Museum as Destiny, Museum as Fortress: Moving Museum Objects during the War – Then and Now

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Context: The Prism of Private War Experience

The conditions in which I am writing this article – the conditions of war – are far from the conditions of the academic style of research that usually results in methodical studies with a proper bibliography. The war temporality consists of dense and unpredictable events. It leaves no space for reflection and requires a dynamic and sharp reaction to reality, which becomes possible in the form of the documentary genre: essays, diaries, and memoirs. In this way, the factor of fate rapidly bursts into life, not only privately but also professionally.

The war caught me, a historian of 20th-century art, at my workplace at the National Art Museum of Ukraine. This text is written under the influence of the war, so it can be considered the result of extreme museum work – namely, the experience of preserving the museum collection during the first days of Russia's full-scale invasion of Ukraine in February 2022. After ten days of living in the museum at the centre of Kyiv, surrounded by enemy troops at that time, I was forced to evacuate with my child. After almost a month of moving around, we ended up in a small German town in Thuringia, where I was able to start an internship at one of the local museums with the support of the Siemens Arts Program.

My personal museum experience of the first days of the war and news about the looting of museum collections in the south and east of Ukraine, as well as the inability to separate myself and my research interests from the fate of the Ukrainian collection, set the direction for my research at the Stiftung Schloss Friedenstein Gotha (the Foundation of the Friedenstein Palace). The losses of this museum's collection were so extensive that the institution has set aside a special sector in its art history research work – 'provenance and restitution' – with a focus on how museum property moves during the history of a museum collection.

Thuringia, where Schloss Friedenstein is located, used to be a crossroads for the transfer of looted cultural property during and after World War II. Through this land, the path of Ukrainian cultural properties, extracted by German militaries, has

passed as well. A thorough study of this topic is described in an article by US scholar Patricia Kennedy Grimsted, "Nazi-Looted Art from East and West in East Prussia: Initial Findings on the Erich Koch Collection".[1] She identifies the region as one of the 'provenance stations' in the history of the movement of Ukrainian cultural property. Grimsted bases her research on many archives located in Germany, Ukraine, and the Russian Federation, and she also pays attention to the personal memories of witnesses to these events. This article inspired me to immerse myself in the study of the history of the displacement of Ukrainian museum objects, restitution after WWII, and the consideration of possible restitution that will be urgently needed after the Russo–Ukrainian War ends. This topic, combined with my personal experience of war museology and my desire to talk about the discourse of museum objects' displacement to a wider audience, led me to this text, in which eclecticism is symptomatic of our turbulent times.

International and Ukrainian scholars have done a lot of research on the ways cultural property was moved during the extreme historical events of the 20th century, such as the revolutions and wars that filled that time. Authors like Victor Akulenko, Natalia Kulakova, Janet Blake, and Roger O'Keefe have studied this topic.[2] However, special attention has been paid to WWII, as it was accompanied by perhaps the largest-scale movement, mostly of a criminal nature, of museum property. The Ukrainian historian Serhii Kot, in his thorough monograph *Return and Restitution of Cultural Property in the Political and Cultural Life of Ukraine in the Twentieth and Early Twenty-First Centuries*, provides an extended tour into the history of the transfers of museum property in Ukraine and abroad. In addition, he establishes terminology that correctly describes these processes, ready to be used in the legal field. Lastly, he publishes facts that can be considered precedents for future restitution.[3]

There are enough sources to study the topic of the illegal transfer of works of art from Ukrainian museums during the Second World War, including the digitised

1 Patricia Kennedy Grimsted, "Nazi-Looted Art from East and West in East Prussia: Initial Findings on the Erich Koch Collection", *International Journal of Cultural Property* 22/1, 2015, 7–60.

2 See: Viktor Akulenko, *Mizhnarodne pravo okhorony kulturnykh tsinnostei ta yoho implementatsiia u vnutrishnomu pravi Ukrainy* (*International Law of Protection of Cultural Property and its Implementation in the Domestic Law of Ukraine*), Kyiv: Yustinian, 2013; Natalia Kulakova, "Henezys mizhnarodnoho zakonodavstva shchodo okhorony obiektiv kulturnoi spadshchyny" ("The Genesis of International Legislation on the Protection of Cultural Heritage Sites"), *Pravo i suspilstvo* (*Law and Society*) 2, 2015, 240–244; Janet Blake, "On Defining the Cultural Heritage", *International and Comparative Law Quarterly* 49/1, 2000, 61–85, here 61; and Roger O'Keefe, *The Protection of Cultural Property in Armed Conflict*, Cambridge: Cambridge University Press, 2006, 101–111, 207–219.

3 Serhii Kot, *Povernennia i restytutsiia kulturnykh tsinnostei u politychnomu ta kulturnomu zhytti Ukrainy (20 – poch. 21 st.)* (*The Return and Restitution of Cultural Property in the Political and Cultural Life of Ukraine (20th–early-21st Centuries)*), Kyiv: Instytut istorii Ukrainy, 2020.

and inventoried archives of the Central State Archive of the Higher Authorities of Ukraine, the German Federal Archives, including the Federal Archives in Koblenz, and the regional archives of German states, in particular the Main State Archives in Weimar.[4] As for Ukraine, museum archives have lists of lost works of varying degrees of development, some of which have been published. But when we begin to dive into the actual information, it becomes clear that it is not so much the systematic nature of the losses that needs attention, but rather each individual case. The human factor plays an important role in the study of events that occurred in times of extreme tension. The current war of the Russian Federation against Ukraine provides an experience of direct contact with all the horrors of war. When confronted with them, it truly becomes clear what role the fate of an individual person, or even fate in the ancient sense of its meaning, can play in the overall history.

Process: A Brief History of the Movement of Cultural Property during and after World War II – Ukrainian Art Historian Polina Kulzhenko and Her Museum Experience

We can briefly outline the main routes of movement of Ukrainian museum property during and after WWII, focusing on the peculiarity of these movements – namely, the movement of objects in both directions: from east to west and from west to east. During WWII, Nazi troops occupied a large part of Ukraine in 1941 and introduced the power of the occupation administration, the Reichskommissariat Ukraine.[5] One of the subdivisions of this administration was in charge of cultural institutions, such as archives, libraries, higher education institutions, and museums. The archives of Reichsleiter Alfred Rosenberg's operational staff (the ERR archive) are available at the Central State Archive of Higher Authorities and Governments of Ukraine, and it is on the basis of these documents that one can roughly characterise the work of the

4 Central State Archive of Higher Authorities and Governments of Ukraine (CSAHAGU), "Documents of the operational headquarters of Reichsleiter Rosenberg", https://err.tsdavo.gov.ua/ [accessed: 20.01.2023]; Federal Archives, official website, https://www.bundesarchiv.de/ [accessed: 24.01.2023]; Main State Archive of Weimar, official website, https://landesarchiv.thueringen.de/weimar [accessed: 25.01.2023]; and Federal Archives, "Koblenz", https://www.bundesarchiv.de/DE/Navigation/Meta/Ueber-uns/Dienstorte/Koblenz/koblenz.html [accessed: 25.01.2023].

5 Tatiana Sebta, "Raikhskomisariat Ukraina" ("Reichskommissariat Ukraine"), *Entsyklopediia istorii Ukrainy* (*Encyclopaedia of Ukrainian History*), http://resource.history.org.ua/cgi-bin/eiu/history.exe?Z21ID=&I21DBN=EIU&P21DBN=EIU&S21STN=1&S21REF=10&S21FMT=eiu_all&C21COM=S&S21CNR=20&S21P01=0&S21P02=0&S21P03=TRN=&S21COLORTERMS=0&S21STR=Rajkhskomisariat_U [accessed: 13.08.2024].

occupation authorities with cultural property and its movement. The occupation authorities described the collections of artworks, architectural monuments, libraries, and archives in as much detail as possible and analysed art processes in Ukraine. The archive's documents make clear that this work was carried out with the participation of not only German but also Ukrainian specialists who collaborated with the occupation authorities.[6]

The ERR archive, which is stored in the Central State Archive of Higher Authorities and Governments of Ukraine, provides a thorough overview of the cultural situation in occupied Ukraine. This archive consists of reports describing the status, specifics, and trends of the work of cultural institutions in Ukraine, including Kyiv, and details the history of institutions' foundations, their cultural role in the city's structure, their staff, and the material needs of such institutions. There are also plans for the development of these cultural institutions, as well as plans for the use of objects from museums, archives, and libraries, both on-site and on the territory of the Nazi state. The names of the German officers who made these reports are hidden behind pseudonyms, but the fact that the authors of the documents were aware of the state of affairs allows us to assume that the Ukrainian cultural community cooperated with the German occupiers.

The occupation regime in Ukraine was extremely brutal, resulting in hundreds of thousands of victims of the Nazis' actions. For example, during the German occupation of Kyiv from 1941 to 1943, the German occupiers shot civilians and Soviet prisoners of war, the Jewish and Roma population on ethnic grounds, and Communist party members and activists. In just two days, on 29 and 30 September 1941, nearly 34,000 Jews were shot in Babyn Yar in Kyiv.[7]

Therefore, the language of the documents from the Nazi archives sounds especially unnatural – balanced and calm, claiming dominance and objectivity. This calm language of the documents justifies the interest in studying the cultural heritage of Ukraine as an alternative to the Soviet one, and this work with Soviet culture can likely be attributed to the goal of studying the opponent's ideology. The Nazis were particularly interested in so-called 'Bolshevik art'. The archive contains a "List of Bolshevik paintings from the Ukrainian museum in Kyiv",[8] which lists some works

6 CSAHAGU, "Fondy" ("Collections"), https://err.tsdavo.gov.ua/fonds/?Limit=20&Page=1&SortField=FondNumber&SortOrder=asc, [accessed: 20.01.2023]. See specifically collections 3674 and 3676.

7 For more, see: Vitalii Nakhmanovich, Anatolii Podolskyi, and Mikhailo Tiahlii (eds.), *Babyn Yar: masove ubyvstvo i pamiat pro noho, materialy mizhnarodnoi naukovoi konferentsiii, 24–25 zhovtnia 2011 r., m. Kyiv* (*Babin Yar: Mass Murder and the Memory of It, Materials from an International Conference, 24–25 October 2011, Kyiv*), 2nd Edition, Kyiv: FOP Moskalenko O. M., 2017.

8 CSAHAGU, collection (col.) 3676, inventory (inv.) 1, document (doc.) 49, years (y.) 1942–1943, image (img.) 22, https://err.tsdavo.gov.ua/file-viewer/56#file-32184 [accessed: 24.07.2024].

from the National Art Museum of Ukraine. The occupation authorities clearly distinguished between Ukrainian and Soviet culture and recorded the process of absorption of Ukrainian culture by the Soviet authorities. They used the opposition of the Ukrainian cultural community to Soviet ideology and Soviet management from the metropolis to discern between Ukrainian and Soviet culture.

The German occupiers were particularly interested in the National Art Museum of Ukraine, which placed both modernist and socialist art under the same category of 'Bolshevik art' and included artists of Jewish origin. Some of the works on this list were taken by the Nazis, along with a large number of works from Ukrainian museums during the retreat of the German Army from the territory of Ukraine in 1943.[9] The collection of the National Art Museum today contains several works from this list that survived all the wartime movements from east to west and from west to east.

Reports by the Nazis on the artistic process in Ukraine describe the current state of the art field; introduce leading artists from Kyiv, Kharkiv, and Odesa, such as the communities of the schools of monumental art of Mykhailo Boichuk, Anatolii Petrytskyi, and Fedir Krychevskyi; and recount the history of the Kyiv State Art Institute and the Soviet authorities' repression of these artists. There is documented scholarly interest in Ukrainian culture, its contextual separation from the Soviet narrative, and the intention to study it. Surprisingly, the documents from the ERR archive lay out the 'real history' of the artistic process in Ukraine in the first third of the 20th century as seen by contemporary researchers, criticising the interference of the Soviet ideological apparatus in the development of Ukrainian art. This view on Ukrainian art became possible only in the 1990s, after the collapse of the Soviet Union.

The Nazi reports also describe the destruction of St. Michael's Golden-Domed Monastery, a monument of medieval art, by the Soviet authorities according to the new city plan. Some of the surviving mosaics were taken to Germany during the Nazi looting of Kyiv museums, and after the surrender of the Nazi regime, they were transferred by the Americans to the Soviet Union as part of the restitution process; unfortunately, they have not yet returned to Ukraine. Now they are kept in Russian museums.[10]

9 CSAHAGU, col. 3676, inv. 1, doc. 49, y. 1942–1943, img. 23–24, https://err.tsdavo.gov.ua/file-viewer/56#file-32185 [accessed: 24.07.2024]; and CSAHAGU, col. 3676, inv. 1, doc. 49, y. 1942–1943, img. 47, https://err.tsdavo.gov.ua/file-viewer/56#file-32209 [accessed: 24.07.2024].

10 Serhii Kot and Yurii Koreniuk, "Mykhailivski pamiatky v rosiiskykh muzeiakh" ("St. Michael's Monuments in Russian Museums"), *Pamiatky Ukrainy* (*Monuments of Ukraine*) 1, 1999, 63–80.

In 1942, the Reichskommissariat Ukraine planned to export Ukrainian Soviet artworks to Berlin as an illustration of the ideology of Bolshevism.[11] However, the plans quickly changed: after the war turned in favour of the Soviet Union in 1943, German troops began to retreat from the occupied territories, and a large-scale process of alienation and the illegal removal of art objects from Ukrainian museums and private collections began. This movement took place both in a centralised manner, in whole blocks, and in a chaotic manner, with individual officers stealing individual artworks. This process lasted until 1945, but in the territory of Poland and Germany the logistics of transportation varied according to the course of the Soviet offensive from the east and the Allied offensive in the west. The cordon of encirclement closed in the geographical centre of Germany, and thus the path of transportation of some groups of artworks was interrupted here.[12]

Not only official documents provide us with information about this time and the activities of Ukrainian and, in particular, Kyiv museums during the war. The personal memories of participants are also an important source of knowledge on these actions. Today, during the new devastating war against Ukraine and the terrible refrains from the past, these memories give rise to a special sensitivity to the archive as a medium of art history. For me, it is important to show the private stories of people – representatives of the cultural community – whose lives have undergone dramatic changes. It is important to provide an alternative perspective on the fates of professionals. In the future, Ukraine will come across different stories of people in the de-occupied territories, including the fates of workers of the state museums, who unfortunately were not always able to resist the demands of the occupation authorities and sometimes had to cooperate with the occupiers either to save their lives or to preserve museum objects. Focusing on people's stories, and how these stories are told and under the influence of what factors, allows us to imbue the legal plane with a sense of real life, which is why 'human rights' work is booming.

An interesting, contradictory example from WWII is Polina Kulzhenkos's story. She was a Ukrainian art historian and museum worker. Before the war, Kulzhenko worked in several Kyiv museums and taught at an art institute and university. In particular, she was the head of the graphic department at the Khanenko Museum. She was among those who did not evacuate from the city during the Nazi occupation of Ukraine but continued to work in her field of study in Kyiv. Like some other

11 CSAHAGU, col. 3676, inv. 1, doc. 49, y. 1942–1943, img. 21, https://err.tsdavo.gov.ua/file-viewer/56#file-32187 [accessed: 20.01.2023].

12 Patricia Kennedy Grimsted, "Nazi-Looted Books Still Far from Home", Library of Congress, lecture, 01:05:03, 2016, https://www.loc.gov/item/2021690147/ [accessed: 19.07.2024].

cultural figures, Kulzhenko signed work contracts with representatives of the Nazi occupation to have something to live on and not to give up her life's work.[13]

After the war, the Soviet authorities sentenced Kulzhenko to ten years in prison for her activities, and she spent her post-prison life in exile. Only when Ukraine became independent was it possible for her to publish her memories of wartime and her role in the illegal removal of artistic property from Kyiv museums (which she wrote in 1946).[14] The style of her memoirs and the conditions under which they were written make it evident that not all objective facts are present in her story, but the context of her work for the Nazi occupation authorities becomes clear in this sense. Now, when I read her memoirs, I am particularly struck by the sensory coincidences in the perception of the war and its tragic episodes: in her memoir, Kulzhenko's description of the explosions in Kyiv in the autumn of 1941 is, on an emotional and factual level, in tune with the events in Kyiv on 10 October 2022. On that day, a rocket attack by Russian troops in the central part of the city damaged educational and cultural institutions around Shevchenko Park, including the Khanenko Museum and Kyiv Art Gallery.

Kulzhenko's memories of the first months of the war in Kyiv in 1941 echo the present day and what we have experienced:

> The war came crashing down like an avalanche – for the first few days, it all seemed like a terrible nightmare rather than reality surrounding you. The evacuation that soon began seemed strange, and there was no thought that Kyiv could be in danger of being overrun by the enemy. On 18 September, I was working with tour guides […] when I returned home from the museum – it was almost impossible to cross Khreshchatyk – the Red Army units were retreating. Shells flew overhead. In the evening, fires broke out in all parts of the city […] On the morning of 19 September, I hurried to the Russian and Western art museums, overcoming my fears that the museum buildings had been set on fire by the explosions of shells burning in the park. The buildings were mostly intact, but almost all the windows and skylights were shattered, the roofs were perforated, and all the halls were strewn with shrapnel.[15]

Kulzhenko was not only a witness to the actions of the German occupation administration in Ukrainian museums but also a direct participant in these actions. Typewritten letters and protocols of Kulzhenko's interrogations by the NKVD – the USSR's predecessor of the KGB – are evidence of the looting of Kyiv museums by

13 Polina Kulzhenko, "Spomyn" ("Memories"), *Pamiatky Ukrainy* (*Monuments of Ukraine*) 1, 1998, 149–153.

14 Ibid.

15 Kulzhenko, "Spomyn", 149 [author's trans.].

Nazi troops and are a tangible testament to the times; they explain the art historian's motives for cooperating with the occupiers, which were based on the desire to preserve works of art:

> On about September 10, Dr. Winter told me to start packing the paintings into crates to take them to the city of Kamenets-Podolsk. To my question regarding the purpose, he replied that it would be necessary to leave Kiev, but that there would be a severe struggle […]. "Since we know" – he added – "that your life is inextricably linked with museum artefacts, we suggest that you accompany them to Kamenets-Podolsk".[16]

When the German troops retreated from Ukraine, Kulzhenko was preparing for the illegal export of objects from Ukrainian museums and accompanied the shipment. Her path lay to the west, through Kamianets-Podilskyi to Prussia and to the estate of Wildenhoff (now the Polish Dzikowo).

There, Kulzhenko spent several months looking after the works. The art historian recalls how she spent almost all her time cataloguing the works in detail, and she always had the manuscript of the catalogue with her. However, the Red Army was advancing on Prussia from the southeast and was already directly approaching the estate where Kulzhenko and the objects were based.[17] Later, according to her typewritten letter, a fire broke out in the estate as a result of the attack, which completely destroyed the building.[18] Grimsted mentions this was the doing of the SS commando.[19] According to Kulzhenko, the boxes with the works were also burnt, and she notes that the catalogue of the works she had compiled was not preserved.[20] Can we be completely sure that these works of art were destroyed? Can we be sure that even the catalogue has not been preserved?

The extreme work of Ukrainian museum workers and collections conservators during the war makes us look at past events with a new perspective, giving us reason to doubt the official versions of the events. In particular, given the motives and context of Kulzhenko's actions – a museum worker who committed the crime of collaboration for the sake of preserving and maintaining the museum collection – it is hard to believe that she lost the catalogue describing the removed museum objects that she created herself. This testimony was obtained during Kulzhenko's interrogation by the NKVD; the destruction of the works and manuscript is not confirmed by other

16 Polina Kulzhenko, letter from April 1946, 6 [author's trans.], on: Forgotten Heritage, "Polyna KULZHENKO Vospomynanyia" ("Polina KULZHENKO Memories"), 11 July 2017, http://lostart.org.ua/en/research/1020.html [accessed: 19.07.2024] [author's trans.].

17 Ibid., 8, 10.

18 Ibid., 12.

19 Grimsted, "Nazi-Looted Art from East and West in East Prussia", 13.

20 Kulzhenko, letter from April 1946, 14.

documents. A more in-depth study of the circumstances of this event, including a review of war protocols from the city, could shed more light on these occurrences. As for her fate as an art historian, despite her comprehensive artistic knowledge and extensive experience with objects of Ukrainian art, Kulzhenko spent most of her life in exile; the Soviet authorities banned her from working in Kyiv.[21]

Postwar Period

Let us return to the legal aspect of the circulation of works of art that were illegally removed from Ukrainian museums. It is important to understand that the restitution processes that took place in the postwar period did not always take into account the interests of Ukrainian museums. After the capitulation of Germany in 1945 and its division into occupation zones between the Allied forces, a new stage of the active movement of artworks began, in particular from west to east, from Germany to the USSR. Between 1945 and 1949, trophy brigades worked in the Soviet occupation zone in Germany, confiscating entire factories and enterprises, raw materials, and products following the approved reparations plan. Since 1943, the USSR's Academy of Sciences had been developing a plan to compensate for the losses of Soviet museums during the war at the expense of works of art belonging to Germany. Igor Grabar headed this work. In the field of restoring the loss of cultural property, it was decided to introduce a mechanism of 'compensatory restitution', which provided for the removal of artworks from Germany.[22]

The development of the plan for 'compensatory restitution' began in 1943 with Soviet art historians compiling so-called lists of equivalents that contained calculations of the value of works of art, which were supposed to compensate for the losses and destruction caused by the Nazi invaders.[23] The commission members, who were art experts, were knowledgeable about the collections of German museums, and could rely on collection catalogues and current prices on the art and antiques market, although the art market in the Soviet Union did not officially exist.[24]

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21 Serhii Bilokin, "Kulzhenko Polina Arkadiivna", *Entsyklopedii istorii Ukrainy* (*Encyclopaedia of Ukrainian History*), 2008, http://www.history.org.ua/?termin=Kulzhenko_P [accessed: 19.07.2024].

22 "Dokument no. 1" ("Document no. 1"), in: Mikhail Piotrovsky and Anna Aponasenko (eds.,), *Gosudarstvennyi Hermitage Peremeshchennoe iskusstvo, 1945–1958, Arkhivnye dokumenty* (*State Hermitage Displaced Art, 1945–1958, Archival Documents*), Part 1, St. Petersburg: Izdatelstvo Gosudarstvennogo Ermitazha, 2014, 80.

23 "Dokument no. 5" ("Document no. 5"), *Gosudarstvennyi Hermitage Peremeshchennoe iskusstvo*, 107–108, here 107.

24 "Dokument no. 1", *Gosudarstvennyi Hermitage Peremeshchennoe iskusstvo*, 80.

They insisted on removing works of world heritage, suggesting that works of German art of local significance be left in place:

> It would seem to me that we should not in any way encroach upon such exhibits in German museums, which are national monuments of Germany itself. It is not so important for us to get German works of art as it is to get what they have managed to collect from all over the world.[25]

The lists of works for compensation did contain world classics, but the actual removal of artworks from German museums and private collections was in some cases chaotic, just as the removal of art objects from the territory of Ukraine also took place in both centralised and private ways. After the war ended, Soviet trophy brigades began to confiscate art objects from museums in Berlin, Dresden, Potsdam, and Gotha, including those found in cellars, anti-aircraft towers, and mines near German cities at the end of the fighting. Preservation groups were formed from the seized works and sent in several waves by rail to the USSR. In particular, the State Hermitage Museum in Leningrad (now St. Petersburg) became a key destination for these shipments. The State Hermitage Museum's records of the postwar years give a complete picture of the staggering volume of movements, with thousands of storage units.[26]

After the removal of works from German museums, Soviet trophy brigades began searching for works taken by the Nazi troops from Soviet museums, including those in Ukraine. For example, in Weimar (Thuringia), they found works from the Gauleiter Koch Collection, which also included works from Kyiv museums.[27] The process of search and seizure lasted until 1949, but after its completion not all objects were returned from the reception centre to the museums or owners: the State Hermitage Museum and other museums in the Russian Federation still have art objects that were in transit there in 1945–1949.

The political and justice processes in postwar Europe – namely, the recognition of the Nazis' crimes against humanity, the conviction and punishment of the Nazi regime and the National Socialist Party of Germany, and the rehabilitation of the victims of their policies – contributed to the introduction of a new humanistic and legal paradigm in the world. The restitution policy developed in the postwar years is based on the two Hague Conventions on the Law of Land Warfare (1899 and 1907),

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25 "Dokument no. 3" ("Document no. 3"), *Gosudarstvennyi Hermitage Peremeshchennoe iskusstvo*, 83–84, here 83 [author's trans.]

26 Konstantin Akinscha, Grigori Koslow, and Clemens Toussaint, *Operation Beutekunst: die Verlagerung deutscher Kulturgüter in die Sowjetunion nach 1945* (*Operation Looted Art: The Transfer of German Cultural Assets to the Soviet Union after 1945*), Nürnberg: Germanisches Nationalmuseum, 1995.

27 See the Main State Archives in Weimar, depo 175, col. 0204, Catalogue of the Museum Property of the Königsbergen Gauleiter Koch in the Landesmuseum.

which prohibit the looting of cultural property. In the 1950s, the Federal Republic of Germany developed such laws as the Federal Law on Compensation for Victims of National Socialist Persecution (1953),[28] the Federal Compensation Act (1956),[29] and the Federal Restitution Act (1957).[30]

In 1958, another important step in the regulation of property relations between the newly created German Democratic Republic (GDR) and the USSR was the mutual restitution of works, which saw the exchange of works seized during WWII between GDR and USSR museum institutions.[31] For example, a significant part of the objects from Berlin's Museum Island returned to Berlin, including the famous Pergamon Altar, which is now part of the collection of the Pergamon Museum.[32]

To the present day, many Ukrainian and German museums, as we know from the lists submitted to the Lost Art database, are still unable to find lost works of art. For example, more than six hundred works from the collection of the National Art Museum of Ukraine are considered lost.[33] The centre-to-centre exchange scheme and its consequence, the centralised storage of works returned from Germany to the museums of the Soviet metropolis, became an obstacle in the way of returning the works to Ukrainian museums. While the issue of lost objects that are still in Europe has the potential to be resolved, the fate of Ukrainian objects that ended up in Russian museum collections after WWII remains uncertain. It is important to note that the status of 'lost' is possible even if there is evidence that the object is located in a particular institution. For example, we know from transfer documents and catalogues that objects from St. Michael's Golden-Domed Monastery in Kyiv are in the Russian Federation and were illegally transferred there, but for Kyiv they have the status of 'lost'. Even the existence of reliable information about the location of the lost artworks, which can be used as evidence in court, does not guarantee a trial on

28 Federal Act on Compensation for Victims of National Socialist Persecution (Federal Compensation Act – BEG), 18 September 1953, https://reparations.qub.ac.uk/assets/uploads/1953-Germany-Federal-Act-on-Compensation-of-Victims-of-Persecution.pdf [accessed: 21.07.2024].

29 Wollheim Memorial, "Federal Compensation Law (1956)", http://www.wollheim-memorial.de/en/bundesentschaedigungsgesetz_1956 [accessed: 21.07.2024].

30 Bundesgesetz zur Regelung der rückerstattungsrechtlichen Geldverbindlichkeiten des Deutschen Reichs und gleichgestellter Rechtsträger (Bundesrückerstattungsgesetz – BRüG) (Federal law on the regulation of the restitution law monetary liabilities of the German Reich and equivalent legal entities (Federal Restitution Act – BRüG)), 19 July 1957, https://www.gesetze-im-internet.de/br_g/BR%C3%BCG.pdf [accessed: 20.01.2023].

31 "Dokument no. 82" ("Document no. 82"), *Gosudarstvennyi Hermitage Peremeshchennoe iskusstvo*, 340–341, here 340.

32 "Dokument no. 62" ("Document no. 62"), *Gosudarstvennyi Hermitage Peremeshchennoe iskusstvo*, 258–261, here 258.

33 Lost Art Database, German Lost Art Foundation, "Kiew (Київ/Kyiv) / Nationales Kunstmuseum der Ukraine" ("Kiev (Київ/Kyiv) / National Art Museum of Ukraine"), https://www.lostart.de/de/Verlust/540619 [accessed: 22.01.2023].

this matter will take place because the Russian Federation neglects laws not only in the field of human rights but also in the field of property relations.[34]

After the fall of the Berlin Wall and the acquisition of legal subjectivity by the countries that were part of the USSR, the restitution process was ready to be restarted in the newly formed states. However, the Russian Federation adopted a federal law that legalises 'trophy' objects – namely, art objects displaced as a result of military operations that are located on the territory of the Russian Federation and are recognised as its property.[35] According to this law, the Russian Federation also reserves the 'right' not to carry out restitution measures and not to provide information about the 'trophy' objects themselves. Thus, the Russian Federation has chosen the path of criminal retention of museum objects belonging to other countries. Such an opaque policy in the field of museum affairs makes any further research on the fate of museum objects displaced during WWII to the territory of the Russian Federation almost impossible.

Today, the Museum Fund of Ukraine is experiencing unprecedented losses of cultural heritage as a result of the looting and destruction of Ukrainian museums by Russian troops and the illegal removal of works of art through the territory of annexed Crimea to the Russian Federation.[36] An important step should be to develop a plan for the future restitution of these objects and the introduction of compensation through reparations. In this process, the experience of the postwar period of the mid-20th century may be helpful. The conclusions that can be drawn from the examples given above are that both parties – the plaintiff and the defendant – must fully participate in the restitution process. The criminal actions of the aggressor should not only be recorded and judicially adjudicated with a sentence. A convicted aggressor who is brought to justice must be ready to restore property justice and actively contribute to this process.

A good example of working with provenance as a basis for restitution is the German government's initiative, the interactive Lost Art database, organised by the German Lost Art Foundation.[37] In 1994, the Coordination Office of the German Federal

34 Kot and Yurii, "Mykhailivski pamiatky v rosiiskykh muzeiakh", 63.

35 Federal law "On cultural property displaced to the USSR as a result of the Second World War and located on the territory of the Russian Federation", 26 April 2000, https://duma.consultant.ru/documents/653580 [accessed: 17.01.2023].

36 See, for instance: Andrei Tumanov, "Sobrali kollektsii: Muzeinyi fond RF popolnitsya tsennostyami na milliard" ("Gathered Collections: The Museum Fund of the Russian Federation Will Be Replenished with Valuables Worth a Billion Dollars"), *Izvestiya* (*News*), 14 October 2022, https://iz.ru/1409315/andrei-tumanov/sobrali-kollektcii-muzeinyi-fond-rf-popolnitsia-tcennostiami-na-milliard [accessed: 19.07.2024].

37 Lost Art Database, German Lost Art Foundation, official website, www.lostart.de [accessed: 18.01.2023].

States for the Repatriation of Cultural Property was founded in Bremen. It was established to record the loss of cultural property between 1933 and 1945 and to provide a basis for its repatriation. Headquartered in Magdeburg, the office was merged with the German Foundation for Lost Art in 2015. The resource has an informative function, but also has a legal leverage – it prevents the circulation of art objects with opaque provenance on the antiques market. The labelling of a work of art in the Lost Art database as 'lost' is the basis for freezing the lot at auction. Therefore, honest art market participants can always check the status of an art object if they have doubts about the legality of its circulation.

The database contains information about art objects that were lost as a result of the policies of the Nazi Party of Germany. Both museums and art collectors who are looking for lost art objects can participate in this initiative. For example, the National Art Museum of Ukraine has recorded almost six hundred objects in the Lost Art database that were lost during the Second World War.[38] These are mostly 19th-century and 20th-century works of Ukrainian art, including cityscapes and architectural and ethnographic sketches. The National Art Museum of Ukraine and its director, Yulia Lytvynets, are conducting thorough research on the loss of museum works during World War II, which were taken by the Nazi troops from Ukraine to the territory of modern-day Poland, Germany, Romania, France, the Netherlands, and the United States.

All the ways of illegal transfer of cultural property from the territory of Ukraine during the Second World War have not yet been identified, but the current Russo–Ukrainian War leads to further looting of collections and the destruction of Ukrainian museum buildings in the occupied territories. In the face of Russian aggression, Ukrainian museums have been forced to act at their own risk, using available resources to protect their collections and staff.

Fortress: The Defence of Kyiv and the National Art Museum of Ukraine during the Russian Invasion

During war, it is the material side of a work of art, not its narrative that manifests itself in full. The war forces art history to narrow the focus of art interpretation and to develop practical knowledge in extreme conditions purely about the material nature of art, taking the object as a unit of measurement. When museology faces a reality that competes with action films in terms of the concentration of catastrophic events, the discipline of preservation comes to the fore. At the very least, these preservation efforts allow museum workers to secure objects of material culture and, at the very most, prevent museums from losing objects belonging to their collection. A popular

38 Lost Art Database, "Kiew".

discourse of museology in recent years, which sees the museum as an open public space in which such a function as 'storage' is considered a priori unshakeable, cannot withstand the turbulence of wartime. In wartime conditions, the characteristics of artworks, such as size, material, and degree of preservation, as well as their signs of uniqueness among other works with similar material characteristics, such as authorship, time, and place of creation, become prevalent. These parameters are decisive in making decisions regarding extreme conservation measures – in particular, the evacuation of works of art.

At the beginning of 2022, the feeling of war was in the air, and it was felt in the National Art Museum of Ukraine. The Department of Cultural Property Expertise was processing requests for the removal of art objects (from people's private collections) from the southeastern cities of Ukraine in unprecedented numbers. A few days before the outbreak of war, the staff cleared all the passages and corridors in the administrative, research, and collection parts of the building. The museum administration was preparing for a possible siege of the city. But the war offensive began as unexpectedly as ever.

To assess the risks faced by the museum during the Russian offensive on Kyiv, we need to focus on its geographical location – the museum building is located at the foot of the Pecherskiy hills, on the approach to the 'government quarter' from Hrushevskoho Street. Government buildings begin immediately behind the museum, including the Mariinsky Palace, the Verkhovna Rada of Ukraine, the Cabinet of Ministers of Ukraine, and the path to the Office of the President and the Central Bank of Ukraine.

A counterpoint on the military map of Kyiv, 24 February 2022 was not the first time that the museum found itself on the 'demarcation line' and turned into a fortress. The museum staff already had experience of round-the-clock duty in the museum and extreme evacuation of works when they were at the heart of the events during the Revolution of Dignity in 2014.

So, in the first hours of the Russian invasion, the museum's director, Yulia Lytvynets, arrived to ensure the first level of evacuation for the most valuable works from modern and ancient art. Although the museum urged the staff to take care of their personal safety first, by 9 a.m. most of the employees were already present in the museum. All those who were not blocked in the suburbs of the capital were on their way to the museum. A human chain was formed in the exhibition halls, which helped move the works of art from the 18th- and 19th-century exhibition to the depot rooms in a short time. The dismantling of the Baroque objects was a challenge due to the large dimensions of the objects and the weight of the solid wood material itself. However, this extremely difficult job was handled quickly thanks to the museum staff's teamwork. At the same time, the news was broadcasting – a nearby town was on fire, and the enemy was approaching the city. The heavy vibration of explosions could be felt underfoot. By noon, the priority work was completed. The

administration introduced a duty schedule that met the conditions of wartime – museum workers had to go on daily duty in pairs.

The next morning, 25 February, my colleague, the head of the museum archive, and I took up our daily duty. But we stayed in the museum for ten days instead of one. Strangely enough, we felt safe in the museum even though we were in the midst of the Russian invaders' main goal of capturing the government quarter of the capital. The mood was set by adrenaline and a fast-paced working atmosphere. In addition to us on duty, other people arrived at the museum – employees and a couple of artists, along with their pets. By noon, there were nine of us, including my seven-year-old daughter.

After being instructed to evacuate the building, we 'quartered' in the offices, taped up the windows, and set up a minimal life. We established a headquarters in the exhibition department; next to it was the restorers' room, where we made an improvised kitchen. It turned out that the museum had almost everything we needed to live comfortably and, most importantly, a secure basement that became our bomb shelter.

On the first day of our stay at the museum, we began barricading the building and systematically ensuring the safety of the exhibits. The presence of such a spontaneous group of specialists from different areas of museum work allowed us to act technically and purposefully in the following days. First, we hid the works with the status of 'temporary storage' that were in the museum at the time of the attack.

At that time, Russian sabotage and reconnaissance groups were actively advancing on Kyiv, repelled on the Left Bank of the Dnipro and in Obolon. We were working with live street camera feeds from the square and expected that by the evening the Russians might reach the government district, and thus our museum. After the initial work on the preservation of the exhibits was done, we continued to barricade the roof and the basement, leaving only two exits from the building free. Soon, we decided to conduct the second stage of the evacuation, a large-scale relocation of modernist and ancient art exhibits from the second floor of the museum to safer places, as well as to prepare climate-friendly places for the long-term storage of icons. These processes took place in the evenings in a 'light-masking mode'. The choice of time can be explained by our psychological state – the work distracted us from the nighttime terrors that took place outside the museum building. We could hear the sounds of machine gun fire and individual shots, followed by sirens in the morning and explosions. Ukraine's special military forces were clearing the government district of enemy subversive groups.

Russian troops seized the suburbs of Kyiv and, after three days of the offensive, it became clear that the Armed Forces of Ukraine had managed to stop them and keep them on the outskirts of the capital. We had a brief opportunity to go outside for food. When my colleagues and I went on a trip to the only working market in the area, we saw how the museum and Kyiv had turned into a fortress. There was an un-

usual silence. Absolutely empty, but flooded with sunshine, Sophia and St. Michael's Squares surprised us with their familiar yet unusual beauty. The greatness of this beauty and the feeling of history gave us enormous hope because we had nothing else...

For two years, masterpieces of Ukrainian modernism from the collection of the National Art Museum of Ukraine have been travelling around Europe. Exhibitions in Madrid, Brussels, Dresden, Vienna, Edinburgh, and Cologne give viewers an opportunity to get acquainted with Ukrainian art. But another important reason for these tours is to preserve the main objects from the collection, leaving them on view. The museum continues to operate, focusing on internal research work. The possibilities of restitution for the Museum Fund of Ukraine remain unclear as long as the war lasts. However, it is already known that alongside reclaiming works that were taken during WWII, Ukraine will also have to petition to have works restituted that were taken by the Russians from the occupied territories of southern and eastern Ukraine.

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