in occupied territories;
- (6) records, manuscript collections, and personal papers from Eastern European states and private organizations, with two subcategories: (a) other Axis nations, such as Romania, Hungary, and Austria, that had been allied with the Nazi regime; some records from these countries were considered vital because of their historical links with areas newly annexed to the Soviet Union, such as Galicia, Bukovyna, Transcarpathia, and Moldova; and (b) Polish records, because of their relevance to the newly annexed western Ukraine, Belarus, and Lithuania, many of which had been seized already in 1939-1940;



- (7) files relating to the international socialist-revolutionary, and especially Communist, movement.

Many of these had been previously seized by Nazi authorities; others were removed from state archives in East Germany and Austria during Soviet occupation; and

- (8) records, manuscript collections, and personal papers of Russian and Ukrainian émigré groups and organizations, or other files directly related to Russian or Soviet issues, some of which had also been seized by Nazi agencies. Within this category of materials, often termed “archival Rossica,” are three subcategories: (a) those seized by Soviet authorities from Germany and Eastern Europe; (b) those previously seized by Nazi agencies; and (c) the special category of “gift,” such as the materials from the Russian Foreign Historical Archive in Prague (RZIA).

All of the above categories of archival materials were seized by Soviet authorities during or in the aftermath of World War II, and hence could be considered “captured records.” But Russian archivists today would not consider all of them “trophy,” and especially not the last three categories. Thus terminology and definition also are important.

#### *Captured records for “operational” use*

Unlike art and library books, but very similarly to Nazi archival plunder, most of the Soviet archival seizures were hardly carried out as compensation restitution. Instructions for the seizure of archives were prepared by the NKVD already in February 1945. Beria recommended to Molotov a special mission “to search thoroughly through all German archives and libraries to effect means of preservation and bring to the Soviet Union materials, including printed editions, that have scientific-historical and operational significance for our country.”<sup>49</sup>

Captured records brought to Moscow under Beria’s orders were principally for operational analysis: to identify war criminals, Soviet citizens who had collaborated with the Nazi regime, and individuals or émigré groups that might be potential “anti-Soviet,” “bourgeois nationalist,”

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<sup>49</sup> Kruglov to Beria (5 April 1945), GA RF, 5325/10/2025, fol. 4; a copy of the same list was addressed from Beria to Molotov (6 April 1945), fol. 5. See also the unregistered draft with a variant ending, fol. 3.

"counterrevolutionary elements," or foreign enemies of the Soviet state, among others. Archival seizures were also made by military intelligence, counterintelligence (SMERSH), and other authorities, but the security services usually had first choice of the spoils. Today, however, these are also included in the "compensatory reparations" category and subject to restitution (or not) under the terms of the new law.

There were, nonetheless, some compensatory "trophies," or archival materials of "scientific-historical" significance to be "preserved" among the vast captured records transported to Moscow. The Red Army "trophy" brigades that set off to Germany did bring back many manuscript books and rare incunabula from famous German collections, Oriental manuscripts, films, folklore recordings, the medieval Hanseatic archives from Bremen, Hamburg, and Lübeck, to say nothing of all the documents relating to Marx and the international Socialist movement that they could lay their hands on.<sup>30</sup> The "trophy" archival materials of those categories went to historical or literary archives, libraries, and museums for appropriate "preservation." Many of them, however, as "trophies" of foreign provenance went to special secret sections. They were never fully described and registered as part of the collections of the holding repository, and rarely open for public research. Those of foreign provenance needed for operational analysis (except the last two categories), if they stayed with Glavarkhiv and were not siphoned off by the security services themselves, went to the Special Archive.

#### *The special archive for Soviet captured records*

That formerly top-secret facility (officially TsGOA SSSR) was founded in March 1946 especially to house Soviet captured foreign records. It was initially organized with four divisions, according to language of the major groups of records involved – French, German, Polish, and Romanian. Subsequently

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<sup>30</sup> Lists of German archival materials selected among the cultural treasures found in one series of mines in Saxony are included with the report by Golubtsov to I. A. Serov, "Dokladnaia zapiska o rezul'tatakh obsledovaniia dokumental'nykh materialov germanskikh arkhivov, evakuirovannykh i ukrytykh v shakhtakh Saksonii" (Berlin, 24 October 1945), GA RF, 5325/2/1353, fol. 216; an additional signed copy is found in 5325/10/2030, fols. 14–35. See also the report included with G. Aleksandrov, N. Zhukov, and A. Poryvaev to TsK VKP(b) Secretary G. M. Malenkov, RGASPI, 17/125/308, fols. 41–46.

the Romanian division became inactive, when many of its intended holdings were dispersed to other Soviet repositories. The fifteen remaining fonds of Romanian provenance are listed in print.<sup>51</sup>

Researchers complain today about the lack of finding aids, and specialists preparing claims are frustrated by the frequent lack of appropriate archival processing. Such complaints were already anticipated in a top-secret discussion of the establishment of the Special Archive in August 1945, where the recommendations of one NKVD captain became the norm:

Use [of that archive], in my opinion, should have an exclusively specific, limited character, namely utilization only for *operational aims* of the NKVD, VD, MO [Defense], and ID [Foreign Affairs]. No scholarly research whatsoever can be carried out on the basis of that archive, and to be sure, no access whatsoever can be permitted for representatives of any scholarly institutions. . . . There is no need for compiling full inventories (*opisi*), nor is there need for arranging the files [according to archival principles]. The only immediate need is to use the documents there for operational purposes.<sup>52</sup>

That attitude and the priorities it laid out well explain why many of the materials were never better processed, why many were never accurately identified in terms of provenance, and why so many of their *opisi* are so inadequate. Soviet archivists accessioning those records had no time for determining provenance or recording whence they came. Indeed, it was safer not to know, and especially not to ask questions about the foreign acquisitions. Many of the materials that arrived as jumbled collections from a single source were broken down into multiple fonds that completely obscure their provenance. Many materials not needed for "operational utilization" were never properly arranged in *fonds*, as distinct groups of records are known in Russian, and their description was never completed.

Hence many vast collections remain with files of miscellaneous provenance (for example from Jewish and Masonic organizations), sometimes provisionally grouped according to country of provenance, although such attributions are not always correct. For example, a 1964 preface to a survey (*obzor*) for one fond that contains files from three Dutch Jewish organizations (along with a few stray files from

<sup>51</sup> Most of the Romanian holdings went to Odessa, Chernivtsy, and the Moldavian SSR in Kishinev, or to the Ministry of Foreign Affairs and security agencies in Moscow. Many were later returned to Romania. Full information about their extent and location is still not available. See the most revealing study by Gheorghe Buzatu, *Românii în arhivele Kremlinului* (Bucharest: Univers Enciclopedic, 1996; = "Colecția Români în istoria universală," vol. 31). Buzatu lists the Romanian fonds (pp. 174–76), in some case with file descriptions.

<sup>52</sup> "Protokol soveshchaniia" (21 August 1945), GA RF, 5325/2/3623, fols. 2–3, fol. 8.

Thessalonica) states: "Since the documentary material does not have scientific or practical value, further processing work on the fond was not undertaken."<sup>53</sup> Many original foreign-language names of creating institutions were never carefully verified. Some "unneeded" records were destroyed in waste-paper campaigns. Other integral groups of records were fragmented and distributed among many different archives or other agencies.

Printed books that arrived with the archives went to various libraries, but many of the transfers are virtually impossible to document. Over 60,000 inadequately processed volumes are still held by the successor RGVA, where Belgian specialists recently identified 1,200 with book stamps or other markings of Belgian provenance. 340 Torah scrolls and 240 crates of Masonic portraits and regalia were transferred to the State Historical Museum from the Special Archive in 1946, but as yet their fate has not been determined.

#### *Holdings from TsGOA today (now part of RGVA)*

Trophy holdings from the former TsGOA itself have been open to specialists since 1992, although the reading room was closed for two months in the summer of 2001. As of fall 2001, holdings from the former Special Archive still total slightly over 600 fonds (captured records groups or collections) from all over Europe. Following the most recent transfers to France, that figure is down from the approximately 850 fonds reported in 1997.

No comprehensive list of fonds is available even today. Archivists there have been working intermittently on a systematic guide, but the archive has had no funds to pay the specialists with the foreign-language skills needed. A dubious contract with an outside enterprise hoping to profit from the

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<sup>53</sup> RGVA, fond 1432K, *obzor*; in the case of that fond no *opis'* is available today, which is one of the explanations for the delay in the restitution of the Dutch files therein that have been claimed by the Netherlands. Eric Ketelaar alerted me to this problem, and I subsequently examined the *obzor* in RGVA.

sale of copies of documents proved an inadequate substitute. Rosarkhiv had to order the removal of their unprofessional Internet listings in 1998.<sup>54</sup>

Simultaneously, the archive itself prepared a provisional list of fonds, which was readied for publication with German sponsorship already in 1998, but as of fall 2001, publication is still being delayed.<sup>55</sup> The list identifies most of the fonds with foreign holdings, including those previously returned to their countries of provenance, and hence, even in preliminary form, should be essential for potential researchers. The Rosarkhiv list includes much less data than is available in other sources for many fonds. Rosarkhiv is apparently hesitant to publish the list because of its many inaccuracies, and now that restitution to the Netherlands is already approved and Belgian restitution is following soon, further reediting will be required. Researchers and potential claimants will still need a more detailed guide with annotations of fonds and indication as to where the materials were found or when (or whence) they were acquired.

The fact that the Special Archive was never developed as a research institution is the basis of its problems. Many of its reference facilities were developed for operational rather than research use, and that legacy persists, which may explain why many of the auxiliary reference reports about the holdings, including vital data about acquisitions and transfers to other repositories, are still not available to researchers. Since opening to the public, the archive has been severely under-staffed, has recently been without heating on occasion, and archivists have been busy processing materials already designated for restitution and prisoner-of-war inquiries. That may explain why the archive of the former TsGOA itself is still not processed, and hence cannot be declassified. But understanding why such sources are closed does not quell the clamor for more openness coming from researchers and potential claimants.

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<sup>54</sup> The earlier website, sponsored by the Klassika/Classica Foundation, had many misleading elements and was finally closed down at the end of 1998 under pressure from Rosarkhiv. Classica had been peddling copies for upwards of \$10 per page, in comparison the \$1 per page offered to researchers by the archive itself.

<sup>55</sup> Provisional title: *Kratkii spravochnik po dokumentam inostrannogo proiskhozhdeniia, fondam Glavnogo upravleniia po delam voennoplennym i internirovannykh (GUPVI) NKVD-MVD SSSR i dokumentam, peredannykh v stranakh proiskhozhdeniia* (Moscow: Rosarkhiv/RGVA, forthcoming).

Specialists from various countries have already surveyed records of specific national provenance. A German pseudo-guide was published hastily in 1993 listing fonds from the German-language sector, which also included those from Austria and other countries.<sup>56</sup> Well-annotated guides to holdings of Austrian,<sup>57</sup> Belgian,<sup>58</sup> and Polish<sup>59</sup> provenance have been prepared in cooperation with specialists from those countries, in addition to the coverage of Romanian fonds mentioned earlier. Belgian listings were particularly problematic because TsGOA archivists tended to assign fonds on the basis of language, with the result that Belgian holdings often were mixed with French or Dutch ones, or else left as part of "collections" of mixed provenance. Dutch specialists prepared an updated list of fonds of Dutch provenance for the purpose of claims, but they keep finding still more Dutch files, such as those for Masonic and Jewish documentation that were never properly arranged according to agency of provenance or collection from which they came. In the fall of 2001 they have been assisting RGVA archivists in identifying and describing Dutch holdings, so that the agreed upon restitution to the Netherlands can proceed.<sup>60</sup>

<sup>56</sup> Götz Aly and Susanne Heim, *Das Zentrale Staatsarchiv in Moskau ("Sonderarchiv"): Rekonstruktion und Bestandsverzeichnis verschollen geglaubten Schriftguts aus der NS-Zeit* (Düsseldorf: Hans-Böckler-Stiftung, 1992).

<sup>57</sup> Jagschitz and Karner, *"Beuteakten aus Österreich": Der Österreichbestand im russischen "Sonderarchiv" Moskau* (Graz, Vienna, 1996. = Veröffentlichungen des Ludwig Boltzmann-Instituts für Kriegsfolgen-Forschung, vol. 2).

<sup>58</sup> *Fonds bel'guskogo proiskhozhdeniia: Annotirovannyi ukazatel'*, comp. A. S. Namazova and T. A. Vasil'eva, ed. M. M. Mukhamedzhanov (Moscow, 1995); Flemish version: *Fondsen van Belgische Herkomst: Verklarende Index*, ed. H. De Coninck, P. Creve, M. Vermote, and M. M. Mukhamedzhanov; translated by E. Saelmaekers (Ghent: Amsab, 1997). An earlier survey of Belgian holdings, compiled by Wouter Steenhaut and Michel Vermote (Amsab) also covers holdings in RGASPI (formerly RTsKhIDNI) – *AMSAB Tijdingen*, n.s. 16 (Summer 1992), extra number: *Mission to Moscow. Belgische socialistische archieven in Rusland*. See also the intriguing study of the migration of the Belgian records in Moscow by Jacques Lust, Evert Marechal, Wouter Steenhaut, and Michel Vermote, *Een Zoektocht naar Archieven: Van NISG naar AMSAB* (Ghent: Amsab, 1997).

<sup>59</sup> *Archiwalia polskiej proveniencji terytorialnej przechowywane w Państwowym Archiwum Federacji Rosyjskiej i Rosyjskim Państwowym Archiwum Wojskowym (Archiwalia w, ady rosyjskich 1813–1918, archiwalia niemieckie z ziem zachodnich i p—, nocnych Polski do 1945. Archiwalia Senatu WM Gdańska 1920–1939)*, ed. W. adys, aw Stępnia and Aleksandra Belerska (Warsaw: NDAP, 2000). The guide also describes fonds of Polish provenance in GA RF.

<sup>60</sup> I am grateful to colleagues at the International Institute of Social History (IISH) in Amsterdam and to Eric Ketelaar of the University of Amsterdam for keeping me informed about the Dutch holdings in Moscow and furnishing me a copy of the most recent March 2000 list. See Ketelaar's report cited in fn. 40.



### *Dispersal of trophy archives*

Aside from the former "Special Archive," much less information is available as to what foreign "trophy" archival materials are held in other Russian archives. Some repositories or specialized agencies received "trophy" archival materials directly after arrival in the USSR, but other materials were transferred from TsGOA to other institutions. It is not clear how many of other federal archives and agencies archives will be included in the official inventORIZATION under the Ministry of Culture. Some current federal archival directors and other archivists are not even aware of the extent of their trophy holdings or whence they came, nor do they want to be reminded.

Significant trophy archives are still held by NKVD/MVD agency archives and those of the KGB successors, the Foreign Intelligence Service (SVR) and the Federal Security Service (FSB), but it is doubtful that those agencies will make information about their holdings public. For example, some files with lists of Nazi concentration-camp guards (some of whom were Soviet citizens) held in one trophy collection by the FSB (of Nazi provenance and hence not eligible for restitution) have been made available for the prosecution in war crimes trials in Canada and the United States. But even in connection with such official legal proceedings, the FSB was unwilling to reveal its sources.

A preliminary guide to holdings of the postrevolutionary Archive of the Foreign Policy of the Russian Federation (AVP RF) under the Ministry of Foreign Affairs was expected in the fall of 2001. But the Foreign Ministry denies it has any displaced or "trophy" holdings.<sup>61</sup> To be sure, "recovered" Russian diplomatic files that were retrieved with other captured records should not be described as such. But what about the files from the Nazi Foreign Office, and diplomatic files from Poland, Romania, Yugoslavia and other countries that were among the archives transferred to the USSR after World War II? In some cases a

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Evert J. Kwaadgras, archivist for the Great East of the Netherlands, shared with me the results of his research in RGVA, after I furnished him with indications of the Dutch Masonic files I had noticed there. See his report to the April 2000 Moscow conference (in English and Russian), "A Great Waste of Time and Energy: The Seizure and Scrutiny of Masonic Documents During and After World War II," <http://www.libfl.ru/restitution/conf/>.

<sup>61</sup> For a brief overview of all these archives and a bibliography of published reference literature, see *Archives of Russia*.



paper trail confirms transfer to the Ministry of Foreign Affairs, including files already described in print from the Russian Foreign Historical Archive (RZIA) in Prague (see below), and hence further investigation of their fate will be required.

Many military records from the former Special Archive have been returned to France, and many of Belgian and Dutch provenance are scheduled for return in the fall of 2001. But we still do not know how many important files were sifted out to Soviet military agencies and may now remain in the Central Archive of the Ministry of Defense of the Russian Federation (TsAMO) outside of Moscow (Podol'sk) or others under the General Staff. Trophy holdings in military intelligence archives can only be surmised.

Many of the socialist materials brought back to the USSR after the war were turned over to the Central Party Archive of the Institute of Marxism-Leninism (TsPA, now the Russian State Archive of Socio-Political History, RGASPI). For example, the papers of German socialist Ferdinand Lassalle, retrieved by a Soviet trophy brigade in a Saxon salt mine, went there. That was one of the first "trophy" fonds to have been publicly identified in TsPA.<sup>62</sup> Later also transferred from the Special Archive were some of the Nazi pre-1940 police files regarding socialists in France and other countries, along with a few files of the French security services regarding Paris visits of Soviet dignitaries such as the Comintern General Secretary Geogori Dimitrov.<sup>63</sup> Many individual files from French and German security agencies, especially those relating to the German Communist Party, were transferred to East Germany during the Soviet period.

Other socialist materials, when deposited in the Central Party Archive, often arrived with inadequate data as to their origin and migration, were intermingled with materials from other sources, and

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<sup>62</sup> The recent guide to personal papers in RGASPI admits that the "basic part of the fond was acquired in 1946 from Germany among displaced archival materials." *RTsKhIDNI: Putevoditel' po fondam i kolleksiim lichnogo proiskhozhdeniia*, ed. Iu N. Amiantova, K. M. Anderson, et al. (Moscow, 1996; = *Spravochno-informatsionnye materialy k dokumental'nykh fondam RTsKhIDNI*, vol. 2). The retrieval of the Lassalle papers is highlighted in the report of Golubtsov to I. A. Serov, "Dokladnaia zapiska o rezul'tatakh obsledovaniia dokumental'nykh materialov germanskikh arkhivov, evakuirovannykh i ukrytykh v shakhtakh Saksonii" (Berlin, 24 October 1945), GA RF, 5325/2/1353, fol. 216 (another signed copy in 5325/10/2030, fol. 35).

<sup>63</sup> Indications of transfers of such files to IML are apparent in the working annotated copies of TsGOA inventories (for example fonds 500K and 501K). Some of these were never fully processed in TsPA (and hence still not available to researchers), but their existence there has been confirmed by RGASPI archivists.

now form part of various fonds in RGASPI. In 1947 the Special Archive forwarded what was then called the "fond of the Socialist Workers' International" to the Institute of Marxism-Leninism (IML) because, as explained in the covering letter, it "had historico-scientific interest, but could not be used for operational-security work." Today, it has not yet been possible precisely to verify the actual materials involved in RGASPI.<sup>64</sup>

Possibly at least part of those "trophy" socialist materials went to the Central State Archive of the October Revolution (TsGAOR SSSR) rather than the Party Archive, since today a fragmentary fond by that name is held by the successor State Archive of the Russian Federation (GA RF). This and another collection of editorial materials probably came from the collections of the Paris Branch of the International Institute of Social History (IISH), directed before the war by Boris Nikolaevskii.<sup>65</sup> Many of the records of the Second International had already been moved to and formally deposited in the Paris Branch of the IISH before the war. However, some remained in Brussels at the outbreak of the war and were immediately seized there by Nazi agents, together with personal papers of the secretary Frederick Adler.<sup>66</sup>

A list of archival and library materials seized by the Rosenberg Special Command Force for the Occupied Territories (ERR) in Paris that was recently uncovered in Kyiv contains 144 crates of archival materials from the Paris Branch of the IISH – and an additional 15 crates of materials from the Office of

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<sup>64</sup> Musatov to Nikitinski (12 June 1947), GA RF, 5325/2/1946, fols. 49–51. As was explained, the fond also contained executive office records of Frederick Adler and original autograph letters of Avgust Bebel and Karl Kautsky, among others. Possibly these materials are included in RGASPI, fond 340, but further analysis is necessary in comparison with existing Nazi documents and others available.

<sup>65</sup> The fond "Rabochii sotsialisticheskii internatsional," GA RF, 7007 (118 units; 1919, 1923–1939), contains a miscellaneous collection of materials of Western European socialist provenance. It is not listed as having been of Prague RZIA in the recent guide to RZIA holdings (see below).

<sup>66</sup> The records of the IISH Paris Branch and the files of the Second International are mentioned in several Soviet reconnaissance and transfer reports involving the RSHA cache in Wölfelsdorf (see below). Seizure of the Adler materials from Brussels is also mentioned in several Nazi reports and is confirmed in documentation available at IISH in Amsterdam. See, for example, the ERR report (Berlin, 4 December 1941), TsDAVO, 3676/2/1, fol. 1.

the Second International.<sup>67</sup> We do not yet know how many of those crates stayed with the ERR during the war or how many were turned over to the Reich Security Main Office (RSHA) and were evacuated to Silesia where they were seized a second time by Soviet authorities. Russian archivists may want to attribute the acquisition of that fond and related socialist materials to the Russian Foreign Historical Archive (RZIA) from Prague. Clearly, however, available documentation suggests that many of them came from Paris, and hence further investigation of acquisition and wartime transfer records is required.

TsGAOR SSSR was the designated recipient of documentation of Russian émigré origin from RZIA with vast documentation from the revolutionary and Civil War period, including papers of exiled Russian Menshevik and Socialist Revolutionary Party (SR) activists. Nine sealed freight wagons of archival materials arrived in Moscow from Prague in early January 1946. That highly-prized “gift of the Czech government to the Academy of Sciences of the USSR” (as announced by a “special file” to Stalin) was immediately turned over to TsGAOR which established a special division for the RZIA collections.<sup>68</sup>

As a duly designated “gift,” Russian archivists today do not consider RZIA among “trophy” holdings. Today the rich émigré materials from RZIA and other sources in Prague are valued as Russia’s lost or exiled émigré culture, but in May 1946, NKVD Security chief Kruglov assured Zhdanov that “access for scholars would be closed,” and the documents “would be expeditiously analyzed for data on anti-Soviet activities of the White emigration to be used in operational work of organs of the Ministry of Internal Affairs (MVD) and the Ministry of State Security (MGB).”<sup>69</sup> Many of the millions of card files compiled by Soviet archivists (then under the NKVD/ MVD) and other specialized security agencies are now open for public research in GA RF, testifying to the extent of the program, but we do not know how

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<sup>67</sup> The undated list is one of a series that accompanied an ERR report to Berlin, found among the ERR files in TsDAVO. 3676/1/172, fols. 274–275.

<sup>68</sup> Kruglov to Stalin, GA RF, 9401/2/134, fols. 1–2. The official act of transfer detailed the terms of the gift; the presentation leather-bound official copy is retained in GA RF, 5325/2/1354.

<sup>69</sup> Kruglov to Zhdanov (15 May 1946), GA RF, 5325/10/2023, fol. 46. RZIA was opened for public research in 1998. For more details about the transfer from Prague and the freight-wagon load of materials that went to Kyiv from the parallel Ukrainian Historical Cabinet (UIK) in Prague, see Grimsted, *Trophies of War and Empire*, chapter 9.

many people perished or were incarcerated as a result of those investigations.<sup>70</sup> Subsequently holdings from RZIA were dispersed in at least thirty repositories throughout the former USSR, but a recent inter-repository guide describes most of the now dispersed collections. Apparently the Foreign Ministry does not consider the RZIA materials as "trophy" archives, but five fonds in the prerevolutionary Foreign Ministry archive (AVPRI) are listed in the new guide as having files from RZIA. Those sent to non-Russian republics include five fonds sent to Belarus and fifty-five sent to Ukraine, although several other fonds of Ukrainian provenance with files from RZIA remain in GA RF.<sup>71</sup>

Much more complicated is the task of identifying the unmistakable "trophy" origin of many of the émigré holdings seized after the war from other sources – and indeed from many other countries (Bulgaria, Yugoslavia, and France, for example) – that were subsequently deposited and intermixed with RZIA holdings in TsGAOR SSSR. Many papers of Pavel Miliukov, Viktor Chernov, and Boris Nikolaevskii that were confiscated by the Nazis in Paris, for example, came to the Special Archive with the previously Nazi-plundered RSHA cache from Silesia and were subsequently transferred to TsGAOR. In the case of Miliukov, TsGAOR also received the now separate archive of the interwar émigré newspaper *Poslednie novosti*, which Miliukov edited, along with 7,143 books from his Paris library.<sup>72</sup> Russian archivists today, in identifying them as retrieved archival Rossica, do not use the term "trophy," nor do they consider them candidates for restitution. Many of those Nazi-confiscated files are still incorrectly identified in GA RF as having come with the RZIA "gift" from Prague.<sup>73</sup>

<sup>70</sup> See listings under GA RF in *Federal'nye arkhivy Rossii i ikh nauchno-spravocnyi apparat: Kratkii spravochnik*, comp. O. Iu. Nezhdanova, ed. V. P. Kozlov (Moscow: Rosarkhiv, 1994).

<sup>71</sup> See *Fondy Russkogo zagraničnogo istoričeskogo arkhiva v Prage: Mezharhivnyi putevoditel'*, ed. T. F. Pavlova et al. (Moscow: ROSSPEN, 1999). See more details about the RZIA transfer from Prague and distribution of the records of Ukrainian provenance in Grimsted, *Trophies of War and Empire*, Ch. 9.

<sup>72</sup> These and other materials received with them from TsGOA are now part of various fonds, all of which are described in the recent series GA RF guides. Regarding the RSHA loot seized by Soviet authorities in Silesia and its dispersal, see below, fn. 91.

<sup>73</sup> See more details and additional examples in my article in preparation on the Russian retrieval of archival Rossica abroad for *Cahiers du Monde Russe*; a condensed version of it is published in Russian in the proceedings of the Rosarkhiv conference mentioned above (fn. 36).

Russian archivists are so committed to the retrieval of archival Rossica from émigré sources that they often refuse to consider restitution of materials clearly created abroad that rightfully belong to foreign repositories, even when there is convincing documentation that they were confiscated by Nazi agencies. For example, in connection with the recently approved Dutch restitution, among the files from the International Institute of Social History that remain in Moscow, Rosarkhiv wanted to disallow the restitution of a folder of correspondence of Boris Nikolaevskii, who served as director of the Paris Branch of IISH before the war.<sup>74</sup> Many of his personal papers were seized with those of the Paris IISH Branch, the Second International, and related socialist sources in Paris and Amboise. Undoubtedly, this file was left behind in TsGOA when other papers of Nikolaevskii were transferred to TsGAOR in 1946, since a large fond of Nikolaevskii papers is now held in TsGAOR, part of which have been identified as having been confiscated by the Nazis from Paris.<sup>75</sup> The official Dutch claim did not include any files now in GA RF (former TsGAOR SSSR).

Recently, GA RF archivists helped me identify two fonds with administrative records from the Turgenev Library in Paris, and several more from the Petliura Ukrainian Library, some of which were earlier incorrectly labelled as coming from RZIA. Actually, most of those files were transferred to TsGAOR from the Lenin Library in 1948, along with some papers of Vladimir Burtsev and editorial files of the journal *Byloe* that he edited in Paris, at least some of which had apparently been deposited in the Turgenev Library just before the war. A few contingent files (still undescribed) from Turgenev Library archive remain today in the Manuscript Division of RGB.<sup>76</sup>

<sup>74</sup> The file in question in RGVA remains part of the IISH fond in RGVA, 528K/1/69, and includes correspondence between Nikolaevskii (then in Berlin) with RZIA, 1928–1931.

<sup>75</sup> Other documentation collected for the IISH by Boris Nikolaevskii was deposited in the fond of his personal papers now in GA RF (fond R-9217; 2 *opisi*; 164 file units; 1900–1929) and those of Viktor Chernov (fond R-5847; 2 *opisi*; 441 file units; 1892–1938); among others. The seizure of these materials from Paris is well documented among the Papers of Boris Souvarine held by IISH in Amsterdam, especially the Souvarine correspondence with French authorities and attestations of Nazi confiscation, including Nikolaevskii's list of seizures of materials on deposit with IISH in Paris and his own papers (folder 8).

<sup>76</sup> Fragmentary administrative records of the Turgenev Library confiscated by the Nazis from Paris are currently held in GA RF, fonds 6846 (141 files) and a few additional files relating to books borrowed by Russian soldiers at the end of World War I are held separately in fond 6162 (13 files); approximately three additional partially processed



While the wartime fate and migration of those two libraries has now been better documented, distinguishing the provenance of all the archival materials involved has been exceedingly difficult. Indicative of the tragic postwar dispersal, additional archival materials from the Petliura Library are now held in RGVA (received by TsGOA from Minsk) and others are dispersed between two major archives in Kyiv. The fonds from the Petliura Library archival collections that are now held in RGVA (many with files contingent to those in GA RF) were listed on the approved list of French claims, but they were not returned to Paris.<sup>77</sup>

Clearly, not all of the captured records in GA RF are of Russian émigré provenance, such as, for example, the "trophy" papers of the Esterhazy family that were reportedly seized in Hungary in 1945. The existence of a letter from the nineteenth-century Russian Foreign Minister A. M. Gorchakov may have led to the classification of the fond as containing "archival Rossica," but the letter involved was addressed to Esterhazy. The Soviet report (noting seizure in Hungary) mentioned an important Metternich autograph among the papers, but that is no longer listed in the current fond in GA RF.<sup>78</sup>

Many earlier historical "trophies" were delivered to the Central State Archive of Early Acts (TsGADA SSSR, now RGADA), including the Hanseatic municipal archives from Bremen, Hamburg, and Lübeck. Never open for public research in the USSR, most of those archives were returned to Germany in

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archival boxes (ca. 18 files) remain in the Manuscript Division of RGB. See the official "act of transfer" to TsGAOR from the Special Holdings of GBL (18 November 1948), GA RF, 5142/1/423, fol. 141. The outgoing copy or related GBL documentation has not been located in RGB. Archivists in the RGB MS Division verified for me their current holdings of approximately three archival boxes. See more details in my forthcoming study of the fate of the Turgenev Library. The Burtsev papers in TsGAOR may now contain some of those files from *Byloe*, but it has not yet been possible to verify their acquisition.

<sup>77</sup> See Grimsted, "The Odyssey of the Petliura Library from Paris and the Records of the Ukrainian National Republic during World War II," *Cultures and Nations of Central and Eastern Europe: Essays in Honor of Roman Szporluk*, ed. Zvi Gitelman et al., = *Harvard Ukrainian Studies* 22 (1998): 181–208; and "The Postwar Fate of the Petliura Library and the Records of the Ukrainian National Republic," *HUS* 21 (1997): 393–461. The Ukrainian émigré files from the Petliura Library now held in RGVA were on the official list of fonds to be restituted to France, but they were not transferred. The contingent files in GA RF were not included in the French claims.

<sup>78</sup> The Esterhazy papers (fond 721, 51 units; 1818–1893) are mentioned in *GA RF: Putevoditel'*, vol. 1: *Fondy GA RF po istorii Rossii XIX–nachala XX vv.* (Moscow, 1994), p. 313. The acquisition of the trophy documentation "found in the castle of the Esterhazy counts (Hungary)" by the GA RF predecessor TsGIAM from the Political Directorate of the Red Army was reported by Maksakov and Morovskaia to I. I. Nikitinskii (16 June 1945), GA RF, 5325/2/1353, fol. 47. Mention is made of a letter of the Russian Foreign Minister A. M. Gorchakov and a letter of Metternich (1859).



a final restitution shipment in 1990. Most of the early charters from those Hanseatic archives, however, were first deposited in the Saltykov-Shchedrin State Public Library (GPB, now RNB) in Leningrad, but later most of them were returned to East Germany. A few damaged or still not fully described charters reportedly remain as trophy "souvenirs" in the Manuscript Division of RNB (Russian National Library).

Indicative of the wartime and postwar dispersal, two trophy Bremen charters have been identified in the Tikhomirov Collection in the Scientific Library of the Academy of Sciences in Novosibirsk. Probably this latter dispersal results from theft, such as one brought to trial in 1974 involving a former TsGADA employee who managed to steal more than 200 early documents; many of them were recovered by the archive, but others were subsequently sold in the USSR and abroad. Prosecution was hindered by the secret "trophy" status of the documents, which accordingly could not be publicly identified with the archive (even in a Soviet court).<sup>79</sup>

The Central State Historical Archive in Leningrad (TsGIAL, now RGIA), and the Central State Military History Archive (TsGVIA, now RGVIA) also received their share of historical trophies appropriate to their "profile." Literary "trophies," including many papers of Russian émigré writers were acquired by the Central State Archive of Literature and Art (TsGALL, now RGALI), while other archival trophies went to many different libraries and museums.

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The TsGADA theft, the so-called "Apostolov Affair" was first described in print by Rem Petrov and Andrei Chernvi, "Poteriavshi – plachem." *Ogonek*, 1990, no. 9, pp. 9–11, along with several others. A detailed study of the wartime and postwar fate of those Hanseatic archives is yet to be written, although some details have been published in Germany since their return.

Musicalia is an important example of the widely dispersed "trophy" archivalia brought to the Soviet Union – as opposed to the records brought home for operational utilization. Only in the last few years has it been possible to start identifying the dispersed music scores that have long remained hidden among the cultural loot. Soviet documents from the 1950s, first published in 1996 in German translation, list some of the trophy musicalia (including manuscript scores) that were distributed among eight different institutions in Moscow and Leningrad. But in Moscow, the original documents are now classified "secret" in former Communist Party archives.<sup>80</sup>

Recently, thanks to another German-published document, the existence of one collection of trophy music scores – predominantly of provenance in several different prewar German libraries (including the City Library in Breslau [now Polish Wrocław]) – has been revealed in the Glinka Central Museum of Musical Culture. Long held in secret, a published catalogue is in preparation and an exhibition is planned in the spring of 2002.<sup>81</sup> Among the collection are four music scores (including one by Stravinsky) dedicated to the Polish-born emigré pianist Artur Rubinstein (who died an American citizen) that were confiscated from Rubinstein's apartment in Paris after he fled at the beginning of the war. Those apparently came to Moscow from the "one crate of the Rubinstein materials" that was found by a Soviet

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<sup>80</sup> Kolasa and Lehmann, eds., *Die Trophäenkommissionen der Roten Armee*, especially documents nos. 37–41, pp. 218–33. That group of documents regarding trophy musicalia is now reclassified – i.e. carefully sealed off in the original file in RGASPI, 17/132/418, namely reports from the Ministry of Culture to the CP Central Committee. According to the table of contents at the beginning of the file, the sealed documents are presumably those relating to trophy music. According to the "use slip" in that file, xerox copies were furnished to the Ministry of Culture in 1992. My formal letter of inquiry with request for declassification (addressed to RGASPI and Rosarkhiv in October 1999) has not received a reply.

<sup>81</sup> See *Die Trophäenkommissionen der Roten Armee*, doc. no. 39 (15 July 1950), signed by A. Bol'semennikov and addressed to General N. N. Besspalov of the Committee for Cultural Affairs of the Council of Ministers of the USSR, pp. 227–29. Thanks to intervention by the Ministry of Culture in April 2000, I was permitted to consult a preliminary card catalogue of this collection, together with the Dutch musicologist Willem de Vries. We were allowed to examine only 10 out of an estimated 200 original (many autograph) scores. In November 2000 De Vries presented an unauthorized and somewhat misleading report on this collection on Dutch television and in an article published in Germany. Specialists in the Glinka Museum have subsequently kindly verified holdings with me and discussed their plans, but the collection currently (as of fall 2001) remains closed to researchers, pending full processing and publication of a catalogue.

trophy brigade in the basement of the bombed-out RSHA headquarters building in Berlin, but the fate of the remainder of that crate (and the rest of the collection) has not yet been determined.<sup>82</sup>

Some of the other trophy musicalia in the former Soviet Union represents loot from German collections that were evacuated from Berlin after the Western Allied bombing intensified in 1943. It was largely thanks to other German-published Soviet documents (the originals of which are still classified in Moscow) that, together with a Harvard music professor and a Ukrainian archival colleague, we located in Kyiv in the summer of 1999 the trophy German collection of over 5,100 predominantly manuscript music scores from the Sing-Akademie in Berlin, including a major part of the Bach family archive, then held in the Central State Archive-Museum of Literature and Art of Ukraine (TsDAMLM Ukrainy).<sup>83</sup> The collection was found in 1945 by a Ukrainian trophy brigade, presumably in the Silesian castle of Ullersdorf, where 14 crates had been evacuated from Berlin in August 1943. Brought to Kyiv in October 1945, it was initially held in the State Conservatory, but subsequently transferred to the newly established TsDAMLM in 1973. Newly discovered documents rule out the possibility that the archive went to Moscow and thence to Kyiv, as some Russian specialists still want to insist. Those documents also show that specialists in Kyiv in the fall of 1945 did recognize the true provenance of the collection.<sup>84</sup>

<sup>82</sup> The seizure of one crate of Artur Rubinstein materials in the former RSHA headquarters in Berlin is mentioned in a Trophy Brigade report, "Otchet o rabote s 6 maia po 31 dek. 194[5] g.," signed by Manevskii (31 March 1946), GA RF, A-534/2/10, fol. 48 (another copy is in A-534/2/1, fol. 103). Part of the report is published in German translation in *Die Trophäenkommissionen der Roten Armee*, p. 105 (doc. 17). The Rubinstein collection was earlier plundered from Paris by the ERR. Efforts are underway to trace the fate of the rest of the Rubinstein collection, presumably in Russia.

<sup>83</sup> The collection was then held as TsDAMLM fond 441, but was not identified with the Sing-Akademie or even music scores. With the return of the originals to Berlin, microfilms remain in their place. It was a German listing of a collection of "5,170 units from a Berlin Music Library" in the Kyiv Conservatory (*Die Trophäenkommissionen der Roten Armee*, doc. no. 46, p. 245) that led me to the discovery. That document is identified as coming from the records of the CP Central Committee Secretariat (fond 4) in TsKhSD (now RGANI, but remains classified). See the Grimsted report, "Bach Scores in Kyiv: The Long-Lost Sing-Akademie Collection Surfaces in Ukraine," *Spoils of War: International Newsletter*, no. 7 (August 2000): 23–35; electronically <http://www.huri.harvard.edu/workpaper/grimsted.html>, and <http://www.lostart.de>; Russian edition: "Partitury Bakha v Kieve: Na Ukraine obnaryzheny davno propavshie noty Berlinskoi Zing-Akademii," *Voennye trofei: Mezhdunarodnyi bulleten'*, no. 7 (August 2000): 16–24; electronically <http://spoils.libfl.ru/spoils/rus>.

<sup>84</sup> My more recent article raises questions regarding its transfer to Kyiv, "Odisseia 'Berlin–Ullersdorf–Kyiv': Do istorii peremishchennia arkhivu Akademii spivu v Berlini pid chas i pislia Druhoi svitovoi viiny," *Arkhivy Ukrainy*, 2001, no. 3, pp. 25–39. Also available electronically, <http://www.scarh.kiev.ua/Publicat/Archives/2001/au2001-3.ua.html>. The article includes a map and my photograph (taken in October 1999) of what are now the ruins of the

Ukraine has recently been more inclined to return displaced cultural property to its country of origin, including Germany, than has Russia. Restitution of the Sing-Akademie manuscripts to Germany from Ukraine began with a symbolic transfer of a Bach score in January 2001, followed in September 2001 by an authorizing decree by the Ukrainian Council of Ministers. Since Ukraine has no law permitting restitution, the collection had to be withdrawn from the "National Archival Fond of Ukraine" and replaced by the microfilmed copies. The transfer was to have taken place thereafter during Chancellor Schroeder's visit to Kyiv in September, but that visit was postponed. Instead, Schroeder only visited Russia, where he received the above-mentioned three paintings from the Dresden Gallery. Following public signing of a protocol of transfer on 29 November 2001, a Lufthansa cargo plane left Kyiv for Frankfurt with the priceless collection, which is being deposited in the Musicalia Division of the Staatsbibliothek in Berlin.<sup>85</sup>

Even more important today than the international "politics" of restitution for such a veritable "trophy," we now know that the priceless Berlin Sing-Akademie music scores have survived their wartime odyssey and were in fact "twice [and today even thrice] saved." Now freed from the status of prisoners of war, an international collaborative project brought funding for preservation microfilming, and professional description is proceeding by a team of German, American, and Ukrainian scholars.

A cantata by Carl Philip Emanuel Bach from the collection was performed in Symphony Hall in Boston at the end of March 2001. The "Hymn of Thanksgiving and Friendship" had not been heard in

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castle of Ullersdorf. Subsequently Kyiv colleagues found the official act of transfer of the "Archive of the Sing-Akademie in Berlin" to the Conservatory from the Committee for the Arts of the Ukrainian SSR on 2 November 1945. That was ten days after the date the "Director of the Kyiv State Conservatory, A. M. Lufer," was ordered to Germany "on the request of Soviet Occupation Forces, . . . as part of a brigade of specialists for appraisal of discovered cultural treasures" at the expense of the Central Committee of the Communist Party of Ukraine. The newly discovered documents are being published as "Odisseia Arkhivu Akademii v Berlini: lanka, lakoi brakuvalo," *Arkhivy Ukraïny*, 2001, no. 5.

<sup>85</sup> The Ukrainian government directive authorizing the transfer was issued on 18 October 2001, following up on a letter of intention from Ukrainian President Leonid Kuchma to German Chancellor Schroeder in January 2001. Pictures of the protocol signing with the text of the government decree and a news brief appear at the Derzhkomarkhiv website: <http://www.scarh.kiev.ua/news/archive-Bach-Protocol.ua.html>. Notices about the return appeared in numerous newspapers, as for example, "Ukraina nachala restitutsiiu," *Kommersant*, no. 171 (20 September 2001), p. 13, and the *Herald Tribune*, 21 September 2001.

225 years since its initial premiere in 1785.<sup>86</sup> Another concert was performed in Kyiv in November. Rare printed books and correspondence files from the Sing-Akademie collection are still missing, but as yet no trace of them has been found elsewhere in Russia or Ukraine. Eight volumes from the library were returned to East Germany from the Moscow Conservatory in the late 1950s and are now held in the Staatsbibliothek in Berlin, but so far it has been impossible to determine the facts of their migration.

### **Twice-plundered archives and the Nazi agencies of their plunder**

Identification of the provenance of archives and library collections seized and transferred to the Soviet Union after World War II is also complicated by the fact that many of them were earlier plundered by different agencies of the Nazi regime from almost every country in Europe. Some come from Nazi victims in occupied countries of Western Europe; others include files of "enemies of the regime" in Germany and other Axis powers. Indeed, almost all of the non-German captured foreign records in the former Special Archive, with the exception of those from Poland and Romania, were first captured by Nazi agencies from declared political and ideological "enemies" – twice plundered, or (as some prefer to call them) "twice saved."

Thus it is important to identify major groups of archival materials according to the specific Nazi agencies of their plunder. In many cases, the operational records of those same Nazi agencies were brought to Moscow together with their twice-captured loot. But the reconstruction of those Nazi operations and transfers is exceedingly complicated, because both the records and the loot were reprocessed once in Moscow and often dispersed among many different archives and fonds. Analysis of these complexes, together with the records of the Nazi agencies that captured them, is helping establish the exact provenance and migratory paths of many captured records and provide clues about contingent missing or dispersed segments. Unfortunately, however, the Nazi agency records in Moscow and Kyiv are not well arranged and described, and in many cases they are fragmented among several countries and

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<sup>86</sup> News about the performance and my pre-concert remarks were posted on the Ukrainian Research Institute website at Harvard University, <http://www.huri.harvard.edu/>. See more information about the Sing-Akademie



different repositories. Some fonds were returned to East Germany earlier, and no microfilms were retained, so now they must be matched up with contingent parts in Germany or elsewhere.

### *Reichsarchiv*

The German Imperial State Archives under the Ministry of the Interior was involved in considerable plunder. However, no examples of Western European materials plundered by the Reichsarchiv have been found among the records that the Soviets transferred to Moscow.

### *Heeresarchiv*

Under the Nazi regime, a separate military archival authority, the Nazi Military Archives was established in Potsdam in 1936 on the basis of the military division of the Reichsarchiv. Archival plunder by the Heeresarchiv in occupied countries was among the largest in volume of any agency of the Nazi regime. The special military archival intelligence center for records from Western Europe (HA-Aktensammelstelle West) established in 1941 in Berlin-Wannsee, housed huge quantities of records from France, along with some from Belgium and the Netherlands, among other countries. Heeresarchiv branches in Vienna, Prague, and Danzig-Oliwa (now Polish Gdansk-Oliwa) specialized in acquisitions from Eastern Europe, including in the latter case "some 400 tons of documentary materials from 27 cities in the Baltic and northwest regions of the Russian Federation."<sup>87</sup>

Those plundered foreign military records were likewise among the most voluminous archives shipped to Moscow immediately after the war, for example, no less than thirty Soviet freight cars from Berlin-Wannsee.<sup>88</sup> Cooperative efforts with archival specialists from several affected countries will be

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collection and its fate at the website of TsDAML, <http://www.scarh.kiev.ua/>.

<sup>87</sup> As quoted by Vsevolod Tsaplin, "Arkhiy, voina i okkupatsiia (1941–1945 gody)" (typescript, Moscow, 1960), p. 359. Records of the Danzig Branch are now held as a separate fond in TsGVA, fond 1387K.

<sup>88</sup> Zapevalin to Nikitinskii (20 July 1945), GA RF, 5325/2/1353, fol. 207. The same report lists the major seizure from Potsdam without any specific quantity. Tsaplin confirms Soviet seizures from Berlin-Wannsee of "200 studebaker [truck loads]," Vsevolod Tsaplin, "O royske dokumentov, pokhishchennykh v gody voyny iz arkhivokhanilishch SSSR," *Otechestvennye arkhiy*, 1997, no. 5, p. 13.



needed to reconstruct the holdings in Berlin-Wannsee on the basis of the many German inventories of the Heeresarchiv captured loot that have been preserved in Moscow.

*Reichssicherheitshauptamt (RSHA) Amt VII*

The dreaded RSHA, usually known in English as the Reich Security Main Office, embraced various secret police, security, foreign intelligence, and counterintelligence functions within the Nazi state, including the Gestapo and the SD (Sicherheitsdienst). The functions of the Seventh Office, or Amt VII, of the RSHA, designated for "Ideological Research and Evaluation" (*Weltanschauliche Forschung und Auswertung*), had initially been part of Amt II for internal security and struggle against "enemies of the Reich."

Little was earlier known about the massive and varied complex of archival and library materials plundered from all over the Continent Amt VII brought together, initially in Berlin, but then evacuated to Silesia in the summer of 1943. These included plundered Masonic collections, Jewish materials (from communities, organizations, and individuals), socialist files (such as records of the Second International, collections from the Paris Branch of IISH), records of churches and religious organizations, Russian emigré groups and individuals, and many personal papers in all categories. All of them should be considered property confiscated from "victims of the Nazi regime," and hence should be subject to restitution under the new Russian law, even those from Germany and Austria.

The Rothschild business and family records that have now been returned to the family were among the massive loot held by the RSHA Amt VII in its special archival hideaway in the Castle of Wölfelsdorf (now Polish Wilkanów), south of Breslau (now Polish Wrocław), where they were discovered by a Soviet Trophy Brigade in the summer of 1945.<sup>89</sup> Subsequently at least 28 freight train wagons of those archival holdings were delivered to Moscow by Soviet authorities under Beria's orders in

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<sup>89</sup> Receipt of the papers of Vienna-born Alfons Israel Rothschild by the RSHA in Wölfelsdorf (18 July 1944) is documented in RSHA records in RGVA, 500K/1/1302, fol. 27.

October and November.<sup>90</sup> Of key importance for the fate of looted collections, many operational records of the RSHA Amt VII and its predecessors came with the confiscated archives; although some of these were returned to East Germany and others dispersed to other Soviet repositories, large quantities survive in RGVA.<sup>91</sup> In the early 1990s, another major group of RSHA Amt VII records from Silesian operations surfaced in Warsaw, but those have since been restituted to Germany.

#### *RSHA Amt IV – Abwehr*

The Fourth Office of the Reich Security Main Office, which also comprised the Gestapo, ran significant counterintelligence operations (Abwehr) on the basis of massive captured French records. A special unit, initially in Paris and then Berlin, was later evacuated to the country village of Oberliebich (now Czech Horní Libčava, near Česká-Lipa) in the Sudetenland. That was where they held the captured French intelligence records which were subsequently captured by a Red Army SMERSH unit with the First Ukrainian Front in May 1945, with approximately 300,000 files and over a million card files of Deuxième Bureau and Sûreté Nationale records, among others. A special Soviet archival crew was flown in under direct personal orders from Beria to prepare their transport. Twenty-eight sealed freight cars from Česká-Lipa reached Moscow at the end of July. Most of the French intelligence and police records have now been restituted to France.<sup>92</sup> But some original French files were transferred to other Soviet

<sup>90</sup> See more details in the earlier studies by Grimsted, "Twice Plundered or 'Twice Saved'? Russia's 'Trophy' Archives and the Loot of the Reichssicherheitshauptamt," *Holocaust and Genocide Studies* 15(2) (September 2001): 191–244, *Trophies of War and Empire*, pp. 238–99, and the initial report, "New Clues in the Records of Archival and Library Plunder during World War II: The ERR Ratibor Center and the RSHA VII Amt in Silesia," in *The Return of Looted Collections (1946–1996). An Unfinished Chapter: Proceedings of an International Symposium to Mark the 50th Anniversary of the Return of Dutch Collections from Germany*, ed. F. J. Hoogewoud, E. P. Kwaardgras et al. (Amsterdam: IISH, 1997), pp. 52–67. I am currently preparing a monograph on these operations with extensive documentary appendixes.

<sup>91</sup> These are now held as RGVA, fonds 500K and 501K, although some were transferred to the GDR, some to the Central Party Archive, and some presumably remain with Russian security services. This important group of RSHA records deserve professional reprocessing and a microform edition in its entirety that could be available to interested researchers in different countries, particularly since archival materials looted from so many countries are mentioned in its files.

<sup>92</sup> The fate of these materials are also covered in Grimsted, "Twice Plundered or 'Twice Saved'? Russia's 'Trophy' Archives and the Loot of the Reichssicherheitshauptamt," especially pp. 215–18. Regarding those returned to France from Russia, see fn. 29–31.

agencies and abroad. For example, some files regarding the Hungarian leadership were reportedly turned over to Hungary.<sup>93</sup>

#### *The Einsatzstab Reichsleiter Rosenberg (ERR)*

One of the most important Nazi cultural looting agencies was the so-called Einsatzstab Reichsleiter Rosenberg (ERR), the Special Command Force for Occupied Territories, headed by Hitler's ideological henchman *Reichsleiter* Alfred Rosenberg. In Western Europe the ERR is mainly known for art looting,<sup>94</sup> but it was also responsible for the confiscation of extensive library and archival materials, including many plundered Jewish and Masonic collections come from France and the Low Countries.<sup>95</sup> Major shipments of Hebraica and Judaica were also looted from Ukraine, Belarus, Latvia, and Lithuania. The ERR also concentrated on anti-Bolshevik research by setting up a specialized library for East European research known as the Ostbücherei.

In 1943, most of the ERR anti-Bolshevik operations were evacuated from Berlin to the quiet Silesian city of Ratibor (now Polish Racibórz), alongside their archival and library collections, including holdings from the Petliura and Turgenev Libraries in Paris and from other collections in France and Belgium.<sup>96</sup> With more shipments from Ukraine, Belarus, and the Baltic countries, books and periodicals in the Ostbücherei expanded to an estimated million and a half volumes by the end of 1944.

<sup>93</sup> Vitalii Iu. Afiani, "Dokumenty o zarubezhnoi arkhivnoi Rossike i peremeshchennykh arkhivakh v fondakh Tsentra khraneniia sovremennoi dokumentatsii," in *Problemy zarubezhnoi arkhivnoi Rossiki: Sbornik statei* (Moscow: Informatsionno-izd. agentsvo "Russkii mir," 1997), p. 96. Precise documentation regarding the transfer is not furnished.

<sup>94</sup> ERR art looting in the West and Rosenberg's alliance with Göring are well analyzed by Jonathon Petropoulos, in *Art as Politics in the Third Reich* (University of North Carolina Press, 1996). See also the relevant chapters in Lynn Nicholas, *The Rape of Europe: The Fate of Europe's Treasures in the Third Reich and the Second World War* (New York: Alfred A. Knopf, 1994); now also available in a Russian translation: *Pokhishchenie Evropa: Sud'ba kul'turnykh tsennostei v gody natsizma* (Moscow: "Logos," 2001).

<sup>95</sup> My detailed study of the ERR operations is in preparation; see *Trophies of War and Empire*, chapter 8, and my 1997 report (fn. 91).

<sup>96</sup> The existence of these two libraries in Ratibor are mentioned in ERR reports; see, for example (Ratibor, 14 February 1944), BAB, NS 30/22, folio 246. See more details in Grimsted, "The Odyssey of the Petliura Library," pp. 189-91.

Archival materials in Ratibor also included a major collection of revolutionary-period documentation plundered from Kyiv and a freight-car load of the Communist Party Archive from Dnipropetrovsk.<sup>97</sup> The ERR prize loot was five freight-car loads from the Communist Party Archive of Smolensk Oblast, most of which were recovered by the Red Army and returned to Smolensk in 1945. Slightly over 500 files from the Smolensk archive that the ERR managed to evacuate to Germany were later seized by a U.S. intelligence unit and are still in the National Archives in Washington DC.<sup>98</sup>

Although they evacuated some of their records from Ratibor, the ERR abandoned most of their foreign archival and library loot, which fell to Soviet hands in 1945. Many fragmentary archival materials of Western European provenance brought together by the ERR were first transferred to Kyiv in December 1945, together with a major group of ERR records; they were transferred to the Special Archive in 1956, and many of them turned out to be files from some of the same groups of records brought back from the RSHA cache in Silesia. Further to the West in Silesia the Red Army also seized the musicalia collections brought together by the ERR Special Music Staff, the Sonderstab Musik, but the fate of the seven freight train loads reportedly removed from the ERR castle in Langenau (now Polish Czernica, west of Wrocław) remains unresolved.

Soviet authorities also captured many records of ERR operations, which are now scattered in Moscow, Vilnius, and especially Kyiv. A current project with a library microform publisher (also involving the Bundesarchiv and the Holocaust Museum) seeks to bring together all of the ERR records dispersed in many countries, including Germany, France, and the United States, and provide a virtual finding aid.<sup>99</sup>

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<sup>97</sup> Hülle to ERR HAG-Ukraine (8 November 1943), fol. 288, and his monthly report for November 1943 (fol. 268), in the same file both confirm that the shipment with the Dnipropetrovsk material left for Ratibor on 5 November 1943. See more details about the Dnipropetrovsk and Kyiv revolutionary-period archives in Grimsted, *Odyssey of the "Smolensk Archive": Plundered Communist Records for the Service of Anti-Communism* (Pittsburgh: REES, 1995; *Carl Beck Papers in Russian & East European Studies*, no. 1201), pp. 20–23.

<sup>98</sup> See more details in Grimsted, *Smolensk Archive*.

<sup>99</sup> The preliminary Grimsted survey is on deposit with the Bundesarchiv and the Holocaust Museum: "The Records of the Einsatzstab Reichsleiter Rosenberg (ERR), Their Archival Fate and a Proposal for a Comprehensive Microform Edition with a Virtual Electronic Finding Aid: Introduction with Working Archival and Bibliographic

## Russia and "the West": cultural trophies and restitution in post-1991 Russia

Many Russians today have a very different attitude towards displaced cultural treasures than do people in Western Europe and the United States. Perhaps this attitude is part of the legacy of the Cold War and the Stalinist regime. Today the vast majority of Russians (with Russian Duma estimates as high as 86 percent) are unwilling to consider restitution of cultural property (including archives) to Germany and its wartime allies. Only reluctantly are many Russians prepared to proceed with limited restitution of Nazi-confiscated cultural treasures from Western European countries and Holocaust victims. But the prohibition on restitution to Germany and other Axis powers remains strong for the following reasons.

First, Russians consider cultural treasures seized from those countries as "compensatory restitution" for the cultural treasures lost, destroyed, or plundered from the USSR by the Nazi invaders and their allies. In a defensive presentation to the Washington Conference, Nikolai Gubenko, the key spokesman for the new Russian law, who led the four-year fight for its enactment through the Russian parliament, stressed that in Russia "86 percent supported the Law." He and other legislators believe, as he phrases it, "Russia has a normal right to compensation," particularly "because the Soviet Union suffered the most" in the war which "was genocide against the Slavic, as well as Jewish races."<sup>100</sup>

Similarly in December 1945, Agitprop head Georgii Aleksandrov used less emotive words, but stressed the same intention to Georgii Malenkov as he justified major shipments of selected German cultural property found in the salt mines of Saxony: "[B]ringing them to the USSR might to some extent serve as compensation for the losses wrought by the German occupiers on scholarly and cultural institutions in the Soviet Union."<sup>101</sup>

Second, Russians firmly believe that Nazi-looted Russian cultural treasures were not returned from the West. Hence, the argument still runs, Russia should not be obliged to return those that were

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Data" (latest version October 2001); publication as a Working Paper for the United States Holocaust Memorial Museum and IISH is planned

<sup>100</sup>

Nikolai Gubenko, in *Washington Conference on Holocaust-Era Assets*, pp. 513–18.



seized by Soviet authorities after the war in compensation, or as "restitution in kind" for the Soviet treasures lost and destroyed.

Few Russians are aware that between fall 1945 and 1952, the United States returned to the Soviet Union from Germany over half a million Soviet cultural treasures that had been plundered by the Nazis. German specialists prepared a database of the individual cultural property that made up the shipments.<sup>102</sup> A recent facsimile edition of the official transfer documents and inventories of restituted cultural treasures are being published by the National Archives of the United States. Information about the significant postwar Western Allied cultural restitution was never made public in the USSR, and even today Russian archivists cannot find the Soviet copies of the U.S. transfer receipts.<sup>103</sup>

Hence deputies in the Russian Parliament kept repeating Nikolai Gubenko's refrain in July 1996: "Now we are asked to return what we received from the aggressor. We ourselves, we received nothing that had been taken away."<sup>104</sup> Gubenko later argued: "'Russia Had Been Robbed Twice'—first by Fascist Germany and then by its Allies. Most of the displaced cultural treasures found at the end of the war in Germany, including the Russian ones, were transported across the ocean."<sup>105</sup> The documents being published from the U.S. National Archives tell a different story.

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<sup>101</sup> See G. Aleksandrov to TsK VKP(b) Secretary G. M. Malenkov, RGASPI, 17/125/308, fol. 51.

<sup>102</sup> Wolfgang Eichwede and Ulrike Hartung, eds., "Property Cards Art, Claims und Shipments auf CD-ROM: Amerikanische Rückführungen sowjetischer Kulturgüter an die UdSSR nach dem Zweiten Weltkrieg" – Die CD der Arbeitsstelle "Verbleib der im zweiten Weltkrieg aus der Sowjetunion verlagerten Kulturgüter" (Bremen: Forschungsstelle Osteuropa, 1996).

<sup>103</sup> See *U.S. Restitution of Nazi-Looted Cultural Treasures to the USSR, 1945–1959: Facsimile Documents from the National Archives of the United States*, compiled with an Introduction by Patricia Kennedy Grimsted; foreword by Michael J. Kurtz, CD-ROM edition (Washington, DC: GPO, 2001; prepared in collaboration with the U.S. National Archives). A summary of my initial introduction presented at the VGBIL April 2000 conference appears with the proceedings, <http://www.libfl.ru/restitution/conf/>. An article is in preparation for *Prologue*.

<sup>104</sup> Aleksandr A. Surikov, addressing the Council of the Federation, quoted in *Soviet Federatsii Federal'no go Sobremennia, Zasedanie deviatoe, Biulleten'*, no. 1 (17 July 1996), p. 59. The same argument was also presented by Nikolai Gubenko, p. 60. Gubenko now heads the Committee on Culture in the Duma, and earlier served as Minister of Culture of the USSR under Mikhail Gorbachev.

<sup>105</sup> Nikolai Gubenko, interview with the radio station "Echo of Moscow" (22 April 1997), "Luchshie interv'iu," electronic version: <http://www.data.ru/echo/2504gub.html>, p. 10 of 12.



Third, the transfers of the mosaics and commode from the Amber Chamber as part of the spring 2000 exchange and then the icon from Pskov have convinced Russians that the Germans are still hiding many other cultural treasures from the USSR.

Fourth, deputies in the Russian Duma argue the new Russian law, "is the language of justice." The rule of law and respect for international agreements are still not established in Russia. A different concept of international law and justice appears to permeate Russian lawmakers, government officials, and even some intellectuals. If queried about the Hague Convention of 1907 that prohibits the seizure of cultural treasures in time of war, they would repeat that the "trophies" brought to Moscow were compensatory restitution after the war was over. The Allied Control Council in Germany never agreed to a principle of "restitution in kind," or "compensatory restitution," but Soviet authorities followed their own principles, which they now consider to have the strength of law. No peace treaty was ever signed with Germany, and the Treaty of Friendship the Soviet Union signed with a reunified Germany in 1990, providing for the mutual restitution of cultural property, was soon forgotten in the "new" Russian Federation.

Even in 1946, Soviet representatives in Germany quite openly admitted the extent of their seizures and, cynically describing German cultural valuables as "war trophies," refused to submit a list of those they had taken to the USSR. (American authorities had such lists, but chose never to make them public.)<sup>106</sup> In his Washington DC presentation in December 1998, Duma cultural leader Gubenko stressed an international legal basis under which "the Soviet Union had the right to confiscate and own the cultural treasures of former hostile states." He quoted an Allied Control Council resolution: "The right for restitution is granted only to the states, which were completely or partially occupied."<sup>107</sup> With respect to

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<sup>106</sup> See Grigorii Kozlov (with Konstantin Akinsha), "Diplomatic Debate on Cultural Restitution Matters 1945–1946," electronic version in English and Russian in the April 2000 VGBIL conference proceedings, <http://www.libfl.ru/restitution/conf/kozlov.html>. Extensive lists of German cultural treasures looted by Soviet authorities has been found in the U.S. National Archives. See, for example, the secret report on "Soviet Removals of Cultural Materials" (7 June 1947) addressed to the Adjutant General at the War Department from Lt. Col. G. H. Garde, with 23 enclosures, most of them detailed reports about specific Soviet removals, US NA, RG 260 (OMGUS), Adjutant General decimal files, 1947, box 129.

<sup>107</sup> Nikolai Gubenko, in *Washington Conference on Holocaust-Era Assets*, pp. 513–18.

archives, Russian legislators accordingly are obviously not prepared to adopt the 1976 UNESCO position (reinforcing the Hague Conventions of 1907 and 1954) that: "Military and colonial occupation do not confer any special right to retain archives acquired by virtue of that occupation."<sup>108</sup>

Fifth, Russian politicians, and even many of those in Rosarkhiv, in archival restitution decisions, do not seem to realize that - aside from Nazi agency records of the German and Austrian records still held in Moscow, and especially those from the former Central Archive, were actually confiscated by Nazi security agencies from declared "enemies" of the Nazis in those countries and those who were victimized by the Nazis. These "enemies" included among others Jewish communities that did not survive the Holocaust, Masonic lodges that were suppressed and whose members were also sent off to prison, and various repressed Christian religious groups.

Sixth, Russians do not recognize the importance of reintegrating the Nazi archival files remaining in Moscow with those that the United States and Great Britain turned over to Germany already in the 1960s. Indeed, a major problem for World War II scholarship is the dispersal of Nazi records. Many of the Nazi agency records in Moscow are actually contingent fragments of a record group already professionally processed in Germany. The reintegration of Nazi records from East and West Germany following reunification reinforces that situation. Tracing wartime cultural losses and displacements, to say nothing of human losses, would be much easier if those records could be reunited with their missing fragments.

Seventh, unlike their Western European counterparts and archivists throughout the world, Russians do not agree that archives should be considered differently than art, and that as unalienable official records, they should not be treated as "trophies" or objects for exchange. The Palestinian delegation to the Conference of the International Round Table on Archives (CITRA) in Thessalonica in 1994 were among those who abstained from voting on that effect. As archivists, they may understand that archives should go home from the wars, but as official Russian government

<sup>108</sup>

UNESCO, "Report of the Director-General on the Study on the Possibility of Transferring Documents from Archives Constituted within the Territory of Other Countries or Relating to their History, within the Framework of

representatives, they could not raise their hand to vote against government policy and widespread Russian public support for the policy of non-restitution.<sup>109</sup>

Eighth and finally, on a deeper emotive, socio-psychological level, the Russian public, turning inward since the collapse of the Soviet empire, views those trophies (even if they have never seen them) as symbols of the Soviet victory over the "fascist" invader, which the USSR and their own families sacrificed so much to achieve. The cult of Stalin, in film, song, and public statuary reinforced the cult of Stalin's and the people's victory in the Great Patriotic War, as the reality of the "meeting on the Elbe" was transformed in Cold War propaganda.<sup>110</sup> Other countries who fought the "fascist" invader and achieved victory in the Second World War have been more prepared to return the displaced cultural property and the archives of other nations and people who were victimized by the Nazi regime (including those in Germany), along with those of Germany itself. But for Russians, the reality of other nations' memory embodied in those "trophies" has been transformed into emotive symbols. Thus the rare book specialist Aleksandr Sevostianov bitterly denounced the "anti-patriotic and liberal currents of the 1991–1993 period," which were favoring restitution of the "Spoils of War," which, in his view, for Russia were much "more than trophies."<sup>111</sup> The Soviet people's suffering and victory in the Great Patriotic War has indeed been transformed in postwar decades into an integral component of Soviet popular ideology. In the process, the

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Bilateral Agreements," Nairobi, 1976 (19C/94, § 3.1.1).

<sup>109</sup>

See more details in my book, *Trophies of War and Empire*; the Thessalonica CITRA resolution is printed as Appendix VI, pp. 555–57, and is also available in International Council on Archives (ICA) *Archival Dependencies in the Information Age, CITRA 1993–1995: Proceedings of the Twenty-Ninth, Thirtieth and Thirty-First International Conferences of the Round Table on Archives, XXIX Mexico 1993, XXX Thessaloniki 1994, XXXI Washington 1995* (Dordrecht: ICA/CIA, 1998), pp. 246–47.

<sup>110</sup>

The example of the transmutation of the "meeting on the Elbe" is well-dramatized in the postwar episode in the new 2001 BBC-WGBH film series "The People's Century," presented on BBC World in August 2001.

<sup>111</sup>

Aleksandr Sevast'ianov, "Bol'she, chem trofei – Polemika . . . s Igorem Maksimychyevym," *Nezavisimaya gazeta* (14 September 1996): 6. See also the referenced article by Igor F. Maksimychyev, "'Peremechenoe', ne znachit 'nich'e': Nanesti ushcherb natsional'nym interesam možno i iz samykh blagorodnykh pobuzhdenii," *Nezavisimaya gazeta* (26 July 1996): 2.

long-hidden foreign cultural treasures and archives that were transferred to the USSR have taken on a more abstract and transcendent meaning, as symbols of victory in that "war in myth and memory."<sup>112</sup>

## Conclusions

Professional archivists with international support and resolutions from the Council of Europe, the ICA, and UNESCO would argue that displaced archives need to be handled differently than art or library books. Indeed, the international legal basis and precedents for unilateral archival restitution of displaced official records of state and private agencies and individuals are even stronger than is the case for art. Besides, who in Russia would ever study files of Dutch feminist organizations or Belgian theosophic societies, and how could they possibly "compensate" for Russian records lost or destroyed during the war?

We need still more coordinated, cooperative research by specialists from many countries on the wide range of sources that are available. And we can still hope that Russian archives will be more forthcoming with the hitherto secret data about accessions and transfers of the many still displaced cultural treasures held in Russia from all over the European continent. Until we can identify the provenance and migratory routes of the displaced foreign archival materials still in Moscow, it will be difficult to process restitution claims and identify dispersed contingent fragments. Too many displaced archives and library collections are still lost or held as prisoners of war in Eastern Europe. At the same time, the archival records of Nazi agencies that could provide the clues to their displacements remain fragmented, while many of them have yet to be adequately identified and described.

At the time CITRA was gathered in Thessalonica in 1994, few (if any) participants realized that a major group of Nazi-confiscated records from the Thessalonica Sephardic Jewish Community was held in Moscow. They had been found in Silesia by Red Army scouts with the RSHA cache after the war in the

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<sup>112</sup> See Nina Tumarkin's essay, "The Great Patriotic War as Myth and Memory," *The Atlantic* 267:6 (June 1991): 26-31; and her book, *The Living & The Dead: The Rise and Fall of the Cult of World War II in Russia* (New York: Basic Books, 1994).

castle of Wölfelsdorf, along with some files from the Jewish Community of Athens, and a few other scattered groups of Jewish records of provenance in Greece.

As of the end of 2001 they are still in Moscow, among over 600 foreign fonds in the former Special Archive.<sup>113</sup> They have already been microfilmed by Israeli specialists, who paid a high fee for the right to copy them. Copies were furnished to the United States Holocaust Memorial Museum (USHMM), also at a high cost. Today Greece is claiming the originals, but now Rosarkhiv is asking Greece to pay again. Restitution issues for Jewish cultural property are often complicated in cases where the communities that created the records have been annihilated (as happened to 90 percent of the Jewish community in Thessalonica) or their surviving files have since been dispersed. In the case of Thessalonica, some of the community records are now also held by YIVO Institute for Jewish Research in New York City and a couple of files have surfaced in Amsterdam.<sup>114</sup>

Today Jewish survivors in Greece and even in Thessalonica itself are prepared to assure the preservation of those records and would like to see them returned to the country where they were created. The CITRA meeting in Thessalonica coincided with the opening of a new provincial archive building. Those files created in a language few in Moscow can read may have been "twice saved" and even "rescued" by the Red Army, but they can hardly help Russians today celebrate their victory over fascism or "compensate" for Russian files lost or destroyed. Those files today could serve as a memorial to those who perished during World War II or were forced to flee their homeland, as well as a record of the

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<sup>113</sup> The Thessalonica Community records (RGVA, fond 1428K, 297 file units, 1919–1941) and those from Athens (fond 1427K, 112 file units, 1901–1942) have both been filmed by specialists from Tel Aviv University, where a detailed finding aid is being prepared. Two smaller fonds comprise records of Zionist offices in Thessalonica involved with assisting the emigration of Jews to Palestine (fond 1435K and 1437K), and there are a few more fragmentary files intermixed in a fond labeled for Jewish organizations in the Netherlands (fond 1432K). There are a few additional files of Greek Jewish provenance, such as files of B'nai B'rith from Greece and Yugoslavia (fond 1225K). Copies of all of these Greek fonds are available in USHMM. A Russian agreement recently signed with the Greek Foreign Ministry for the return of the originals was mentioned in the Greek report at the Vilnius Forum. Greek specialists have since examined the materials in Moscow but are still negotiating the terms for their return.

<sup>114</sup> The "Salonica Collection" in the YIVO Archive in New York (RG 207, 3 feet, 2 inches [10 boxes]) in addition to Community records also includes a few files (similar to those in Moscow) from an agency assisting emigration to Palestine. The Municipal Archives in Amsterdam (arch. 1407) includes one and possibly a second folder of documents from the Thessalonica Community and two from YIVO, among a few other stray files received from U.S. restitution authorities after World War II.

community that produced them. We have seen some recent Russian "gestures of goodwill" with respect to trophy art returned to Germany, but these archival survivors of the Holocaust, together with many others confiscated from victims of the Nazi regime, still remain prisoners of World War II in Moscow, prisoners not only of the war itself, but also the "war in myth and memory."



## Abbreviations and acronyms

AMSAB	Amsab Instituut voor Sociale Geschiedenis/Amsab Institute d'Histoire Sociale (Amsab [Archives and Museum of the Socialist Labour Movement] Institute of Social History), Ghent
AVP RF	Arkhiv vneshnei politiki Rossiiskoi Federatsii (Archive of Foreign Policy of the Russian Federation), Moscow, <i>under the Ministry of Foreign Affairs</i>
BAB	Bundesarchiv (Federal Archives), Berlin-Lichterfelde
BAN	Biblioteka Rossiiskoi Akademii nauk (Library of the Academy of Sciences), St. Petersburg
CITRA	Conference internationale de la Table Ronde des Archives (International Conference of the Round Table on Archives), <i>under ICA/CIA</i>
ERR	Einsatzstab Reichsleiter Rosenberg (Rosenberg Special Command Force for Occupied Territories)
ERR HAG	ERR Hauptarbeitsgruppe (Main Task Force [or Chief Working Group]) <i>under ERR</i>
FSB	Federal'naya sluzhba bezopasnosti Rossiiskoi Federatsii (Federal Security Service of the Russian Federation), <i>formerly KGB</i>
GA RF	Gosudarstvennyi arkhiv Rossiiskoi Federatsii (State Archive of the Russian Federation), Moscow, <i>formerly TsGAOR SSSR and TsGA RSFSR</i>
GAU	Glavnoe arkhivnoe upravlenie (Main Archival Administration), <i>alternatively, Glavarkhiv</i> —pri NKVD (after 1946, MVD) SSSR (under the People's Commissariat [after 1956, Ministry] of Internal Affairs of the USSR), 1941–1960 —pri Sovete Ministrov SSSR (under the Council of Ministers of the USSR), 1960–1991, <i>often Glavarkhiv</i>
GBL	Gosudarstvennaia biblioteka SSSR imeni V. I. Lenina (Lenin State Library), Moscow, <i>since 1992, RGB</i>
Glavarkhiv	Glavnoe arkhivnoe upravlenie (Main Archival Administration), <i>alternatively, and earlier often, GAU</i>
GPB	Gosudarstvennaia Publichnaia biblioteka imeni M.E. Saltykova-Shchedrina (Saltykov-Shchedrin State Public Library), Leningrad, <i>since 1992, RNB, St. Petersburg</i>
GPIB	Gosudarstvennaia publichnaia istoricheskaia biblioteka Rossii (State Public Historical Library of Russia), Moscow
GPOB	Gosudarstvennaia politicheskoi-obshchestvennaia biblioteka (State Socio-Political Library, Moscow, <i>before 1992, Library of the Institute of Marxism-Leninism under the Communist Party of the Soviet Union</i>

ICA/CIA	International Council on Archives/Conseil International des Archives
IISH/IISG	International Institute of Social History/Internationaal Instituut voor Sociale Geschiedenis, Amsterdam
IML	Institut Marksizma-Leninizma pri TsK KPSS (Institute of Marxism-Leninism under the Central Committee of the Communist Party of the Soviet Union), Moscow
MGB	Ministerstvo gosudarstvennoi bezopastnosti (Ministry of State Security of the USSR), <i>after 1954</i> , KGB
MVD	Ministerstvo vnutrennykh del (Ministry of Internal Affairs), <i>before 1946</i> , NKVD
NKVD	Narodnyi komissariat vnutrennykh del (People's Commissariat of Internal Affairs), <i>after 1946</i> , MVD
RGADA	Rossiiskii gosudarstvennyi arkhiv drevnikh aktov (Russian State Archive of Early Acts), Moscow, <i>formerly</i> TsGADA SSSR
RGALI	Rossiiskii gosudarstvennyi arkhiv literatury i iskusstva (Russian State Archive of Literature and Art), Moscow, <i>earlier</i> TsGALI SSSR
RGANI	Rossiiskii gosudarstvennyi arkhiv noveishei istorii (Russian State Archive of Contemporary History), Moscow, <i>earlier</i> TsKhSD
RGASPI	Rossiiskii gosudarstvennyi arkhiv sotsial'no-politicheskii istorii (Russian State Archive of Socio-Political History), Moscow, <i>before March 1999</i> , RTsKhIDNI
RGB	Rossiiskaia gosudarstvennaia biblioteka (Russian State Library), Moscow, <i>before 1992</i> , GBL (Gosudarstvennaia biblioteka SSSR imeni V. I. Lenina [Lenin State Library])
RGIA	Rossiiskii gosudarstvennyi istoricheskii arkhiv (Russian State Historical Archive), St. Petersburg, <i>earlier</i> TsGIA SSSR and TsGIAL
RGVA	Rossiiskii gosudarstvennyi voennyi arkhiv (Russian State Military Archive), Moscow, <i>now (since March 1999) includes the holdings of former</i> TsKhIDK (TsGOA SSSR)
RGVIA	Rossiiskii gosudarstvennyi voenno-istoricheskii arkhiv (Russian State Military History Archive), Moscow, <i>earlier</i> TsGVIA SSSR
RNB	Rossiiskaia natsional'naia biblioteka (Russian National Library), St. Petersburg, <i>before 1992</i> , GPB, Leningrad
Rosarkhiv	Federal'naia arkhivnaia sluzhba Rossiiskoi Federatsii (Federal Archival Service), Moscow, <i>before 1992</i> , Glavarkhiv
RSFSR	Rossiiskaia Sovietskaia Federativnaia Sotsialisticheskaia Respublika (Russian Soviet Federated Socialist Republics)

RSHA	Reichssicherheitshauptamt (Reich Security Main Office)
RTsKhIDNI	Rossiiskii tsentr khraneniia i izucheniia dokumentov noveishei istorii (Russian Center for the Preservation and Study of Documents of Modern History), Moscow, <i>formerly</i> TsPA, <i>now</i> RGASPI
RZIA	Russkii zagranichnyi istoricheskii arkhiv (Russian Foreign Historical Archive), <i>formerly</i> Prague, <i>transferred to Moscow in 1945/46</i>
SMERSH	"Smert' shpionam" (literally, "Death to spies"—military counter-espionage units under the Chief Intelligence Directorate—GRU [Glavnoe razvedyvatel'noe upravlenie])
SVAG	Sovetskaia voennaia administratsiia v Germanii (Soviet Military Administration in Germany)
SVR	Sluzba vneshnei razvetki RF (Foreign Intelligence Service of the Russian Federation), <i>formerly</i> KGB, First Chief Directorate
TsAMO	Tsentral'nyi arkhiv Ministerstva oborony RF (Central Archive of the Ministry of Defense of the Russian Federation), Podol'sk
TsDAMLM	Tsentral'nyi derzhavnyi arkhiv-muzei literatury i mystetsva Ukrainy (Central State Archive-Museum of Literature and Art of Ukraine, [ <i>formerly</i> of the Ukrainian SSR]), Kyiv.
TsDAVO	Tsentral'nyi derzhavnyi arkhiv vyshchikh orhaniv derzhavnoi vлады ta upravlinnia Ukraїna (Central State Archive of the Highest Agencies of State Power and Administration of Ukraine), <i>formerly</i> TsDAZhR USSR ( <i>Russian</i> TsGAOR UkrSSR), Kyiv
TsGADA SSSR	Tsentral'nyi gosudarstvennyi arkhiv drevnikh aktov (Central State Archive of Early Acts), Moscow, <i>now</i> RGADA
TsGALI SSSR	Tsentral'nyi gosudarstvennyi arkhiv literatury i iskusstva SSSR (Central State Archive of Literature and Art of the USSR), Moscow, <i>now</i> RGALI
TsGAOR	Tsentral'nyi gosudarstvennyi arkhiv Oktiabr'skoi Revoliutsii SSSR (Central State Archive of the October Revolution of the USSR)—SSSR, Moscow ( <i>now part of</i> GA RF)—UkrSSR, Kyiv, <i>now</i> TsDAVO
TsGIAL	Tsentral'nyi gosudarstvennyi istoricheskii arkhiv v Leningrade (Central State Historical Archive in Leningrad), <i>now</i> RGIA
TsGIAM	Tsentral'nyi gosudarstvennyi istoricheskii arkhiv Moskvyy (Central State Historical Archive in Moscow), Moscow <i>later part of</i> TsGAOR SSSR, <i>now part of</i> GA RF
TsGOA SSSR	Tsentral'nyi gosudarstvennyi osobyi arkhiv SSSR (Central State Special Archive of the USSR), Moscow (1992–1999 TsKhIDK), <i>now part of</i> RGVA

TsGVIA SSSR	Tsentrāl'nyi gosudarstvennyi voenno-istoricheskii arkhiv SSSR (Central State Military History Archive), Moscow, now RGVIA
TsKhIDK	Tsentr khraneniia istoriko-dokumental'nykh kollekt sii (Center for the Preservation of Historico-Documentary Collections), Moscow, <i>formerly</i> TsGOA SSSR, <i>now part of</i> RGVA
TsKhSD	Tsentr khraneniia sovremennoi dokumentatsii), Moscow, <i>now</i> RGANI
TsPA	Tsentrāl'nyi partyni arkhiv Instituta Marksizma-Leninizma TsK KPSS (Central Party Archive of the Institute of Marxism-Leninism under the Central Committee of the Communist Party of the Soviet Union), Moscow, <i>now</i> RGASPI, <i>earlier</i> (1992-1999), RTsKhIDNI
US NA	U.S. National Archives, Washington, DC, and College Park, MD
USHMM	United States Holocaust Memorial Museum, Washington, DC
VGBIL	Vserossiiskaia gosudarstvennaia biblioteka inostranoi literatury imeni M. I. Rudomino (All-Russian State Library for Foreign Literature [founder M. I. Rudomino]), Moscow
YIVO	YIVO [Yidisher Visnshaftlekher Institut (Jewish Scientific Research Institute)] Jewish Research Institute, Vilnius, New York City, NY

## Note

For transcription of Cyrillic references, the Library of Congress system of transliteration is used throughout, modified with the omission of ligatures, except when an alternate form appears in a documentary title or text. A few personal and geographic names such as Yeltsin and Moscow have been retained in the form most generally known in the West, but most others have been rendered in a more strict LC transliterated form. Kyiv, Lviv, and other Ukrainian place names are rendered in their Ukrainian, as now officially used since independence, instead of the more familiar Russified forms (Kiev or Lvov). For historical references to localities then officially part of the Reich during the war, such as Silesia and the Sudetenland, official (and usually more familiar) German forms are used with the present Polish or Czech versions in parentheses on first reference – Ratibor (now Polish Racibórz), Danzig (now Polish Gdansk), etc., unless there is a common accepted English variant, such as Silesia.

The archival term “fond” has been retained, because it is frequent in international usage – there is no exact English translation of it. The term came to the Soviet Union from the French *fonds*, but not without some change of usage. In Russian a “fond” is an integral group of records or a collection from a single office or source. American archivists might prefer the more technical term “record group,” which in British usage would normally be “archive group,” but the Russian usage of the term is much more extensive, as a “fond” can designate personal papers and/or collections as well as groups of institutional records.

For archival citations from Russian and Ukrainian archives, following the acronym of the holding archive, references are given sequentially to the number of the fond (record group or collection)/ *opis* (Ukrainian *opys* – inventory and/or series within a fond)/ and the file unit (*edinita khraneniia* or *delo* (Ukrainian *sprava*), followed by the folio (fol.[s]) numbers.

