

RESTITUTION OF ART, JUDAICA, AND OTHER CULTURAL PROPERTY PLUNDERED IN SERBIA DURING WORLD WAR II

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Restitution efforts understandably focus primarily on immovable property. Plundered artworks, books, manuscripts, archives, religious artifacts, and other unique, movable objects of cultural property are also of great importance, however. Artworks and religious artifacts plundered by the Nazis and their allies from Jewish communities and families have emotional meaning. These were communal and personal possessions valued for their beauty and cultural significance, often handed down through several generations. In many cases, these artworks or artifacts are the last personal link heirs may have to families and communities destroyed in the Holocaust.

Key words: Restitution, artworks, Yugoslavia, Jewish, cultural property, Nazis, loot

Historical research regarding expropriation of cultural property in Serbia during World War II

SO FAR AS IS KNOWN, THERE HAS NOT BEEN detailed historical research on the expropriation of cultural property in Serbia – not only from Jews but also more generally. Unlike many other countries, Serbia has not compiled a list or database of artworks, libraries, manuscripts and other cultural artifacts removed from the country during World War II.

Information is available, however, in the relevant archives. In response to complaints from the art world of the difficulty and expense in viewing the scattered and complex records needed to ascertain whether an artwork was looted, the Claims Conference/WJRO have initiated and supported a series of interlocking projects that provide greater access and information about the records of the main Nazi agency responsible for looting cultural valuables in Nazi-occupied countries. Specifically, the Claims Conference/WJRO have undertaken a series of initiatives regarding the scattered records of the EinsatzstabReichsleiter Rosenberg (ERR), the largest of the Nazi agencies engaged in the plunder of art, libraries, archives and Judaica.¹ Among the results is a compilation of all the ERR records concerning the former Yugoslavia, records that have been scattered in Germany, Russia, the United States, and elsewhere. This compilation is entitled *The Looting of Jewish and Cultural Objects in Former Yugoslavia: The HAG Südosten & The Einsatzstab Reichsleiter Rosenberg in Belgrade, Agram (Zagreb) and Ragusa (Dubrovnik)*.²

The ERR was the main looting agency in Serbia and set up its office (named the *Arbeitsgruppe Südost*, later the *Hauptarbeitsgruppe Südost*) in February 1943 at 36 Gospodar Jovanova Street in Belgrade, in the former offices of the Chief Rabbi of Belgrade. But the ERR was not the only looting agency in Serbia. In particular, it was preceded by the *Kunstschutz* of the Wehrmacht and by the Gestapo. While the ERR did some looting of art, most of the art – as well as musical instruments and music scores – had already been taken by the *Kunstschutz* by the time of the arrival of the ERR. There were thus various German units involved in the looting and no central listing of art as in France. The ERR emphasis was on looting of libraries and archival records and of Jewish ritual objects if they did not duplicate items already taken in France (Weinberger 2012, 7–8).

While no central listing was made by the Germans, there nonetheless are identifiable collections and individual objects looted from Serbia reflected in the archives of the ERR and other Nazi agencies. In many cases, though not all, the original owners are noted (Weinberger 2012, 27–35). And there are German lists of artworks that were confiscated (Weinberger 2012, 36–45), including in some instances photographs of them, as well as German lists of books and archives plundered (Weinberger 2012, 46–58).

1 Information on these initiatives and their results may be found at: (WJRO undated; <http://www.errproject.org>)

58 | 2 The compilation was prepared by Dr. Ruth Weinberger, see: (WJRO 2013).

The records of postwar restitution claims are an additional source and reflect the various Nazi looting agencies that were operative in Serbia. By 1948, the Office of Military Government for Germany (US) Property Division had received 417 applications (including for property looted elsewhere in Yugoslavia than Serbia) from the Yugoslav Restitution Mission in Germany.³ While some of the objects listed had been looted from Jews, presumably not all confiscations of Jewish property were noted as such on the restitution request applications filed with the American Allies after the war. Nor was the fate of the artworks' pre-war owners usually stated (Weinberger 2012, 8–10).

There are presumably additional records of postwar restitution claims submitted by Yugoslavia to the United Kingdom and to France.



Bundesarchiv 1944: BArch NS 30/178, Kunstgegenstände aus jüdischem Besitz bei der HAG Südosten (1943) 1944

Reclassified per Executive Order 12958, Section 1.5
NSD Project Number: NSD 771077 By: NSD Date: 1977

THE FEDERAL PEOPLE'S REPUBLIC OF YUGOSLAVIA

APPLICATION Date: May 31st, 1948

Claim No. 48/a For the restitution of cultural, historical and art property from Germany to the Yugoslav Government

1. General description of goods applied for:

Plasures:
29 plasures (cf. Catalogue in Annex).

2. The former proprietor or custodian of the claimed property and the place where it was located before its removal to Germany:

Stovchak's Jewish, Belgrade, Station Nr. 10, near Belgrade, Yugoslavia.

3. The facts and circumstances under which the property was removed from Yugoslavia to Germany (i. e. approximate date of the removal, by whom and the way it was removed):

The plasures were in the apartment of one of the owner's friends, Ilko Savic, now Chairman of the Supreme Council of the people's Republic of Montenegro, when he was moved out of his apartment in 1941. It was looted by the Germans.

4. The presumed place where the property may be located in Germany:

Unknown.

The Institution Section of FPBY is the
US Zone of Germany
No. 731/11
Kulturalt.

On behalf of the Government
of FPB, Yugoslavia
IMAJE B. DRAGI

*Example of Claim from Belgrade.
National Archives and Records
Administration of the United States: M
1946, Yugoslavia Claims, Numbered:
1946, Yugoslavia Claims, Numbered:
9–312*

³ National Archives and Records Administration of the United States: M 1946, Category: Yugoslavian Claims, Numbered: 9 – 312; Yugoslavian Claims, Numbered: 455A – 1659.



Library markings from books looted in Serbia collected by the U.S. Army at the Offenbach Archival Depot. M 1942, Offenbach Pictures: Library Markings from Looted Books⁴

Where at present is the cultural property plundered from Serbia?

The whereabouts of much that was taken in Serbia remains unknown at the present time. For example, where now is the art of symbolist painter Leon Koen, the first Sephardic painter from Belgrade? During the Holocaust almost all his paintings were lost or destroyed, and only a few of his works remain (Adić 2009, 2; Šuica 2001).

But the fate of some of the cultural property is known. In particular, at the end of World War II Soviet Trophy Brigades seized the archives of Yugoslavia that had been plundered by the Nazis and brought them to Moscow, where for

decades they were kept in the closed, secret “Special Archive of the U.S.S.R.” Those archives are now in the Russian State Military Archive and contain Serbian Jewish collections such as the records of the Grand Lodges of B’nai B’rith and the records of the Jewish Synagogue and School Community of Belgrade (Crkveno-školska jevrejska opština [Beograd]) from 1815 to 1941.⁵ Books that were plundered by the Nazis in Serbia and that were subsequently seized by the Soviet Trophy Brigades were transferred on Stalin’s orders to Minsk to compensate for the enormous library losses that had taken place there. These volumes are now in the new building of the National Library of Belarus (Kennedy Grimsted 2010, 23–47; Grimsted 2006, 133169; Grimsted 2004, 351–404).

The books of the *Geca Kon* Publishing House were confiscated and brought to the National Library of Austria, from where they were forwarded to other major

⁴ Offenbach pictures available at: <http://www.fold3.com/image/#114|232008202>

⁵ There are now catalogues in Russian and English of the relevant holdings of the Russian State Military Archive, partly published with the support of the Conference on Jewish Material Claims Against Germany. See, for example: (Fishman, Kupovetsky and Kuzelenkov 2010, 195–202).

libraries in the Reich: the Prussian Federal Library (Preussische Staatsbibliothek) in Berlin, the Bavarian State Library (Bayrische Staatsbibliothek) in Munich, the City and University Library of Breslau (Wrocław), and the University Library of Leipzig (Köstner 2005, 1). These libraries have all to some extent done provenance research on their collections and have identified many of the books from the Geca-Kon Publishing House that they still have. In 2011, the University Library of Leipzig transferred 796 books from the GecaKon collection to the National Library of Serbia (Friedrich Ebert Stiftung 2012, 35). But the rest of the collection remains in the other four libraries. [Geca Kon perished in the Holocaust without heirs. While transfer to the National Library of Serbia may be an appropriate “return” of the books, the failure to involve the Federation of Jewish Communities of Serbia and/or the Conference on Jewish Material Claims Against Germany in the transfer is troublesome, as is the fact that, so far as is known, the National Library of Serbia has not done provenance research on its own holdings.]

Known or suspected looted cultural property that at present is in Serbia

Cultural property that was looted by the Nazis and their allies elsewhere than in Serbia is to be found in Serbia. In particular this is the case in regard to objects in the Ante Topic Mimara collection: By December 1948, the work at the U.S. Army’s Central Collecting Point in Munich was in its last stages, and most of the claims had been processed, when Ante Topic Mimara claimed to be the Yugoslav government’s representative in charge of restitution and asked for 166 objects, described in seven lists. The 166 objects mentioned in the seven lists — including 56 paintings — were released to Mimara in late May and early June of 1949. Some of these items are now located in the National Museum of Serbia and were presumably looted by the Nazis from Holocaust victims in France, the Netherlands, and elsewhere (Akinsha 2001).

As Serbia is part of the world art market, it is possible that other cultural property looted during World War II and the Holocaust has entered the country.

The Šlomović collection is currently held by the National Museum in Belgrade. This very valuable collection, stolen from Erih Šlomović, a Jewish Croatian who moved to Belgrade when he was 4 years old and who was murdered during the Second World War, consists of acclaimed French impressionist paintings. Mr.

Šlomović's personal diary was stolen and is believed to be in possession of a private collector in Belgrade (D'Arcy undated; Perry 2000).⁶

In general, Serbian museums, libraries, and archives have not done provenance research (history of the ownership of an object from its creation to the present) on their collections, even though, for example, as a member of the International Council of Museums (ICOM) Serbia is expected to do so in accordance with the Code of Ethics of ICOM.

Concerning art, such provenance research is particularly important for the collections of the National Museum and the Royal Compound and in regard to the Šlomović and Mimara collections, the latter of which is known to contain art objects plundered by the Nazis from Jews in other countries and improperly brought to Serbia. Concerning Judaica, it seems clear that there must be Torah scrolls, religious books and manuscripts in libraries and archives beyond the very few that are in the possession of the Federation of Jewish Communities in view of the number of synagogues in Serbia prior to World War II and taking into account the destruction and/or removal from the country of such Torah scrolls, religious books and manuscripts.

Serbia has proclaimed itself bound by the UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer or Ownership of Cultural Property, and it has endorsed the Terezin Declaration (WJRO 2009). Article 15 of the 2006 Serbian restitution law provided that "movable items of cultural, historical or artistic significance shall be returned to the ownership of the church or religious community and if they are a constituent part of the collection of a public museum, gallery or similar institution, agreement regarding their continued use between the church or religious community and the holder of the item are defined by contract." The law established on September 30th 2008, deadline for claims, but because such a deadline for movable objects is problematic, the Federation of Jewish Communities in Serbia was supposed to be permitted to file a blanket claim for all Jewish communal cultural property by the deadline that was to be valid in regard to items that may be identified in future, but the status of this blanket claim is unclear.

In accordance with the Terezin Declaration, information on art, Judaica, and other cultural property should be made public and accessible, and a non-bureau-

62 | ⁶ About Erih Šlomović, see: (<http://erich-slomovic.com/>).

cratic process for making claims should be established. Efforts should be made to learn where such cultural property that was removed from Serbia is now located, and where appropriate the government should hold negotiations for the return of such property. The results of provenance research by Serbia's museums, libraries, and archives should be made public over the internet. A law covering the return of private cultural property, applicable to both Serbian and foreign citizens, should be enacted, but without a deadline for such cultural property.

What needs to be done

It is desirable for Serbia to undertake the following steps:

- Conduct detailed historical research on the expropriation of cultural property in Serbia
- Create a listing or database on the internet of what was removed from Serbia, what was returned, and what is still missing
- Serbian museums, libraries, and archives should carry out provenance research on their collections
- Information should be made public over the internet of the results of provenance research on art and other cultural property
- Pass a law covering the return of private movable cultural property applicable to both Serbian and foreign citizens but without a deadline for such cultural property
- Establish a non-bureaucratic process for filing claims
- Provide restitution of communal cultural property.

The WJRO is prepared to offer the assistance of internationally recognized experts in this area.

Sources:

<http://erich-slomovic.com/>, last visited June 2014.

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Offenbach Archival Depot. 1942. Offenbach Pictures: Library Markings from Looted Books. Available at:<http://www.fold3.com/image/#114|232008202>

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*Rezime:**Restitucija umetnosti, judaike i drugih kulturnih dobara opljačkanih u Srbiji tokom Drugog svetskog rata*

Nasuprot mnogim drugim zemljama, Srbija nema bazu podataka sa oduzetim umetničkim delima u Drugom svetskom ratu. Informacije su dostupne u relevantnim arhivima. WJRO (Svetska jevrejska organizacija za restituciju) inicirala je niz povezanih projekata koji pružaju veći pristup informacijama. Među rezultatima je kompilacija svih ERR zapisa koje se odnose na bivšu Jugoslaviju. Akcenat je bio na pljački biblioteka, arhivske građe i jevrejskih obrednih predmeta. Tokom Holokausta gotovo sve slike Leona Koena su izgubljene ili uništene, a samo nekolicina je ostala. Na kraju Drugog svetskog rata sovjetske brigade zaplenile su jugoslovenske arhive koje su opljačkali nacisti i odnele ih u Moskvu, gde su decenijama držane u zatvorene, a sada su u Ruskom državnom vojnom arhivu i sadrže srpske jevrejske zbirke. Neke opljačkane knjige iz Srbije, po Staljinovom naređenju odente su u Minsk, da se nadoknadi ogromni gubitak tamošnje biblioteke. Druge su iz Nacionalne biblioteke Austrije prosljeđivane bibliotekama u Berlinu, Minhenu, Vroclavu i Lajpcigu. Godine 2011. Univerzitetska biblioteka u Lajpcigu vratila je 796 knjiga iz kolekcije Geca Kon Narodnoj biblioteci Srbije, dok je ostatak kolekcije i dalje u ostale četiri biblioteke, jer nema živih naslednika. S druge strane, u Srbiji postoje dela koja su oteli nacisti izvan Srbije – kolekcija Ante Topića Mimare. Neka od ovih dela su sada u Narodnom muzeju u Beogradu i verovatno su ih nacisti oteli u Francuskoj, Holandiji i na drugim mestima. Tako je i vrlo vredna ukradena zbirka Šlomović trenutno u Narodnom muzeju u Beogradu, i sastoji se od priznatih francuskih impresionističkih slika. Srpski muzeji, biblioteke i arhivi nisu sproveli istraživanje porekla svih svojih kolekcija, iako bi kao članica ICOM-a Srbija to trebalo da učini. Srbija se obavezala prema UNESCO-u i prihvatila je Deklaraciju iz Terezina, da će sprečiti uvoz, izvoz i transfer kulturnih dobara, kao i da će pokretnosti od kulturnog, istorijskog ili umetničkog značaja biti vraćena u vlasništvo crkve ili verske zajednice, i ako su sastavni deo zbirke javne muzeju, galerijama. U skladu sa Deklaracijom, informacije o kulturnim dobrima treba da budu javne i dostupne.

Ključne reči: restitucija, umetnička dela, Jugoslavija, jevrejsko, kulturna dobra, nacisti, pljačka

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