



Tartu, September 15 to 16, 2000

INTERNATIONAL RESTITUTION CONFERENCE

Estonian Russian Co-operation in Museology: The History and the Disposition of the Art Collection Established by Professor Morgenstern in 1803 at Tartu University

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15 and 16 September 2000
Tartu, Estonia

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Compiled, translated (except articles by J. Aaviksoo, M. Brewka, J. Leistra, P. Pillak and L. Baron von Richter) and edited by *Anu Laansalu*

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On cover:

Ancestral Bust

Egypt Deir el-Medineh Dynasties XIX–XX limestone 23 cm high

Photo: Malev Toom

Wedjat Eye of Horus

Egypt pale green faience 2.4 cm high

Photo: Malev Toom

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Preface

International Restitution Conference at Tartu has taken place. It was the first of its kind in Estonia. The Conference focused on three areas: international law on the restitution of cultural property, the practice of international restitution, and the disposition of the art collection established by Professor Morgenstern.

The aims of the Conference were to promote awareness in the international community concerning Tartu University's claim to the Morgenstern Collection [currently situated in Voronezh, Russia] and to report on the recovery efforts made by the University, and to establish working relationships between experts in the field of restitution of art and other cultural treasures.

The Conference was the first practical step in the implementation of agreements between the Republic of Estonia and the Russian Federation concerning the recovery and restitution of cultural property. In these agreements, concluded in 1998 after protracted negotiations between the two parties, the signatories undertook to assist each other in the recovery and restitution to the legal owners cultural objects that are illicitly held in their territory. The position of the Estonian Government and Tartu University is that the Morgenstern collection has been illicitly held on Russian territory since the conclusion of the Tartu Peace Treaty in 1920.

The Conference presented the problem of Tartu University art collection in wider context and related the specific question of Tartu University's art collection to international law and to the restitution activities of other European countries. It was a signifi-

cant achievement of the Conference to bring our Russian colleagues to Tartu University where the Morgenstern collection originated but which through the vagaries of history has been placed in their care. The Conference summarized one stage in activities directed at the return of the art collection to Tartu University. In this first stage the problem had to be defined and brought to the attention of the Estonian people, the Russian government and the larger international community; in particular, the Russian government and cultural institutions needed to acknowledge the existence of the problem and agree to discuss it. Although by no means agreeing to return the Collection, our Russian colleagues did end the conference by proposing a working session to plan for the identification of the works of art and ancient artefacts in the Collection and to subsequently publish a joint catalogue. In addition, they proposed a second conference on the Morgenstern collection to be held in Voronezh in 2002.

The restitution of art treasures is proceeding slowly throughout Europe. Tartu University has consistently worked to recover its art collection for 14 years. We understand its return will be a prolonged process, and we also understand how difficult it will be for the present conservators to lose exclusive possession of property they thought of as their own. We welcome whatever cooperative projects are currently possible such as those suggested by our Russian colleagues at the end of this conference which when carried out will make the items in the collection much more accessible than they are presently. However, the final aim for Tartu University is the return of its collection. The University looks forward hopefully to the day when once again the collection founded by Professor Mogenstern so long ago is within the walls of its home and ours, Tartu University.

June 2001

Anu Laansalu

Views on History — Tartu University and the Morgenstern Collection

Prof. Jaak Aaviksoo

Rector of Tartu University, Estonia

Dear friends and foreign guests of this conference.

The cultural heritage has importance for every city, university and nation. We therefore share a common interest. This common interest to preserve cultural heritage is something that joins us more than divides us. However, life is full of complications. Over the decades and centuries, even millennia, very many things change — people, cultures and languages. Looking back over the course of history, we see what we have inherited causes us problems. With this in mind, Estonia and the city of Tartu, may be just the right location in which to discuss these issues.

We are here in the History Museum of Tartu University. This building was first created in the 13th century as an Archbishop's residence after Christianity was first introduced to the Eastern Baltic Region. In its time it was a magnificent building. It still bears traces of its former glory. It was destroyed during the reformation and subsequent wars, which involved the Swedes and the Poles with the Estonians somewhere in between. For more than two hundred years this very building remained in ruins until in the beginning of the 19th century, when Czar Alexander I refounded the university in Tartu.

Twenty years ago we had some misgivings with the statement, "Tartu University is 175 years old" since from our viewpoint, the Soviets had misplaced some years. Still, the anniversary was celebrated. A bit later, in 1982, the University celebrated its 350th anniversary. Times had changed, slightly, for the better, and we were able to acknowledge that the University was founded by a Swedish king in 1632. It was a big change. Different people can hold different perceptions on the facts of history. History, the story of the University and its building, is relevant when we discuss the fate of the art collection founded by Morgenstern almost two hundred years ago.

Tartu University started as a Swedish institution using Latin as the language of instruction. Later it became a Russian Imperial university using German. And now for over 80 years, it has been an Estonian university with Estonian as its first language but using many other languages as well. Times change. Attitudes change. There will never be final solution to these issues. They will continue to be considered and reconsidered. Why, for instance, did Czar Peter the Great, who opened a window to the West, at the same time blow away the University at Tartu or, if it is preferred Dorpat? Why was the university re-established in Tartu almost hundred years later? Not for legal reasons. It was refounded on account of the importance of academic continuity, which continued for over a century. There was something in the city of Tartu more important than politics, legal arguments and any other facts that existed in the minds of decision makers of that time. This point is of supreme importance when the fate of collection of cultural objects, such as the Morgenstern Collection, is considered.

Tartu University is fortunate that during the turbulent times of the First World War Voronezh University was founded largely thanks to the rather glorious history of Tartu University. The contribution of Tartu University to the establishment of Voronezh University was considerable if not decisive. I think this was a good development. This good development, however, did not mean that Tartu University ceased to exist. You can see it today. This

university is alive. It carries with itself not only its last 80 years but also its history of 200 hundred years as a *Kayserliche Universität zu Dorpat* as well as *Academia Gustaviana* from 1632. Something remains connected to a certain place and you can't move that. One can move material things, but one can't move something, which is the very heart of an academic institution. With these words, dear colleagues and friends I'd like to welcome this meeting.

An academic conference is not the place for negotiations or discussion about the right place for the Morgenstern collection to be located, but is a forum for the exchange of views and attitudes for the future benefit of this magnificent and valuable collection started by Morgenstern. There are a number of common points, which can be reached during this conference despite the fact that a number of things may still divide the participants.

There are two examples from the recent past of Tartu University that relate to the topic of this conference. Immediately after the Republic of Estonia regained its independence from Soviet occupation, the Pechory Monastery asked for the return of the library that had been taken by the Soviets and handed over to Tartu University. With little hesitation, the university agreed. The part of the library that Tartu University looked after during the dark years of Soviet rule was handed over to the monastery — its real home. We did this on the mutual understanding that this is an attitude that we here share not only with Pechory but also with the Russian Federation as a whole. This university has not been only on the returning side. Almost a hundred years of manuscripts by a famous philosopher Immanuel Kant were in Germany. They were taken there more than a century ago for a publication of a collected works by Immanuel Kant. One hundred years passed, and when Germany became truly democratic country, sharing democratic attitudes to cultural heritage, they found it possible to return the manuscripts to this university. Thus problems can be solved even if they are complicated. It may take time. But I am sure that people who share a common love towards the treasures under consideration will find a solution.

Finally, I'd like to welcome most heartily the representative of the von Richter family. Since the very core of the collection is actually a generous donation from that family and since for them there is a rather tragic history connected to these pieces of art, the most valuable outcome would be if the collection was made available to a wider public audience and to the *Academia*, which the family more than one hundred years ago enriched with the legacy of Otto Friedrich von Richter. If permitted, we are still willing to be the home of that collection, but Tartu University is also willing to co-operate with all partners to maintain and make available these artefacts, regardless of their location at any point in time, so a solution acceptable to all parties can be achieved.

State of Culture in Voronezh

Evgeny Novitchihin

Chairman of the Committee on Culture of Voronezh Regional Administration, Secretary of Board of Russian Writers Union

Within the bounds of this scientific conference, we are discussing questions of Russian — Estonian co-operation in professional museum work. Our discussions are based on the mutual understanding and recognition that cultural treasures are some of the main components of a civilisation; therefore, we as the curators are obliged to create favourable conditions for their use.

In that connection I would like to remind you of cultural potential that the Voronezh Region, the centre of Russian Chernozem or Black Earth Area, possesses. It is profoundly symbolic that the International Bureau of Weights and Measures uses as a standard a cubic metre of that rich, fertile layer of black earth from the Voronezh Region. We could also say the intellectual culture of this region formed in that soil. During more than four centuries of history, Voronezh has had many bright moments. One was the building of the Russian fleet there by Czar Peter the Great. Voronezh is also a region of rich cultural traditions. It gave birth to the poets Alexei Koltszov and Ivan Nikitin, writers Andrei Platonov and Nobel Prize laureate Ivan Bunin, artists Nikolai Ge and Ivan Kramskoy. Connected with Voronezh are many outstanding personalities such as Mikhail Sholokhov, Mitrofan Piatnitszky, Gavril Troepolsky, Anna Ahmatova; Voronezh was a refuge for poet Osip Mandelshtam. In the history of Russian

science there are the inventor of the glow lamp, Ladygin, armourer constructor Mosin, Nobel Prize laureate academician Basov, academicians Burdenko and Dokutchayev and Morozov.

There has been a long tradition of education in Voronezh. The pride of Voronezh and of Russia is Voronezh State University, founded in 1918 from Yuryev [Tartu] University. The cultural and artistic workers of Voronezh understand and share a desire with the Estonian people to know as much as possible about the cultural artefacts associated with their history. We are ready to create with them the most favourable conditions for the development of co-operation and the popularisation and study of cultural artefacts in the art collection founded by Professor Morgenstern in 1803. Without any doubt the foundation and development of that collection was a result of the decree of Russian Emperor Alexander I on December 12, 1802 in which he took Dorpat University under his special protection and guardianship. Under that decree the University's land allotment was increased, and every year a sum of 120,000 roubles was set aside for the University's expenses. When the Museum of Fine Arts at Dorpat University opened its doors in 1803, the further growth and development of its collection were possible thanks only to the fact that the budget of Dorpat University considerably surpassed the budgets of other Russian universities. The Government subsidy consisted of about 127,000 silver roubles, a huge sum of money at that time.

We are thankful to our forefathers for their support of science and culture. Today the collection founded by Professor Morgenstern and subsequently developed by the best Estonian and Russian scholars is the basis for the aesthetic and moral education of one of the largest cultural centres in Russia. Voronezh has a population of 1,000,000 people, and the Voronezh region includes the historic towns of Borisoglebsk, Bobrov, Buturlinovka, Kalatch, Novohopersk, Ostrogozhsk, and Pavlovsk. Under state protection in the Voronezh are about 3,000 historical and cultural sites. Among them is one unique in the world, Divnogorye. Divnogorye is nature reserve with both late Palaeolithic archaeological sites

and early Middle Ages settlement sites [Kostenkovsko-Borshtshevskaya]. There are also preserved in Divnogorye architectural sites, the 17th Century Uspensky Monastery and 3 churches carved into chalk cliffs. Not without reason the Voronezh Region is called El Dorado by archaeologists.

It is obvious that Russian culture is an integral part of the world culture. It has absorbed the best cultural traditions of the West and the East. During the more than the 1000-year history of our state, it passed through declines and upsurges, but Russia has fed its development from its folk traditions and, thereby, developed continuously.

In the last 7 or 8 decades our cultural life has existed under very exacting conditions. One factor was the impact of state control. Alongside the state's financial control, it attempted to control the creative process in the arts and culture and also the leisure time of all citizens. It is not the fault of the professionals working the field of culture that in the years of socio-economic reform, the footing for the cultural leadership became a peculiar mixture of old Soviet slogans and the practical needs of a market orientated social and economic system. With this tradition of state interference in cultural development in mind, we now come to the present day conditions. We see our main task as the search for the domestic resources for the development of culture, which naturally are contained in culture itself since cultural expressions tend to arise quite naturally from the people.

The Voronezh Committee of Culture has developed a new model for cultural development. This new system encourages self-development in the sphere of cultural expression without giving up the possibility to co-ordinate different interests or the right of every person to search for and find his own way for spiritual improvement.

Culture will develop primarily as a result of a plurality of independent influences in cultural activities. In the Voronezh

region new theatre and music groups have been established as well as private museums and foundations for the support of cultural activities. The destruction of historical and cultural sites and the loss of historic place names have stopped and some historic places have had their names restored. Monuments were erected to Ivan Bunin and Andrei Platonov. Memorial houses and tablets for the commemoration of outstanding persons such as the Venevitinovs, Massalitinova, Mandelshtam, Marshak and Mordasova have been opened or erected.

Cultural life of modern Voronezh finds expression in several theatres, the Philharmonic Society, the State Academician Russian Folk Choir, 5 state museums with about 200,000 pieces in their basic collections, and libraries with more than 30 million books. In the Voronezh region there are about 1000 palaces and houses of culture, rural clubs and almost the same number of libraries and museums. This cultural potential is supported now at the expense of state and the municipal funds.

The Regional Scientific Library named after Ivan Nikitin is among ten best libraries in Russia. There is also the Regional Youth Library. By the average number of visitors for a theatre performance, we rank 14th among the 89 regions of the Russian Federation. Our pride in this area is the Academician Drama Theatre named after Alexei Koltsov. Soon this theatre will celebrate its 200 anniversary. The Puppet Theatre has won prizes in many international festivals; the Puppet Theatre has had successful tours in Bulgaria, Hungary, Germany, Poland, Czech, France and Switzerland. Known not only in Russia but also abroad is the Opera and Ballet Theatre. The Choreography School has trained many performers for ballet troupes in Russia and Europe; this school also has a unique in Russia folk dance department. In music the most notable attractions of the region are the Academician Symphony Orchestra, the Voronezh Girls Ensemble, and the famous Voronezh Choir, which I have already mentioned, with its repertoire of folk songs of the Voronezh region.

The Committee has been active in preservation of our traditional culture. We re-established the practice of purchasing the works of art from Voronezh artists. We have also given ten special awards and scholarships for achievements in certain areas of culture and arts for students from Voronezh region. Stipends for the most talented students of the children's art schools are given every year. Handicraft and traditional folk art workshops have been opened during the last few years. The committee saved from destruction many historic structures, among them unique Uspenski [Admiralty] Cathedral. A new building for the Drama Theatre was lately completed. Automation of the catalogues of the libraries in the Voronezh region and in Voronezh itself is near to realisation. The Regional Government has adopted legislation to support cultural activities. Several examples are the Law on Library Operations, the Law for the Protection and Use of Fixed Memorials of History and Culture, and the Law on Charity. The Regional Government is now working on a regional law for patronage.

The Committee gives special attention to financing projects and programs, which are in need of innovative strategic planning in order to support traditional cultural treasures or, in other cases, new elements of the Voronezh cultural infrastructure. So after a ten-year interval the Committee re-established Days of Culture for Rural Districts in the Voronezh region, which have turned into great social events. An all-Russian folk song, music and dance festival is held in Voronezh, as it is the homeland of the collector and performer of folk songs, Mitrofan Piatnitszki. Russian Regional status was given to the folk festival "Russ Singing — Russ Craftsmanship" and to the professional theatrical contest, "Event of the Season" as well as to other fine arts exhibitions in the region. The Creative Unions of Writers, Composers, Artists and Architects have also had success in their work.

The principle of co-ordination is essential in our regional cultural politics. This principle is put into practice through consensus, negotiations and resolution of conflicts by mutual compliance. Some of the agreements about cultural co-operation have been

concluded between Voronezh Region and Lugansk Region, Ukraine, Voronezh Region and Moscow Region, the Regions of Russian Chernozem Association and the Protocol of Co-operation between Tartu University Art Museum and Voronezh Fine Arts Museum, which, I dare hope, will be realised entirely.

The system of agreements gives us from one side the possibility to strengthen our present work and from another side to guarantee further development of an integrated European cultural area. In the support and development of culture, the Committee of Culture gives a special attention to ethnic minorities. There are 15 officially registered national groups with from 300 to several thousands of people. The most numerous national groups are Ukrainian, Byelorussian, Jewish and Armenian. They were combined into the Association of the Nations of Voronezh Region, which participates in the Assembly of the Nations of Russia.

The partnership in the preservation of cultural property and the exchange of achievements in cultural activities with Estonian Republic the Committee expects and hopes will continue successfully. The Voronezh community is aware that the Estonian people have made considerable contributions to cultural life of our region. In the main libraries of our region one can find hundreds of books on different fields of knowledge translated from the Estonian language. In the Regional Scientific Library alone there are more than 1000 such books.

As far as I understand, the main idea of our meeting is the preservation of cultural artefacts for the advancement of world culture and historical knowledge as well as for the benefit of future generations. We believe we in Voronezh work successfully in this preservation. Most of the artistic monuments, books, pictures, and archives were preserved throughout the Second World War. As soon as our region was liberated from occupation, these and other cultural values became accessible both for scientific study and universal survey in our museum displays and expositions. With great satisfaction Voronezh people noted that the Protocol of Co-

operation between Voronezh Regional Art Museum and Art Museum of Tartu University signed in Voronezh in December 1998 is being successfully carried into life. We hope the international co-operation in the sphere under discussion will be continued.

UNESCO's Action for the Return and Restitution of Cultural Property

Miriam Brewka

International Standards Unit, Division of Cultural Heritage,
UNESCO, Paris

I would first like to thank the Estonian authorities, the University of Tartu and the Estonian National Commission for UNESCO for inviting a UNESCO representative to this conference. This gives me the opportunity to present UNESCO's action for the return and restitution of cultural property. In particular, I would like to talk about instruments and principles developed by the Organization that might be of interest within the context of this conference on Estonian — Russian cooperation.

The issue of return and restitution of cultural property in international relations and international law has many different aspects, such as the removal of cultural property in the context of war, the removal of artefacts during colonial situations, theft, looting and clandestine excavations in countries with a rich cultural heritage. One of the big current issues is the question of the settlement of disputes concerning cultural heritage displaced during and as a result of the Second World War.

Within the system of the United Nations, it is the United Nations Educational, Scientific and Cultural Organization that addresses

these different questions. UNESCO has the constitutional mandate to ensure cultural exchanges and to protect the cultural heritage of the world. UNESCO develops legal standards for the protection of cultural heritage. As part of this work, UNESCO has developed a series of legal instruments and different activities to further the return and restitution of cultural property. These activities are supervised by the General Assembly of the United Nations, which since 1973 has been passing resolutions on this question every two years (the last Resolution is dated December 1999). Most of the activities of UNESCO have been developed in the light of the decolonization process, mainly in the 1970's. However, many of these activities and principles could also fruitfully be applied to other issues of return and restitution of cultural property.

I would first like to give you a very brief overview of the main legal instruments developed by UNESCO. In the second part I will present UNESCO's Return and Restitution Committee; this Committee is an alternative mechanism set up for cases where UNESCO's legal instruments do not apply. Finally, in my third part, I will sketch out a series of principles from UNESCO's Recommendations and texts that might offer guidance to states involved in negotiations for the restitution and return of cultural property.

UNESCO's Legal Instruments

UNESCO administers two important international legal instruments that relate to the return and restitution of cultural property: the 1954 Protocol to the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property.

The 1954 Protocol to the Hague Convention provides for the return of cultural property illegally exported from occupied territories. It

also forbids the appropriation of cultural property as war reparations. These provisions are part of the international protection of cultural property in the event of armed conflict. The Protocol contains private law aspects, such as the payment of an indemnity to the holders in good faith of cultural property that has to be returned. It should be pointed out that a number of states that are Parties to the Hague Convention did not join the Protocol; this is the case of Estonia, whereas the Russian Federation is a Party to both the Convention and the Protocol.

On the other hand, the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property sets up a mechanism for the return of cultural property, limited to certain conditions. It obliges a State Party, at the request of the State Party of origin, to seize on its territory and to return cultural property stolen from a museum, or religious or public monument. This request has to be made through diplomatic channels and the object has to be documented as being part of the inventory of the institution. Estonia and the Russian Federation are both among the ninety-one States Parties to the Convention. France became a State Party in 1997 and the United Kingdom is currently discussing adoption of the Convention. As far as Nordic States are concerned, Finland became a State Party in 1999. Sweden and Denmark are currently considering adoption, whereas Norway has recently made changes in its national legislation that would facilitate access to the Convention.

In 1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects was adopted. This new Convention was drafted at the request of UNESCO to develop a minimum body of uniform private law rules for the international art trade. This instrument is promoted by UNESCO as complementary to the public law provisions set out by the 1970 UNESCO Convention.

In addition, as far as regional legal instruments are concerned, it has to be mentioned that the European Union, with Directive 93/7,

set up a scheme applicable among the fifteen Member States, which provides for a specific procedure for the return of illegally exported cultural property within the territory of the European Union.

As part of its mandate to ensure protection of the world's cultural heritage, UNESCO recommends to all States to join its universal legal instruments. It has to be noted that these Conventions apply in a prospective way only; they are not retroactive. In particular, they do not apply to a large number of cases of return and restitution of cultural property that today remain unsettled. However, they are important achievements for the protection of cultural property in the future and, in particular, for the return and restitution of cultural property.

UNESCO's Return and Restitution Committee

In addition to these legal instruments UNESCO set up an alternative mechanism for the return and restitution of cultural property for cases where the Protocol to the Hague Convention and the 1970 Convention do not apply: the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation.

Composition and Meetings. The Committee was created by the General Conference of UNESCO in 1978 as a permanent intergovernmental body. It is composed of twenty-two Member States, elected for the term of four years by the General Conference of UNESCO. The Committee meets every two years: the Tenth Session took place in January 1999 and the next session is scheduled to take place in spring 2001.

Functions. UNESCO's Restitution and Return Committee studies and mediates requests between States for the return or restitution of cultural property. It serves as a forum facilitating bilateral

negotiations. It acts as an advisory body and has no legal power to decide cases.

Procedure. Before bringing a case before the Committee, the requesting State must initiate bilateral negotiations with the State in which the requested object is located; only when such negotiations have failed or are indefinitely suspended can the case be brought before the Committee.

A request cannot be considered by the Committee if legal proceedings before a national or international judicial authority are under way.

In order to be examined, a request for return or restitution has to be submitted at least 6 months before the coming session of the Committee.

In addition, a "Standard Form Concerning Requests for Return or Restitution" was devised by the Committee in 1981. This form has to be filled out by both parties concerned.

Cases. Up to now, the Committee has dealt with the following cases:

The case between Jordan and the USA concerning a Nabatean sandstone panel was settled by the exchange of copies between Jordan and the Cincinnati Art Museum, each of which held a part of the panel. Negotiations on this case started in 1978, the Committee discussed the issue on its fourth session in 1985 and the issue was successfully settled between the parties in 1986.

A second case that was successfully settled refers to the return of 7,400 cuneiform tablets from the German Democratic Republic to Turkey in 1987. The Committee had been informed of the case in 1985. The settlement was accompanied by an agreement on continued joint research on these objects by experts from the two countries.

A case that found its final settlement outside the Committee concerns the return by Italy to Columbia of over 12,000 pre-Columbian objects after seven years of litigation in 1983.

Another case was not proceeded with before the Committee because litigation was taking place. This case refers to a request in

1985 by Iran for return by Belgium of a collection of archaeological items from the necropolis of Khurvin. These had been illicitly exported from Iran and then transferred to Belgium.

A third case settled outside the Committee was resolved in 1988 between Thailand and the Art Institute of Chicago in the USA with regard to a Khmer art lintel. The lintel was reinstalled in its original place in a temple in Thailand. As part of the settlement, a foundation committed funds to obtain a work of comparable artistic merit to be donated to the Art Institute of Chicago.

One case that is still pending and being discussed before the Committee concerns the request by Turkey for the return by Germany of the Hittite Sphynx of Boghuzkoy presently in a museum in Berlin. The request had been lodged by Turkey in 1987 in connection with a request for return of the cuneiform tablets.

The most famous and also still pending case concerns the request by Greece for the return by the United Kingdom of the Parthenon Marbles presently in the British Museum. This request was brought before the Committee by Greece in 1984.

Assessment. Within the context of the United Nations, the debate on the return and restitution of cultural property is now focused in the Committee as a specific and technical body. This has considerably defused the highly political controversies within the General Assembly of the United Nations. As far as the resolution of specific cases is concerned, it has to be noted that the Committee has a function in cases where bilateral negotiations fail. The existence of the Committee as a means of publicly discussing cases of return and restitution of cultural property has a major influence in encouraging States to negotiate and settle issues in less public ways on a bilateral level. The Committee has an important function as a discussion forum for a wide array of issues: the need for inventories, public information, the fight against illicit traffic in cultural property. The Committee has also made an important contribution in the drafting of principles for the return and restitution of cultural property for cases not covered by the Convention.

Principles for the Return and Restitution of Cultural Property

In response to the UNGA Resolution 3187 of 1973, UNESCO took a series of actions that resulted in a number of documents containing general principles for the return and restitution of cultural property:

- the Report of the Venice Committee of Experts of 1976, which recommended the creation of a special body (that was to become the Return and Restitution Committee);
- in view of the creation of this body, the Director-General of UNESCO commissioned from the International Council of Museums (ICOM) a *Study on the Principles, Conditions and Means for the Return and Restitution of Cultural Property in view of Reconstituting Dispersed Heritages*. It was issued in 1977;
- in 1978, the director-General launched “A Plea for the Return of an Irreplaceable Cultural Heritage to Those who Created it”;
- the Statutes of the Return and Restitution Committee, as well as the Guidelines drafted in connection with the use of the Standard Form in 1981, complete this corpus of texts.

It has to be noted that in 1976 Yugoslavia proposed at the nineteenth session of the General Conference of UNESCO that a Declaration of Principles should be made. However, up to now, no such declaration exists.

The following list gives a set of some principles that can be drawn from the above texts:

A State has right to possession of an adequate representative collection of its national cultural heritage.

The ICOM Report states that “... return and restitution of cultural property should therefore apply to those objects and documents, which are indispensable to people in understanding their origin and culture.” The 1987 Appeal refers to “... the art treasures which best represent their cultures, which they feel are the most vital and whose absence causes them the greatest anguish.” The Guidelines for the use of the Standard Form state, “UNESCO’s efforts are

directed to works which have fundamental significance for the requesting State.” The Committee at its first session interpreted this to mean “... particularly representative of the cultural identity of a given nation.” It has to be added that the national cultural heritage of a State also includes its collecting history with regard to the cultures of other parts of the world.

Emphasis has to be placed on the cultural function of the returned or restituted object in its context.

The ICOM Report stressed that returned or restituted objects “... should be used for essentially cultural purposes.” This means accessibility to the object “... for as many people as possible in the country of origin.” It also includes the purposes of cultural education and scientific research. As far as the context of the object is concerned, it has to be added that other elements to be considered are the conservation and security of the object and its legal protection. In this regard the ICOM Report speaks of precise rules in the country of origin as to the inalienability of museum objects, while the Guidelines refer to the inclusion of the object on a national heritage list.

Retrieval requires the transfer of the physical presence, but not necessarily the “ownership” of the object concerned.

Ownership and heritage are two independent principles. The Committee, at its fourth session, recommended the use of long-term deposits and loans. Alternative measures to transfer of ownership referred to in the Guidelines include the exchange of use (used by Iraq and the Louvre Museum in 1980 with regard, among others, to the Hammurabi Code), co-ownership (in 1973 and 1975 the “Réunion des Musées de France” and the Metropolitan Museum in New York jointly purchased two medieval pieces), or the exchange of copies of missing parts of objects held in different locations (as had been done in the above mentioned case between Jordan and United States).

No time limits can be set.

It might be unrealistic to go back indefinitely into the past. But the Venice Committee stated that "... in no event shall the State which holds the cultural property in question be able to invoke any statutes of limitation." An example of practical implementation of this principle can be found in the 1815 Congress of Vienna, which dealt with manuscripts taken from the library at Heidelberg in 1622, or in the peace settlements of World War I.

Cultural Property being repatriated is to be accompanied by the relevant scientific documentation.

This is clearly spelled out in Article 3 (3) of the Statutes of the Return and Restitution Committee.

A main characteristic is the particularity of claims for return and restitution.

The ICOM Report noted, "Taking into account the wide variety of possible cases of return and restitution, and the multiple difficulties they imply, it would be totally unrealistic and artificial to present precise and systematic guidelines." Claims can indeed relate to

- objects of spiritual value (the argument for return and restitution is particularly strong);
- human remains (the display of these is considered to be offensive by many indigenous groups);
- objects which are part of collections (dismemberment of collections should be avoided);
- objects dismembered from monuments (integrity of monuments should be preserved; strong arguments for display of the object in its natural and social setting come into play);
- other dismembered objects (like paintings that are to be hung together or artworks designed for particular settings; the 1956 UNESCO Recommendation concerning the international exchange of cultural property mentions the possibility of reassembling dismembered works through a system of successive loans with institutions taking turns to display the work in its entirety);

- incorporated objects (the 1978 Appeal recognizes that: certain works of art have for too long played too intimate a part in the history of the country to which they were taken for the symbols linking them with that country to be denied, and for the roots they have put down to be severed. An example in this regard given by the Guidelines is the Egyptian Obelisk on the Place de la Concorde in Paris).

It results clearly from the last principle how difficult it is to set up more than very general principles for the return and restitution of cultural property. It is also clear that these principles stand at the borderline between law, policy and ethical conduct. They might, however, offer some guidance to states involved in negotiations.

UNESCO has also recently begun a study on principles for the settlement of disputes concerning cultural heritage displaced during and as a result of the Second World War. The Return and Restitution Committee at its tenth session in January 1999 proposed that a committee of experts be set up for this purpose. A small group of experts met in May 2000 at UNESCO Headquarters and work is still in progress. Discussion was based on a series of principles first suggested by a scholarly author. The following are the main principles proposed:

Cultural objects that have been taken from territory occupied during or immediately after hostilities in the Second World War by any belligerent will be returned to the country from which they have been taken.

This is core principle, which follows the provisions of the London Declaration of 1943 and the Protocol to the 1954 Hague Convention.

Where there have been successive displacements, the objects will be returned to the territory where they were located at the outbreak of hostilities.

Cultural property taken from an occupied territory shall never be detained as war reparations.

These last two principles are again based on the provisions of the Protocol to the 1954 Hague Convention.

Restitution by replacement by an object of the same cultural origin is an available remedy where unique cultural objects have been destroyed.

These principles were formulated as guidelines applicable to interstate issues that might be inserted in bilateral treaties. Although drafted for the specific case of the displacements of cultural heritage in relation to the Second World War, they might well serve as elements for other cases of cultural property removed in the event of war and its return or restitution.

Finally, it might be of interest to note that the British Museums and Galleries Commission and the British Museums Association very recently issued a set of guidelines for museums on how to prepare for and respond to requests for return of objects in their collections. These guidelines offer guidance on the process and do not instruct museums to follow a particular course. They are based on rules of professional ethics and aim at constructive response and a positive outcome for all the parties involved. As far as ethical rules are concerned, attention has to be drawn especially to the Code of Professional Ethics of the International Council of Museums, which calls for cooperation and an open-minded attitude in the return of objects to their countries of origin.

I conclude this brief overview in the hope that it could provide you with useful general elements for bilateral cooperation in the return and restitution of cultural property. UNESCO cannot take a position on any case between two of its Member States. The case concerning Estonia and the Russian Federation, which is the main theme of this conference, would seem, however, to fall within the jurisdiction of UNESCO's Return and Restitution Committee, after

exhaustion of negotiations between institutions and States concerned. I thank you for your attention.

For additional information on the instruments and principles that UNESCO offers to its Member States in the area of return and restitution of cultural property, the following documentation materials are available for distribution:

- *Guidelines for the Use of the "Standard Form Concerning Requests for Return or Restitution"*, UNESCO Document CC-86/WS/3, 1996;
 - *Report by the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation on its Activities (1998–1999)*, UNESCO Document 30C/REP.14;
 - List of Member States of the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation;
 - *Preventing the Illicit Traffic in Cultural Property. Handbook for the Implementation of the 1970 UNESCO Convention*, Paris, UNESCO, 1997;
 - Information Note on the activities of the International Standards Unit of the Division of Cultural Heritage of UNESCO;
 - Prott, Lyndel V., "Principles for the Resolution of Disputes concerning Cultural Heritage Displaced during the Second World War", in Simpson, Elizabeth (ed.), *The Spoils of War. World War II and its Aftermath: The Loss, Reappearance, and Recovery of Cultural Property*, New York, The Bard Graduate Center for Studies in Decorative Arts, 1997;
 - *Restitution and Repatriation. Guidelines for Good Practice*, London, Museums & Galleries Commission, 2000;
 - *ICOM Code of Professional Ethics*, 1986.
- Please also consult our website at
<http://www.unesco.org/culture/legalprotection/index.html>.

Russian Federation Law and Practice of the Ministry of Culture in the Area of the Removed Cultural Property

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One of the important aspects of the state politics in the field of culture is the enactment of laws for the preservation of the cultural property. In the Russian Federation principles have been enacted into the body of state law, which establish state regulation in the sphere of cultural treasures. First of all the Constitution of the Russian Federation is the legal guarantee for the protection of the rights and freedoms for all persons and all citizens.

The principles contained in the Constitutional Law are incorporated into the Civil Law Code, Custom Law, Tax Law and Penal Code of the Russian Federation. The principles of the state find embodiment in the legislation and regulations of different institutions of governmental administration. Significant among the Russian Federation Laws dealing with the preservation of cultural property are "The Fundamentals of the Russian Federation Legislation on Culture", "The Fundamentals of the Russian Federation Legislation on Archive Funds and Archives", "Export and Import of Cultural Property", "Federal Law on the Museum Funds and Museums of the Russian Federation", "Federal Law Covering Libraries", "Federal Law on Compulsory Copy of the

Documents", "Federal Law on Architectural Operation in Russian Federation", "Federal Law on Precious Metals and Precious Stones", "Federal Law on Fire Arms", "Federal Law on Cultural Values Removed to the U.S.S.R. as a Result of World War II and Located on the Territory of the Russian Federation", "Federal Law on Licensing Different areas of Activities", and "The Federal Law on People's Artistic Craft Industry". Enacted on December 15, 1978, the RSFSR Law on the Protection and Exploitation of the Memorials of History and Culture remains in force as amended by the Decree of the Presidium of the RSFSR Supreme Council on January 18, 1985.

Important factors for international cooperation are the Russian Federation agreements with the other countries of the Commonwealth of Independent States (CIS). Such agreements included for example, "The Foundation of the Council on Cultural Cooperation between the Member States of the CIS" May 26, 1995 in Minsk and "The Cultural Cooperation Agreement" May 15, 1992 in Tashkent and "Cooperation of the Custom Agencies Agreement to Detain and Return Illegally Imported and Exported Cultural Property" April 15, 1994 in Moscow.

The Russian Federation is a signatory of many multilateral international agreements and conventions about cultural property. It is important to mention that the Russian Federation has concluded a number of international bilateral treaties where the principles of international cultural cooperation are expressed.

The legislation of the Russian Federation includes a provision that if an international treaty to which Russian Federation is a party establishes different regulations than those in Russian Federation legislation, then the regulations of international treaties will take precedence. At the same time it is important to take into consideration that international treaties of the Russian Federation concerning its cultural property have to be ratified before they come into force.

At the present time the Russian Ministry of Culture is preparing documents for the ratification of the 1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects signed on June 24, 1995 in Rome.

Legal procedures concerning cultural property are enacted in the standard juridical acts of the Government of the Russian Federation and in the regulations established by the different branches of government administration and in their intra-governmental acts.

State regulation of cultural property is implemented by the Ministry of Culture, the Federal Archival Service, the Ministry of Internal Affairs, the State Customs Committee, and the Federal Security Service. General inspection over observance of the legislation is carried out by the General Procuracy.

In Russian Federation Legislation the general and the broad concept of cultural values was defined for the first time in Article 3 of the Fundamentals of the Russian Federation Legislation on Culture from October 9, 1992 Nr. 3612-1. This fundamental legislation puts the cultural property of the nations of the Russian Federation under special protection and limits how it may be exploited.

To realize the aims of the Russian Federation Law on Export and Import of Cultural Values from April 15, 1993 Nr. 4804-1, Article 6 establishes a more exact legal definition of the term "cultural values" as it relates to the movable material objects, which have historical, artistic, scientific or other cultural value.

Russian Federation Legislation in the sphere of cultural values created the state system for the preservation of cultural property. An important element in this system is the cooperation between various departments, offices, services etc. To solve the problem of the protection and preservation of the cultural property, the Government of the Russian Federation enacted a program for the

years 1996 to 1998 to guarantee the maintenance and to reinforce the struggle against the theft or smuggling or illegal export of the cultural and natural heritage of the Russian nations. The main goal of the program was to prevent and inhibit violations of the law in connection with the illicit transfer of cultural values and to disclose earlier transgressions. The program elaborated and confirmed previous standard legal decrees, which organically complemented the legislative base concerning cultural values. Under this program the Ministry of Culture keeps a Federal Register of cultural property to establish ownership rights and to record ownership transfers as well as to inhibit illicit exports or imports. The Register is continuously reviewing documentary and informational electronic databases for every kind of movable cultural object. The Register entry includes a written description and an image of each object. This Federal Register conforms to international standards established by Interpol and the International Art Loss Registry. The Register provides an open source of information on cultural losses for interested state organs and institutions. The Department of Restitution is interested in increasing the number of contributors to the database and is ready to cooperate in the exchange of information so that the database would be as complete and accurate as possible.

A program of inter-institutional measures to guarantee the preservation and to reinforce the struggle against the theft or smuggling or illegal transfer of the historical and cultural heritage of the Russian nations was undertaken for the years 1999 to 2001 by the Government of the Russian Federation. Within the framework of this program, the Ministry of Culture together with the Ministry of Internal Affairs, the Federal Security Service, the State Customs Committee and the Russian Archives are planning a CIS member states scientific conference at which the unification of CIS legislation on cultural property will be discussed.

We have already extensive experience in preservation of cultural values. An analysis of state practice for the export and import from the Russian Federation of cultural values, of the sale of the

antiquarian objects, and of the regulation of foreign trade in cultural values indicates the state controls are active and effective. The responsible state organs include the Department of Preservation of Cultural Values and the territorial organs of the Russian Ministry of Culture.

The evident, competent functioning of that inter-institutional system and the operational cooperation with law enforcement and customs offices allows the system to effectively control the export and temporary export of cultural objects and allows purposeful resolution of questions of their return to the Russian Federation.

Only during the last five years have more than 70,000 objects returned from abroad and have taken a valued place in the depositories of the state and museums. Among them are valuable works earlier plundered from Russian museums and libraries.

We of course understand that the legislation on cultural property must correspond to the standards and practices held within Russian society; consequently, the legislation is continuously improved. The Fundamentals of the Russian Federation Legislation on Culture and the Law on Removed Cultural Property have been changed and supplemented as a result. Projects to unify or amend the laws concerning libraries, export and import of cultural property and some other areas concerning cultural values are on going.

Still it is important to improve the institutional legal standards. These standards must require institutions to register, to describe, and to provide for the storage and preservation of especially valuable museum objects, books and archival documents. Areas to be protected must be defined and preservation guaranteed, and the allowable uses for both movable and immovable monuments and memorials must also be defined. It is obvious that the problems of cultural property and its preservation are complex in character. Both the resources of the Culture Ministry and law enforcement agencies are needed to solve these problems. The independent state institutions — legislative, executive, and judicial — must carefully

coordinate their work to preserve cultural values of the Russian Federation.

The topic of my report is the problem of removed cultural property. It is delicate question that in recent times has been the subject of sharp even passionate debate. Since the foundation of the Special Restitution Department in the beginning of 1993, the work on the question of removed cultural property has been better planned and executed. The State Restitution Commission was founded some time earlier by a decree of the Council of Ministers in July 1992. The department's mandate, credentials, and goals were specified in a statute confirmed by the Government decree on December 23, 1993. In accordance with this decree the State Restitution Commission is subordinate to the Ministry of Culture. The State Commission is consultative inter-institutional body, which makes recommendations to the policy-making organs of the state. The Commission has 32 members, including representatives of ministries, institutions, directors of the leading Russian museums and libraries, public figures from science, arts and education. The Special Restitution Department is the day-to-day apparatus for the Commission. The Department has been renamed as the Department of Removed Cultural Property. The Department makes the necessary preparations for the Commission's sessions, organizes conferences and negotiations with official representatives of states having claims to some or the other cultural property removed to the territory of the Russian Federation as a result of the Second World War.

The State Commission is the negotiating structure with FRG, Hungary, the Netherlands, Poland and Ukraine up to the present. At the same time the Department is organizing a database of Russian cultural losses during the Second World War based on archival inquiries, certificates and other data. The goal of this work is to return to the legal owners — museums and libraries — lost cultural works. For 55 years after the cultural losses of the Second World War such restitution work was not done in our country. The State Commission, naturally, met serious obstacles. First of all systematic and complete informational archives were missing. The

fascists, plundering the museums, libraries, cultural institutions, pedantically hauled out the inventory books, catalogues, and documents of registration. Therefore, we have undertaken an extensive archival inventory to restore some picture of the losses. The specialists of the Ministry of Culture have organized the discovered materials. As the result of this work, the first volumes of the Summary Catalogue of Stolen and Lost Russian Cultural Valuables were prepared and published: Volume 1 The State Museum-Reservation Tsarskoye Selo, Book 1 — The Ekaterininskij Palace; Volume 3 The State Tretyakov Gallery, The State Russian Museum; Volume 4 The State Archives of the Russian Federation, Book 1 Lost Archival Funds. The next 2 volumes in the series cover the palace-museums Ekaterininskij, Pavlovsk, Peterhof and Aleksandrovskij and the museums of Smolensk and Novgorod both of which are being prepared for publication.

One of the main directions in the work of the State Commission, and accordingly of the Ministry of Culture, is to create and improve the legal foundation in the area of removed cultural property and to determine the legal status of cultural property removed from foreign countries. In the same direction Commission wants to determine what the generally acknowledge standards of international law were in the period of 1943 to 1949.

A certain legal vacuum in our national legislation existed until April 15, 1998. In this connection the State Duma adopted a decree entitled "Moratorium on Return of the Cultural Valuables Removed in the Years of the Great Patriotic War" on April 21, 1995. Duma declared a moratorium on making any decisions on the return of cultural property removed during the Great Patriotic War until the adoption of Federal Laws to regulate the disposition such property. That legal vacuum had troubled all appropriate persons and institutions. The Ministry of Culture from 1995 to 1996 dealt with no less than 7 versions of the proposed law to regulate ownership rights to cultural property removed as the result of the Second World War. The Ministry coordinated the legal activity of the experts from about 20 interested ministries and

institutions including the Institutes of Russian Academy of Sciences. The proposed laws were discussed in three special sessions of the State Restitution Commission. The specialists of the Ministry took part in three parliamentary hearings in State Duma on the proposed law. The activities of the federal executive organs in legislative process lead to an open legislative process in which public opinion was also taken fully into account. It is understandable that the problems of the replaced cultural property from the viewpoint of the historical experience of our nations are complicated and delicate. The memories of the horrors of that war, population losses of more than 20 million, a shattered economy and the long period of its restoration, the plundered and demolished cultural heritage demand from us a very balanced and cautious approach to the problem of removed cultural property. We also understand that not only our homeland suffered under fascism. Restoration of historical justice — this was the mission of strong nations convinced of the rightness of their cause. The nations of former Soviet Union together with the nations of the anti-Hitler coalition fulfilled their great mission. Restoration of historical justice concerning the national cultural heritage of the European nations — this is the principle we must also follow.

Since the 1950's leading museum professionals of the Hermitage and the Pushkin Fine Arts Museum repeatedly raised the question of opening the special repositories of the removed cultural property so that the public would have access to the masterpieces of Western European art held in these repositories. Unfortunately, the problem was not addressed for a long time. Only in April 1994 on its own initiative, the Ministry of Culture directed that these works of art from special repositories be displayed in order to support the State Commission. Another goal was to encourage interested foreign countries to negotiate the mutual return of art objects removed from national territories in World War II. On the bases of this order, the exhibitions in the Hermitage, the Pushkin Museum, and the State Rudomino Foreign Literature Library were organized. These exhibitions were hugely popular.

Implementing the Federal Law on Cultural Values Removed to the USSR as a Result of World War II and Located in the Territory of the Russian Federation solved the problem of a legal vacuum. We got the Law, which determined legal status of replaced cultural property and established a decision making process for its disposition. Federal Law enacts an extra-judicial process for resolving claims for the return of removed cultural property to an international party. This does not exclude interested parties from access to the judicial process. It does mean that a judicial order can restore or protect property rights if the cultural property in question has not been transferred under the principle of compensatory restitution.

It is well known that the President of Russian Federation himself questioned the constitutionality of some provisions of the current law, and that subsequently the law was the subject of heated debate in the sessions of the Constitutional Court. Anatoli Vilkov, the Director of the Department of Preservation of Cultural Values, and Valeri Kuleshov, former Head of the Restitution Department, took an active part in the work of the Constitutional Court and repeatedly spoke during its sessions. As the result of the debate on the President's inquiry, the Constitutional Court announced its decision on July 20, 1999. The Court's decree stated that some provisions of the Law were unconstitutional under the Constitution of the Russian Federation. Then arose the problem of how to make the Law conform to the Constitution taking into consideration the decree of the Constitutional Court. The amended "Federal Law on Cultural Values Removed to the USSR as a result of World War II and Located in the Territory of the Russian Federation" was enacted and came into force on May 25, 2000.

The Federal Law has solved main questions of legal regulation on removed cultural property:

1. Delineates "removed cultural property" among other terms and thus establishes a necessary conceptual framework. Removed cultural property is cultural property removed in the course of implementing compensatory restitution from the territory of

Germany and its former allies Bulgaria, Hungary, Italy, Rumania and Finland to the territory of USSR in accordance with the commands of Soviet Army leadership, the Soviet military administration in Germany and by the regulations of other USSR state organs and which [cultural properties] are currently located on the territory of the Russian Federation.

2. Converts to the Federal ownership the removed cultural property, which had belonged to the former hostile states under the principles of compensatory restitution.

3. Determines the order of the publication of data about removed cultural property.

4. Recognizes the right to return cultural property belonging to the former USSR republics occupied in war, to interested states, to religious and private charity institutions of former hostile states and to the victims of fascism under the conditions established in the Federal Law.

5. Determines the conditions for the transfer of the cultural property and establishes an extra judicial decision making process for the transfer of cultural property that does not exclude possibility for a judicial appeal by plaintiffs to establish or protect property rights [The Constitutional Court has recognized the right of the legislative body to determine the conditions for the expropriation of cultural treasures.].

6. Enacts that claims are taken only from governments of foreign states addressed to the Government of the Russian Federation. Claims from plaintiffs themselves will not be accepted.

The Federal Law on removed cultural property in Article 16 foresees the work of plenipotentiary federal organ on preservation of cultural property. It gives to this organ certain powers to regulate the preservation of removed cultural property and to determine ownership. Likewise the article makes necessary the

foundation of an advisory body to the Inter-Institutional Council on questions of removed cultural property.

In connection with the reorganization of Federal Ministries, the Ministry of Culture prepared a draft for a decree that would confirm the areas of responsibilities of the Ministry of Culture, which would include the plenipotentiary Federal organ on preservation of cultural property.

We have ahead much work with the establishing the legal framework and administrative procedures that need to be in accord with the Law enacted by legislature. Only after that can we start the practical work, the investigation of removed property questions, the publishing of the data required under the Law, and the determination of the property rights to removed cultural treasures. The Law guarantees property rights of former USSR Republics, which were occupied, on the condition that of mutuality of rights is confirmed. The principle of mutuality of right to submit the claims for the return of removed cultural property is also valid for former hostile states, whose cultural property can be returned under the provisions of the Law.

Unfortunately questions about removed cultural property and the changes to the laws on removed cultural property have created between the supporters and opponents very public and emotional disagreements. Even in such authoritative papers as Izvestia, Kommersant, Segodnya and Komsomolskaya Pravda one can find unforgivable mistakes, which show the incompetence of the authors of the articles. In the Segodnya of March 28, 2000 the article "Time to Count the Artefacts" abruptly stated, "The larger part of trophy treasures located in the special repositories, in opinion of experts, did not belong to Germany but to the states occupied by Germany." Who are these experts that gave such opinions? How and what did they count? The article continues: "Russia does not have a list of its own treasures lost in the years of the war." Russia does not have **complete** list of the losses, yes. How many museums, libraries, institutions of culture were simply

destroyed during Nazi military operations? How can we count lost museum exhibits and cultural treasures if even the documentation in great part is destroyed and the numbers can only be an approximation. However incomplete, the specialists of the Ministry of Culture are gradually restoring a picture of the losses. As a result of their research work, lists containing 40,000 items have been turned over to the Government of Germany. It also is, of course, not a complete list; it will become more complete in the course of time.

Lately the Ministry of Culture held a press conference on the return from the USA of a significant part of the archive of the Society Rodina. This action was the result of work carried out by the Ministry of Culture. However, the reporter for TV channel 6 announced that the archive could have been returned earlier had not the clumsy machinery of the federal ministry worked so ineffectively. The fact that this "clumsy machinery" during just 5 years of its existence gave the country 70,000 cultural objects was not mentioned.

I want to say that in such delicate and controversial matters credence should only be given to the work of competent journalists, and specialists. This is an area for qualified professionals only.

I would like to end with some comments on the problem of the preservation of the removed cultural treasures. The past system of the special storage of the removed property made it practically impossible to systematize and catalogue these objects. Today we have the situation that this mass of cultural treasures is practically unresearched. The law on removed cultural property did not establish for the institutions of culture a new system for the special storage of removed objects. In fulfilling the Federal Law and the decree of the Constitutional Court, the Ministry of Culture adopted on March 2, 2000 a legal directive under the authority of the law on removed cultural property that the inventory and storage by state museums of such objects and collections be carried out in

general accordance with established rules for the museum objects and collections in the Russian Federation. This is the beginning of a large task.

This is the general picture of the work of the Ministry of Culture of the Russian Federation and its work with the cultural treasures, including the cultural treasures that were removed as a result of World War II.

Displaced Book Collections and the All Russian Library for Foreign Literature

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Due to historical events, the fate of the Library for Foreign Literature is closely connected with displaced book collections. As a matter of fact, it may also explain the continuous research work and informational activities the library does in the field of displaced cultural artefacts in general, and on book collections, in particular.

In 1922 the Library was founded by Margarita Ivanovna Rudomino during the hard years after Civil War. It was then that our Library received the first trophy books. These were books from destroyed manorial houses, which Margarita Ivanovna, who was only 21 years old in that time, collected and rescued by herself. Thus an excellent set of French 18th century literature was established in the rare books collection of the Library.

In 1945 the Soviet Government commissioned Ms. Rudomino to travel to Germany to bring books from German Libraries to the Soviet Union to compensate for the country's enormous losses. Thus about 70,000 displaced books entered the Library for Foreign

Literature. Not all of these books remained in the Library. Some books were transferred to the other libraries of the former Soviet Union in a book exchange between the libraries. Other books were discarded because they were damaged beyond restoration. About 13,000 books are kept in the duplicate stock. So today we have about 40,000 books in the Library that were obtained as Trophies. The trophy books were gradually incorporated into the library stacks and were always accessible to readers of the Library. However, access for foreign nationals was restricted. Such restrictions existed until 1989.

The trophy literature received by the Library, was never kept as a separate collection. It was included into general collection of the Library without any attribution of owner's signs. Only in the inventory books of the Library you could see the preserved notes – trophy acquisition.

The situation changed the moment the Rare Books Research Department in the Library was established. The decision to found the department was adopted in 1974. A separate depository for practically all trophy books published between the 15th to 18th centuries and also smaller part of 19th century books was set aside, and the appropriate volumes were transferred from the general collection. Trophies were not only located in the depository of the department but also became a separate bibliographical entry in the Library catalogue. The result of this work was a catalogue with detailed descriptions of owners' signs and book-marks.

An on-line catalogue has been established thanks to a co-operative project between the Library and the Dutch Ministry of Education, Culture and Science. The database includes the book-mark information from mainly German sources but within the database can also be found book-marks from Polish and Austrian sources. For the first time information about the location of the displaced book collections of World War II held in the Rudomino Library is available to the millions of Internet users from all over the world. Database includes 391 signs, which belong to 253 owners, most of

them of trophy origin. "Foreign Book-marks in the Rare Book Collection of the All Russian Rudomino Library for Foreign Literature" is accessible through the Library's Website. I would also like to mention that a book-version of the catalogue has recently been published, and it is with pleasure that I present it here for your attention.

The latest activities of the Library in the field of the displaced book collections are diverse. One of the more significant events at the Library was an International Conference "The Cultural Map of the Europe: The Fate of the Displaced Cultural Property in the Third Millennium" held in April 2000. The Conference showed how high interest is in the world with all aspects of this complicated and delicate issue. The historical backgrounds of the displaced property-problem and the different judicial standards and documents related to the solution of restitution disputes were discussed. Always the position of the Library on Foreign Literature has been unchanged: balanced dialogue with a constructive approach to the problem of displaced property combined with open access to any information, or as it was said in olden days — *Concordia parvae res crescunt, discordia maximae dilabuntur*.

Dutch Results and Methods of Various Projects in the Field of Restitution

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Introduction

I am an art historian by training and I work for the Dutch Ministry of Education, Culture and Science in a division called the Inspectorate of Cultural Heritage. Our most important task is to inspect the care given to the state collections by the former state museums, which were given autonomous status some 5 years ago. However recovery and restitution are among our tasks, and these responsibilities are, of course, why I am here today.

Much research has been done in my country the past years into dormant accounts, assets and other WW II issues, which have a financial component. For those of you who are interested, I have made an information sheet indicating where information about these issues may be found. But the topic of today is art, both lost and found.

As context to a description of our work, I must give you a short historical introduction. Then I will give an outline of the research and restitution policy concerning the state collection. The last part

of my presentation deals with the research and restitution policy of museums.

Historical Background

The German occupation of the Netherlands lasted for five years. In November 1945 the value of the works of art that had left the country during the war was estimated to be 640 million guilders (See the *Memorandum van de Nederlandse regeering inzake de door Nederland van Duitschland te eischen schadevergoeding [voorloopige gegevens]*, 's-Gravenhage 1945. 14, 34. See also: Emile van Konijnenburg. *Roof, restitutie, reparatie. Samengesteld in opdracht van het Ministerie van Economische Zaken*. 's-Gravenhage, 1947.).

Now what was done after the war about these losses? By Decree of July 1945 of the Dutch Military Authority, which represented the Dutch Government after the German capitulation, every citizen was obliged to give information about art works sold voluntarily or under duress to (representatives of) the German occupying forces, stolen or confiscated by the Germans or otherwise lost during the war. This information was collected by the Stichting Nederlands Kunstbezit (The Foundation of Netherlandish Art Property) who developed special forms to note down the information reported. The Foundation itself also made lists based on the administrative records of the Germans, including transport documents for looted art and records of sales by auction houses and art dealers. All this information was used in the Allied art collecting points in Germany.

We do yet not know exactly how many recovered items were given back to their original owners. We do know that after completion in the 1950's of ownership investigations about 2,000 paintings and a still unknown number of pieces of decorative art were sold by the Dutch state. Many of the objects that returned were works voluntarily sold during the German occupation of the Netherlands

by the art trade, which was a violation of Dutch war laws. These became the property of the Dutch State. The sold objects were works that the State felt at that moment they had sufficiently researched to be reasonably certain of their original ownership. Details of where further information can be found about the Netherlands Art Property Foundation etc. are listed in the information sheet I referred to earlier.

Today the State collection still comprises ca. 4,200 paintings, prints, pieces of furniture and decorative objects that were recovered after the war. They are all inventoried, and most of the paintings have been published in the 1980's. They can all be recognized by their inventory number that always starts with the letters NK, Nederlands Kunstbezit, or Dutch Art Property and they are all subjects of extensive research, which is my next topic.

Research — The Ekkart Committee

Three years ago questions were asked concerning these remaining works of art. The old art recovery archives of the Foundation still exist. Might these not be a starting point for new research? Might not modern methods of research, databases and vast modern documentation systems such as that of Netherlands Institute for Art History, enable us to find more information about original owners than previously possible? So in October 1997 the State Secretary of Education, Culture and Science initiated an investigation into the ownership of the objects in the NK collection. An independent committee was formed, called the Ekkart Committee after its chairman, Dr. Ekkart, director of the Netherlands Institute for Art History. This committee oversaw the work of two researchers, who carried out a pilot study for 113 works of art, both paintings and decorative art, in order to test a method of research.

The results of the pilot study were published in Dutch and English in April 1998 under the title *Origins Unknown*. This report

included introductory texts with information about the work of the Netherlands Art Property Foundation.

The conclusions and recommendations of the Committee were that the research be extended to cover all objects in the NK collection. The Committee also recommended a study of the legal framework and the working methods of the Netherlands Art Property Foundation, including such aspects as the formulation and application of concepts including voluntary sale, forced sale, confiscation and looting and the methods of restitution to the original owners. All recommendations of the Ekkart Committee were accepted by the Secretary of State.

There are now 9 researchers working on the project, supervised by a second Ekkart Committee. The other members of this committee are Ms. R. Weiss-Blok, Director of the Jewish Historical Museum, Ms. H. d'Ancona, former Minister of Welfare, Public Health and Culture, and Mr. R. Naftaniel, Director of the Israel Information and Documentation Centre and a representative of the Central Jewish Platform.

All in all there are 4,217 works of art to be investigated. Almost 40% of the works of art to be studied consist of paintings. In addition, there are also such works as drawings, furniture, ceramics and silverware. In October 1999 the Ekkart Committee published its first interim report, and at this moment the second interim report is being made ready for publication. These publications include reports about each researched object in Dutch as well as an English translation of the introductory texts about the organization and method of research.

For each object a history for the years 1940–1945 is reconstructed. Especially for furniture and objects it has proven to be exceptionally difficult to prove a link between documentation and object because of the limited individuality of such objects and the often times summary descriptions in sources. One telling example is a coffee cup in the NK collection. During the research it became

clear that it had been claimed after the war by six different people. Undoubtedly, all these families lost a cup like this, but since it was impossible to determine which family had owned this specific cup, it was left in the NK collection to be available when further information would come to light.

Another complication in the research was that at the collecting points; especially towards the end of the restitution process, works of art that were difficult to identify, mostly furniture and decorative art, were shipped back to the country that seemed the most likely country of origin. In this way most Delft blue-and-white tiles were sent to Holland though they might as well have come from a French or Belgian collection.

It was discovered in the course of the research that the most efficient method of reconstructing ownership is not by going backwards from the present whereabouts and owner. If this is done, one always encounters the black hole formed by the nearly complete lack of documentation during the years of the Second World War. We try to recover the location of the object in question from somewhere during the 1920's and 1930's and work forward from that point. By doing this we try to narrow the gap of the World War II years and thus make a deduction of what happened.

It was estimated a little while ago that on an average it takes at least 10 hours to research 1 object. Since there are now 9 people doing research, a flow chart was developed ensuring that every researcher follows the same method of research and reports the findings in the same way.

Apart from the interim reports, which are published and also deposited at libraries and other locations, information will be spread via the Internet. Preparations are also being made for a Website, which will contain the full research reports, and a database that will enable visitors to search the collections. It will be possible to search using various fields, such as artist's name and key word.

Though the ownership of many objects has become much clearer, we will have to countenance eventually that for more than half of the objects there will probably remain blank spots in their history. It is hoped that through the publications, and later, through the Website, people will react and hopefully send in additional information.

Restitution Policy

Because a work of art can mean an extremely personal tie with the past and can have great emotional value for a family, the Dutch government plans to continue to proceed on a case-by-case basis regarding the restitution of works of art. In each case where new facts come to light, a decision about restitution of these works will be made by the Secretary of State for Culture. Thus, the works of art about which nothing is found will stay available in the future should new facts come to light regarding their origins.

According to Dutch law, the theft and looting committed during the Second World War now fall under the statute of limitations. But the Secretary of State for Culture has stated that he will not invoke the limitation period in two cases:

- new applications (in other words, applications which have not previously been the subject either of a decision by a competent body dealing with the restitution of legal rights or of an amicable settlement);
- applications already decided under the post-war restitution of rights process but in relation to which genuinely new information has since come to light.

These rules for deciding whether to examine an application have no relevance to the eventual granting or rejection of the application. On that point other rules have been formulated which are so far as possible identical to those applied in the post-war restitution process (see page 11 of the report on the Ekkart Committee's pilot study). The main criteria are that that loss of

ownership was involuntary and that the claimant is able to demonstrate a legal right to the property as the original owner (or his/her heir). In this respect it should be stressed that the borderline between voluntary and involuntary loss is not always easy to define. The State Secretary has further stated that in the light of the Ekkart Committee's eventual findings, the government will consider whether the rules now formulated permit it to respond appropriately to the conclusions and recommendations of the committee. If necessary the present policy on applications for the restitution of art objects will be reviewed in the light of the findings of the Ekkart Committee.

Several claims on the works in the NK collection are being studied at present. Restitutions from the state collection have already taken place. In all cases, these concerned paintings, which, as I said earlier, are easier to identify and therefore have a higher "success rate".

So far I have been talking about objects recovered from Germany after the war that remained in the state collection. Naturally, objects with a "war history" can be present in other collections as well, so I will now turn to the larger museum field.

Museums Acquisitions 1940–1948 Project

In 1998 the so-called Museums Acquisitions 1940–1948 Project was launched under the aegis of the Dutch Museums Association (NMV). The aim of the Project was to find out as much as possible about the ownership of art objects acquired by Dutch museums during and shortly after World War II. Since the project's start, the NMV received 398 contributions from museums. On January 31, 2000 the findings of the research were published in a report entitled, in Dutch, the *Rapport Museale Verwervingen 1940–1948*, which is the Report Museum Acquisitions 1940–1948. The first part of the report describes the aims and methods of the research, the museum world and the Dutch art trade during the German

occupation and the workings of the Lipmann Rosenthal Bank etc. The second part presents the reports of the individual museums.

The number of problem cases that emerged was relatively small; however, in the course of research it became clear that a large number of cases would deserve more specific or continuing research. At the time the report was published, the NMV stated that during the year 2000, the museums would report the results of ongoing research to the Committee on Museum Acquisitions. At this moment, the NMV is contacting museums where research started or continued since January and is considering the best way to make this information known.

One result of the Project is the guideline the NMV published. If works of art are found in these museums which have been stolen from Jewish owners, it is expected that the governing bodies of the museum — which may be local or provincial governments or private foundations — will act in the same way as the Dutch State and return these objects to their owners.

Indeed, the museum research showed 8 problematic acquisitions and several of these have already been restituted to the original owners or their families. For example, the Rotterdam Boymans Museum returned one painting (by Nic. vd Waay) and two watercolors to the heirs of two Jewish families. The museum in Groningen returned a painting by Max Liebermann to the heirs of the German-Jewish owner.

The Museum research project as such will be finished in this year. Individual museums may continue their research. The Hague Museums, for example, have hired a specialist in research. The State investigation will be finished in three years time, and its results will be published during those years in regular reports. We hope in this way to solve most outstanding questions though truth commands us to say that some of these will probably never be answered.

Tartu Conference, 14–17 September 2000

Information Sheet, the Netherlands

Research into assets

Four independent committees in the Netherlands have been doing research into dormant accounts, insurance policies, assets etc. They are known by the names of their chairs: Van Kemenade, Scholten, Kordes and Van Galen. English information about these committees, press releases and (summaries of) their reports, as well as the government's response of March 2000 can be found on the website of the Dutch Ministry of Finance: <http://www.minfin.nl/>, select English language, select World War II Assets.

Research into art — Museum acquisitions 1940–1948

In 1998, the Museums Acquisitions 1940–1948 Project was launched under the aegis of the Dutch Museums Association (NMV). The aim of the Project was to find out as much as possible about the provenance of art objects acquired by Dutch museums during and shortly after World War II. Since the project's start, the NMV received 398 contributions from museums. On January 31, 2000 the findings of the research were published in a report entitled *Rapport Museale Verwervingen 1940–1948* (Report Museum Acquisitions 1940–1948), compiled by Eelke Muller for the Museums Association.

The 224 pages of the report is in Dutch with a two-page summary in English. It can be ordered from the Nederlandse Museumvereniging (Dutch Museum Association), P.O. Box 74683, NL-1070 BR Amsterdam, tel. + 31 20 670 1100, fax + 31 20 670 1101, e-mail info@museumvereniging.nl, website www.museumvereniging.nl. The English texts can also be seen under <http://www.museumvereniging.nl/>, select English, then select Current issues.

Research into art — the Origins Unknown Project of the Ekkart Committee

In October 1997 the State Secretary of Education, Culture and Science initiated an investigation into the ownership of the Netherlands Art Property Collection, the so-called NK collection. This investigation was supervised by the so-called Ekkart Committee, named after its chairman, the director of the Netherlands Institute for Art History. The NK collection is made up of the works of art recovered from Germany at the end of the Second World War, which have remained in the custodian-ship of the Dutch central government. The investigation was set up as a pilot study to test the proposed research method. In April 1998 the report of the pilot study was published. There is a 28 page English version, entitled *Origins Unknown*, of which copies may be ordered from the Sdu-servicecentrum: P.O. Box 20014, NL-2500 EA The Hague, The Netherlands, tel. +31 70 378 98 30, fax +31 70 378 97 83. When ordering please state the report's publication number ISBN 90 346 3563 5.

On the bases of the recommendations of the Ekkart Committee, the research was continued. For all ca. 4200 objects their history in the years 1940–1945 will be researched and published. A first interim report *Origins Unknown* was published in October 1999 and includes reports about each researched object in Dutch, as well as an English translation of the introductory texts about the organization and method of research. It can be ordered from the Sdu-servicecentrum: P.O. Box 20014 NL-2500 EA The Hague, the Netherlands, tel. +31 70 378 98 30, fax +31 70 378 97 83. When ordering please state the report's publication number AOCenW1671.

Information on the reports may be obtained from the Ministry of Education, Culture and Science: Information Department, Public Information Department. P.O. Box 25000 NL-2700 LZ Zoetermeer, the Netherlands, tel. +31 79 32 33 270, fax +31 79 32 33 320, e-mail: webmaster@minocw.nl.

A second interim report is now being prepared for publishing. Preparations are also being made for a Website, to be installed in 2001, which will contain the full research reports and a database that will enable visitors to search the collections.

General

Information about WW II related issues in the Netherlands can also be found on the website of the Dutch embassy in Washington: <http://www.netherlands-embassy.org/>.

In 1998 a Dutch research guide was published, the title of which is, in translation, Research Guide. Archives [concerning] Jewish Victims of War. [An] Overview of archives containing information about looting, recovery, restitution of rights and compensation of possessions of Jews in the Netherlands in the years 1940–1987, compiled at the order of the Committee of Research Liro-archives. The guide was published by the General State Archives in The Hague, www.archief.nl, select English, e-mail: ara@rad.archief.nl. The guide was written by M.L. van Bockxmeer, P.C.A. Lamboo and H.A.J. van Schie. The full title in Dutch is *Onderzoeksgids. Archieven Joodse oorlogsgetroffenen. Overzicht van archieven met gegevens over roof, recuperatie, rechtsherstel en schadevergoeding van vermogens van Joden in Nederland in de periode 1940–1987 vervaardigd in opdracht van de Commissie van Onderzoek Liro-archieven, Den Haag (Algemeen Rijksarchief / National Archives) 1998, ISBN 90-800958-5-0*. This guide has more than 300 pages, an index and references to literature. The index and the list of contents enable a researcher to search on subject (gold, insurance, art) and lists of archives formed by institutes and persons working for the German occupying forces, by Netherlands state organizations, such as ministries and committees, and by private individuals. The location of the archives is given in a list of addresses at the end of the book. At present, the guide exists only in Dutch.

The Spoils of War International Newsletter is an English language newsletter about cultural losses (art, books, archives) during WW II. The editorial board consists of specialists from Hungary, Poland, Russia, Belgium, the Netherlands and Germany. The electronic address of the editorial office is KSTdLfdrvK@aol.com / kstdrvK@uni-magdeburg.de. The most recent issue is number 6 of February 1999; number 7 is in the making. All hitherto published issues can be found on the Internet, under <http://www.lostart.de/>, select English language, select Coordination Office, and select Spoils of War. A Russian translation of the Newsletter is published by the Russian editorial board member, the Rudomino Library for Foreign Literature in Moscow, <http://www.libfl.ru/>.

English language magazines that regularly report on issues relating to WW cultural losses are ART News and The Art Newspaper and the International Journal of Cultural Property in its Chronicles section.

The Co-ordination Office of the Federal States for the Return of Cultural Property and the Lost Art Internet Database

Dr. Regine Dehnel

Researcher of Co-ordination Office of the Federal States
for the Return of the Cultural Property, Germany

The Lost Art Internet Database [<http://www.lostart.de>] was announced April 10, 2000 at a press conference in Berlin in the presence of the State Minister of Culture, Dr. Michael Naumann and the Minister of Education and Culture of Saxony-Anhalt, Dr. Gerd Harms.¹ This database is a joint project of the Federal Government and the Federal States of the Federal Republic of Germany. The database lists the cultural properties, which have been taken out of Germany and remained abroad as a result of World War II or were taken from Jewish citizens during the period of National Socialism. The realisation of this project was carried out in co-operation with the Co-ordination Office of the Federal States for the Return of Cultural Property and the Institute of

¹ See for example Frankfurter Rundschau, April 10, 2000; Der Spiegel, April 10, 2000; Süddeutsche Zeitung, April 11, 2000; Hamburger Abendblatt, April 11, 2000; Westdeutsche Zeitung, April 13, 2000; Frankfurter Rundschau, April 14, 2000; Wiesbadener Tagblatt, April 14, 2000; FAZ, April 13, 2000; Die Zeit, April 19, 2000.

The main task of the Co-ordination Office is to register and search for cultural properties lost during World War II. In dealing with this problem, the creation of the database was an important accomplishment. The database was as well the result of a statement of the German Federal Government, the Federal States and the national associations of local authorities on the tracing and return of Nazi-confiscated art, especially from Jewish property. This joint declaration was adopted at the Conference of the German Ministers of Culture on December 12, 1999. It was a result of the Holocaust Conference Principles [Washington D. C., December 1998]. The Internet database would be constructed from complementary information on cultural items lost by state institutions and those lost by individuals in the course of World War II. The hope is that with the wider access provided by the Internet the search for lost items and their possible return to their rightful owners would become easier.

The Federal Co-ordination Office

Political developments in Eastern Europe since 1985 have made it possible after decades of silence not only for the topic of art looted in World War II to be a public issue again but also for long, closed archives to be opened.² These changes have also led to the conclusion of international agreements on return of cultural property.³ All these changes had a practical outcome in Germany;

² K. Akinscha, G. Koslow. *Beutekunst. Auf Schatzsuche in russischen Geheimdepots*. Munich, 1995.

³ The Treaty of November 19, 1990 on Good Will of Partnership between the Federal Republic of Germany and Union of the Socialist Soviet Republics, Article 16 "Lost and illegally transported cultural property, situated on their sovereign territories are to be given back to their legal owners or legal successors". The Agreement between the

they lead to the foundation of the special institution for the documentation of the country's cultural property losses in the war. The Co-ordination Office was founded in April 1994 in Bremen by the Federal States of Berlin, Brandenburg, Bremen, Hamburg, Lower Saxony, Saxony, Saxony-Anhalt, Thuringia, Mecklenburg-West Pomerania and Schleswig-Holstein.

The tasks of the Office, besides the compiling of a documentary record and the search for the lost property of public institutions, were three in number:

1. To consult with the concerned institutions whose property was lost in the war and the officials of the Federal States and the members of the government's delegations conducting bilateral negotiations with France, Poland, Russia, etc.

2. To assist in the co-operation between the Federal Government and the Federal States on the questions of the return of cultural property. A peculiarity of FRG should be mentioned here. The federal structure of Germany creates two different governmental levels, a national federal government and 16 federated state governments. After the last elections there was for the first time a Minister of Culture on the Federal level. Before this election questions on culture and also questions on the return of cultural property were solved at the State level or in ministerial conferences among the Federal States. On the Federal level return of cultural property was the responsibility of the Ministry of Foreign Affairs. Now the Federal Minister of Culture is responsible for the affairs of culture with foreign countries. Thus there remain two levels of authority; consequently, a consensus of the Federal Government and the Federal States is still needed in these complicated questions.

Government of the Federal Republic of Germany and the Government of the Russian Federation on Cultural Cooperation, Article 15 on cultural cooperation.

3. To establish and promote international co-operation among the experts in the field. In response the Office published International Newsletter *The Spoils of War* in co-operation with Russian, Polish, Belgian and Dutch colleagues. The English version of the Newsletter is found on our web site *lostart.de*, and the Russian translation of the first five issues are on the web site of the Rudomino All Russian Library for Foreign Literature *spoils.libfl.ru*. We also distribute catalogues of the lost art of other countries. For example, we distribute the Italian lost art catalogue "Treasures Untraced"⁴ and the catalogue of the Adolphe Schloss collection from France.⁵ The search for cultural treasures from other countries, which are assumed to be in Germany, takes place in close co-ordination with the Documentation Office of the Federal Government Commissioner for Culture and Media.

To accomplish the above-mentioned tasks, the Co-ordination Office was set up for a period of three years. Even before the end of the three-year period, the stagnation of the return efforts with the Russian Federation was obvious. Therefore, it was decided by the Conference of the German Ministers of Culture on January 1, 1998 to establish a new administrative agreement concerning the Co-ordination Office. The new agreement extended the working period for the Office until December 31, 2003. Meanwhile all 16 Federal States of Germany will support the Co-ordination Office financially. Since January 1, 1998 the Co-ordination Office is located at the *Kultusministerium des Landes Sachsen-Anhalt* in Magdeburg.

⁴ Treasures Untraced. An Inventory of the Italian Art Treasures lost during the Second World War. Rome, 1996.

⁵ Collection Schloss. Oeuvres spoliées pendant la guerre mondiale non restituées (1943–1998). Paris, 1998.

The Internal Database of the Co-ordination Office

When the Co-ordination Office of the Federal States for the Return of Cultural Property was founded in Bremen in April 1994, it immediately became evident that the traditional kind of documentation by printed books or catalogues would not be sufficient to register and describe the thousands of cultural treasures of German museums, libraries and archives looted during World War II or shortly thereafter. For that work a computer program for a special database was created in co-operation with the Co-ordination Office and a software firm in Bremen. The structure of this internal database reflected not only the single losses of the institutions but it also provided the opportunity to record the historical details of a loss such as the time and place of the loss and what archives were used in the documenting the loss. The database also took into account that often no detailed descriptions exist of the lost items as the inventory books or catalogues and cards were lost as well. Therefore, the information might have to be registered by object groups. Entry of information about the objects present location, which is known most times, had to be possible as well.⁶

At the moment the internal database of the Co-ordination Office has registered about 330 institutions and about 3,5 million missing objects from these institutions. Among these 330 institutions are 40 archives, 40 libraries, 139 museums and 15 clerical institutions. Besides the big state museums and libraries small regional museums or town archives are registered as well. Some examples of the libraries are the State Library in Berlin (Prussian cultural property), the Library of German Academy of Natural Sciences *Leopoldina*, the State and University Library in Bremen, the State and University Library in Hamburg, the Hanseatic Library in Lübeck, the Oberlausitz Library of Sciences in Görlitz, the Library of Ernst-Moritz-Arndt University in Greifswald, the Christian

⁶ Information about the structure of the database introduced in 1994: D. Lemmermeier, J. Hansen. Database of the Coordination Office of the Federal States for the Return of Cultural Property. — Spoils of War. International Newsletter. No 5. June 1998. P. 71.

Weise Library in Zittau. Among the library losses are numerous books, 800 manuscripts, 560 incunabula, prints, many miniatures, and portraits. For instance there are missing 12 incunabula from the *Anhaltischen Landesbücherei*, 44 from the State and University Library in Bremen, 186 from Magdeburg City Library and 313 from the Leipzig University Library *Bibliotheca Albertina*. All have detailed descriptions in the database. Altogether 31,800 missing objects are described in full detail and can be identified when they appear at auctions; these include 2,200 archival documents, 12,500 library items and 17,100 museum objects.⁷ In principle these detailed descriptions increase the chances to locate and return the objects to the owners. According to the present information in the database, the Federal States with the greatest losses from World War II losses are Berlin, Brandenburg, Saxony, Saxony-Anhalt and North Rhine-Westphalia.

It was significant to consider that the institutions often did not have detailed information on the lost objects or the circumstances of their loss. They had only some general information, or they just were not able to prepare all available information in the short time given for completing the database. Concerning the amount of information included for an item, there are two levels of information in the database. On the first level there is a short list containing the numbers and categories of lost treasures [paintings, drawings, books, incunabula] and their "biographies" as well as a short list of the places from which the objects had been looted. On a second level a more detailed description is given for individual treasures. This description includes the title or name of an object, the painter, author or compiler, the life span of this person [helpful in dating and identifying found objects], signature, date and place of creation, inventory number and in case of books the publisher and the type of physical material the book is made from. A

⁷ About legal questions in the context of the existence of art databases see: M. Franz. Datenbanken abhandeln gekommener Kulturgüter am Beispiel der Koordinierungsstelle der Länder für die Rückführung von Kulturgütern. — Kunstrecht und Urheberrecht. 1. Year, Dezember 1999. P. 345.

descriptive text is also given. The losses are differentiated into categories [archive, library, museum]. In some cases when a museum has lost not only paintings but also its library and some of its document collection, three different lists are entered. On this level there is information on the present location of an object.

An intensive effort has gone into inserting the descriptive and pictorial material into database. At present there are the images of 330 library stamps or ex-libris inscriptions besides these the database has more than 400 images of art works.

The internal database of the Co-ordination Office, which as far as the losses to public institutions forms the basis of the *Lost Art Internet Database* is only not being continuously widened but also reconfigured to meet the technical and practical needs of the new requirements. Paintings, whether originals or copies, ex-libris, library stamps, etc., which have special meaning for the exact identification of the cultural objects are integrated into this database as well. It is important for database-queries that data entry follow the standard norms; for example, the artists' names must be in accordance with the International Artist Encyclopaedia⁸ and the ISO-norms in all dates⁹, and measures too must follow accepted standards. In order to make searching the database even easier, the formation a net of subject catalogues of titles or one of names of cultural objects is under consideration.

The Project for an Internet Database of All German Cultural Objects Taken away as a Result of the War

In the course of the work on the internal database and after a brief study of the growth of the role of the Internet in the field of communications in general and of the art market in particular, it

⁸ Allgemeines Künstlerlexikon. — World Biographical Dictionary of Artists. CD-ROM Edition. Munich/Leipzig, 1998.

⁹ ISO 8601 of the International Organization for Standardization.

became clear that posting information on the Internet about cultural objects lost as a result of the War could be very useful. Such an Internet database would have several important advantages:

1. Makes possible the documentation and description of the losses of cultural property worldwide.
2. Gives dealers in cultural property an authoritative source of information on items of cultural property.
3. Encourages the exchange of information and opinions on the cultural property lost during World War II to be more dynamic.
4. Takes advantage of the Internet's capacity to store almost unlimited amounts of information.
5. Provides easy update and dissemination of information.
6. Makes possible easier networking international contacts with similar organisations or projects.

All these features would make the return of cultural objects to their rightful public institutional owners easier to accomplish. These ideas were discussed in the Co-ordination Office during the spring of 1999 while planning for the Project of an All-German Internet Database of cultural objects taken away as a result of the War. With these goals in mind, work on the Database Project started in the late summer of 1999 in co-operation with Otto-von-Guericke University in Magdeburg. This Project was the result of a co-operative initiative of the Federal Government and Federal States. Both, the State and the Federal States financed the first phase of the project.

The Internet Database *Lost Art Internet Database*

Parallel to the Project of an Internet Database there were on the Federal, the Federal States and the national associations of local authorities level discussions about implementing the Holocaust Conference Principles. One result of these discussions was the previously mentioned Joint Declaration in December 1999. As at that time the Project of an Internet Database through the Co-

ordination Office already existed, an Internet component was inserted into the Declaration: "The Federal Government, the Federal States and the Municipal Organisations will try in the spirit of the Washington Principles to create a Website with the following objectives:

1. provide opportunities for participating institutions to publish information about cultural objects of unknown origin that are suspected to have been taken away during the persecution of the Nazis,
2. provide a feature for the entry of information from owners of lost cultural objects,
3. contain information about cultural objects removed as a result of Nazi persecution,
4. establish a virtual information base where the participating institutions and others can enter the results of research on lost cultural objects removed in the Nazi period in order to avoid parallel work on identical problems.

Accordingly, as the first practical step in the implementation of the Joint Declaration, the Internet Project of the Co-ordination Office was to expand the *Lost Art Internet Database* after consultation with the State Government and the Federal States.

The *Lost Art Internet Database* established that in principle it could register an extremely large numbers of cultural objects, either taken away as a result of the War or of Nazi persecution especially that of Jewish citizens. In the future it will be possible to co-ordinate the research and documentation activities concerning such cultural objects. The probability of the finding and identifying, and finally returning these cultural objects to their legitimate owners increases as the information is available to a wider public audience and as the available information base increases and becomes more transparent.

Current Situation

In the Public Losses Field are at present losses from public institutions such as museums, libraries, archives located in the Federal States: Berlin, Mecklenburg-West Pomerania, Lower Saxony, Rhineland-Palatine, Saxony-Anhalt, Schleswig-Holstein and Thuringia. We rely on the initiative of additional institutions that have suffered losses to complement, correct and add new data. The Co-ordination Office will co-ordinate and support the German public institutions to document new or additional data.

The field Central Collecting Point (CCP) Remaining Stock registers a part of all those objects, which are at present situated in departmental treasury of the German Federal Ministry of Finance. They are often by mistake called "Collection of Linz" or "List of Linz".¹⁰ A number of these objects are temporarily held in different German museums and institutions. Ownership of these objects is not clear in most cases. Information on the CCP Remaining Stock was compiled by the German Federal Ministry of Finance. The English version of the data was put at our disposal by the Commission for Art Recovery, New York. With this field a first step has been taken in the translation of the Joint Declaration into action because in this way the ownership of the objects in the CCP Remaining Stock shall be made clear beyond doubt.

In both fields it is possible to search with either the simpler global feature or with a more advanced search process. The help feature from menu will ease the formulation research queries on these pages. Searching forms and scoreboards as well as general texts of the Internet Database will be made available in English or German by choosing one of the two languages on the homepage. The results in the field of Public Losses will appear in German and in the field of the CCP Remaining Stock either in German or in English. At the moment the Internet Database registers about 2,000

¹⁰ See for detail:

http://www.lostart.de/recherche/linzer_text.php3?lang=german.

entries for the CCP Remaining Stock and for the Public Losses more than 18,500 entries. Of the latter there are more than 7,400 for Berlin and about 6,000 for Saxony-Anhalt and 2,300 objects for Thuringia. The text is already combined with pictures of the lost paintings of public institutions and with the ownership stamps of public libraries. The integration of pictures of the CCP Remaining Stock has been prepared by the *Oberfinanzdirektion* Berlin, *Referat 48*, which is responsible for this field and was finally integrated on September 1, 2000. At present there are about 460 pictures of the CCP Remaining Stock integrated in *lostart.de*.

This database allows a free-of-charge worldwide research. All included information — even the addresses, persons to contact or bibliographical tips are open to the users. Further information about single objects (inventory numbers, signatures, measures, special hints etc.) can be requested at the Co-ordination Office either by e-mail or by regular mail. Both addresses are available under the menu “contacts”.

In the Internet database *lostart.de* the field of Public Losses will be broadened by data from the internal database of the Co-ordination Office. Enlargements and corrections as well as the inclusion of more public institutions, which register their loss of cultural objects as a result of the war, will be included. The initiative will increasingly come directly from the affected institutions. The Leipzig University, for example, which was registered for its library in the internal database communicated that there were more losses just after the start of the Internet Database and is at present working to include this new information. The Co-ordination Office, as previously mentioned, will assist in developing such information and in coordinating the efforts of the public institutions. For example, the Co-ordination Office just put somebody under contract to register single objects that as a result of the war were taken from the Berlin Central Federal Library.

Resonance

The use of the Lost Art Internet Database underlines the hopes connected with this project after just two months of work. By the end of August the database had been used 78,000 times by people interested in this kind of research. The numbers of users has now, after the extremely high interest in the beginning, levelled to about 150–220 per day.¹¹ The most requests were from the Federal Republic of Germany, American commercial institutions, American educational institutions, and non-commercial organisations. During April there was particularly high interest from Japan, The Netherlands, Poland, Belgium and Spain. In May most interest came from Austria, Australia, Poland and The Netherlands, in June from Italy, Austria, The Netherlands and France. In July the statistics shifted to Brazil, Mexico and Canada. The Russian Federation usually placed between 24th and 28th.

Perspective

The Co-ordination Office continues to broaden and improve the Internet Database *lostart.de*. The next developments we are contemplating include adding Russian to choice of text languages, widening the research possibilities in the field of public losses, showing locations of losses on a geographic map in the database and working out a programme of controlled written ranges into which impacted public institutions of the Federal Republic can enter their lost cultural objects.

The future work on the database will widen its potential and use by registering more lost works and including those of foreign origin. The more losses and works of foreign origin registered in the database the more efficiently the search will be and the greater the chance to find, identify and return cultural objects to their owners.

¹¹ See for detail: <http://www.lostart.de/statistics>.

In this context the State and the Federal States are working together on the establishment of an office which shall combine and co-ordinate the former tasks of the Co-ordination Office, the Internet Project and the tasks arising from implementing the third objective of the Joint Declaration. This Office will probably be established in January 2001 in Magdeburg.

It is also being examined whether or not there is a possibility to register losses of other states. This is contingent, of course, on the agreement of the appropriate institutions in other states, but should we be successful in securing their co-operation the Internet Database and would be a truly a worldwide searching tool and forum.

In summary the Co-ordination Office as a special institution of the Federal States sees as its most important tasks the collection of information and the delivery of this information to the public in the best possible way. With the establishment of a public regarding these matters, the Co-ordination Office believes the willingness to return cultural objects to their owners will increase as well.

The author thanks Dr. Eckart Kirn from the Cultural Ministry of Saxony-Anhalt and Dr. Michael Franz from the Co-ordination Office for their advice during the writing of this text.

The Restitution of Cultural Treasures to the Ukraine and the Impact of Restitution on Cultural Revival

Dr. Alexander Fedoruk

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Why in the Ukraine is so much attention dedicated to the preservation of cultural property? Why is strengthening of the state directly dependent on an understanding of the integrity and indivisibility of our culture? Why has there been a dynamic rebirth and restoration during the last years of our shrines, churches, architectural monuments that were barbarically destroyed during the previous decades only as an expression of nationalistic or bourgeois culture? Care for its historical past is the first debt we owe to our forefathers as a newly independent state. Assuring a place for this culture is a priority in the process of transforming the Ukraine into a sovereign and free state.

The dramatic, historical road the Ukraine has travelled has been marked at almost every turn with the loss and plundering of its cultural heritage. Some of these lost cultural artefacts have appeared outside the borders of the Ukraine. These artefacts, scattered worldwide, have been excluded from scientific and cultural circles. This dispersion has had a negative effect on the spiritual development of the people and on the integration of the Ukraine into the family of European nations as a valued entity.

Therefore, one of the important aims of our state policy in the field of culture is the return and restitution to Ukraine cultural property, lost at various times and for various historical reasons.

As Ukrainian national statehood was being established early in the 1990's the problem of restitution of our cultural heritage became a concern for the national government. At the same time as our fight for independence, respect for our national cultural memorials was inseparable from the preservation and return of our cultural property. It was also so in the years 1917 to 1920, when the problem of the restitution of our historical and cultural heritage arose for the first time. In these years the first registers of the cultural objects, which had left the Ukraine by force, were compiled. Let us remember that such a register was compiled also in 1929. Already then was the understanding that to learn the real condition of such objects, a painstaking survey of the collections of some state museums in the RSFSR was needed. Nevertheless, there was a premonition that the museum authorities in the RSFSR probably would delay the resolution of the problem.

Years passed and the Ukrainian culture suffered considerable losses during the artificial famine and the following years of war. We still remember and grieve for the millions of innocent people who lost their lives in this period. The problem of our cultural property that was illicitly exported from the territory of the Ukraine is also not forgotten, and this problem currently has the attention of the Ukrainian public and government.

The National Commission on the Restitution of Cultural Treasures to the Ukraine was founded in 1992 by the Ukrainian Cabinet of Ministers to work out strategies and to implement the subsequent decisions concerning the restitution of cultural treasures. The primary activity for this Commission became preserving and increasing the State's historical-cultural property. The first task for the National Commission was to create state policy on the return of cultural property. During this short period of the time, we could see

that the citizens understood the importance of the problem not only for the State but also for a single individual.

Extensive activities were carried out by the National Commission: organisation of international conferences, symposiums, round table meetings between different administrations; coordination of the Ministries, scientific centres, creative unions and social organisations. All this was done to unify the efforts of theorists and practicians in the areas of science and culture who were working to determine priorities, to create a system of registers for the losses and restitutions of the cultural objects. Scientific research as well as the search for the artefacts themselves was centralized and a system for exchanging information was established. The co-operation of many institutions revealed a large number of cultural artefacts located abroad. A program for the identification, investigation and return of illicitly removed treasures was implemented. The idea of the return such property to homeland to enrich the museums, libraries and archives gained the active support of wide circles in Ukrainian society.

Inside the National Commission were created working groups differentiated by their fields of knowledge to deal with the assessment of losses and the possibilities for the restitution of cultural treasures to the Ukraine. The external work of the Commission was carried on through international activities. These activities were based on judicial standards which were derived from the laws governing the preservation and exchange of cultural artefacts. The Commission sought an open exchange of information, an end to secret depositories and the creation of mechanisms for voluntary return of removed cultural property.

Because every region of the Ukraine has its own specific character, problems arose in the inventory of cultural property that had been forcibly taken from the Ukraine before 1917, in 1920s and 1930s, during the Second World War, and also in the period 1945 to 1991.

The fact that a large number of cultural artefacts were taken by force from the Ukraine is a historical fact, and under international law these artefacts must be returned to the Ukraine. And here our position is clear — they must be returned. A second category is such cultural property, which we would like to be returned. In such cases we recognize that we need the goodwill of our partners and recognition from them of the spiritual needs of Ukrainian nation. Here possibly are different solutions such as exchange or transfer of cultural property under the terms of bilateral agreements.

The Ukraine is ready for cooperative partnerships in restitution. The Constitution of the Ukraine and the Law of the Supreme Council of the Ukraine on the Export, Import and Return of Cultural Property enacted on September 21, 1999 regulate the protection of national cultural heritage and the evolution of international co-operation. Eight subdivisions of the Law regulate the export and import of cultural property. They also delineate what is and is not the cultural property of the Ukraine. The Law establishes what government organs have responsibility for the restitution, export, import, and the determination of ownership rights for cultural property.

In the light of mutual international connections, agreements and obligations, the Ukraine is taking part in international co-operation in accordance with the Constitution and under the legislation of the Ukraine in guarding against the illicit export and import of cultural property and in establishing transfer the ownership rights and in the return to the legal owners of illicitly exported or imported cultural property.

The Law regulates the procedures for the return of cultural property to the Ukraine. Such property should be cultural property that was illicitly exported or evacuated during wars and armed conflicts or temporarily exported but not yet returned to the Ukraine. Article 5 also establishes procedures for the return of the cultural property from the territory of the Ukraine to the territory of other states if such artefacts are part of the history and culture of

those states. The transfers of objects may be by purchase-sale agreements with the owners or exchange of artefacts of equal value to both parties.

Since the independence of the Ukraine, international cultural relations have been intensively developed. Activity in organising guest performances and exhibitions has been revived. The number of Ukrainian nationals who visit foreign countries and foreign nationals who visit the Ukraine has increased. The migration of Ukrainians to permanent residency in other states is continuing. All this increases the export of cultural property from the Ukraine and, therefore, requires a strengthening of export and import controls on cultural property.

To regulate the relations with the other states in this field and also to preserve the Ukrainian national cultural heritage the Supreme Council of the Ukraine passed the Law on the Export, Import and Return of Cultural Property in September 1999. The Law established a special plenipotentiary state organ to control the export, import and return of cultural property. In accordance with the Law, the State Service for Control over Transferring of Cultural Treasures across the State Borders of the Ukraine was founded by decree of the Cabinet of Ministers of the Ukraine as the controlling governmental body.

So, the National Commission on the Return to the Ukraine of Cultural Property has fulfilled its functions within the framework of the Law and was disbanded by order of the President of the Ukraine in December 1999. Questions of export, import and return of cultural property are now referred to the new State Control Service. It also elaborates strategies and implements the state policies on the export, import and return of cultural property. In addition the State Control Service protects the interests of the State in questions of the removal of cultural property and anticipates probable losses of state historical heritage. The Control Service also has to observe and regulate the removal of cultural property across the state's borders, to provide scientific methodology and information to institutions and

organizations, to take part in international organizations, conferences, discussions and prepare proposals for international agreements. One of the priorities in the work of the Control Service is to ascertain and catalogue what cultural properties have been illicitly removed from the Ukraine. The Control Service takes part in fulfilling the Ukrainian's responsibilities under international treaties on the preservation of cultural property and assists in the return of cultural property to the countries of its origin.

The Ukraine is ready for restitution negotiations and partnerships. The Ukraine is following internationally acknowledged legal standards and fulfilling its own obligations in the return of cultural property, which have been established through the mechanisms of the United Nations Organization and its subordinate organization UNESCO. Our foreign policy principles in the field of culture are based on honouring the acknowledged legal standards, which determine procedures for restitution negotiations. The President and the Parliament of the Ukraine give special attention and support to international co-operation on these delicate issues of humanitarian politics.

So the problem of the return and restitution of cultural property that was illicitly exported from its country of origin, came about before the Ukrainian State's real independence, yet it is a very important to find a solution. Under the principles of international co-operation and respect and emphasizing the role of bilateral negotiations, the Ukraine has gained some notable successes. Agreements signed with a number of countries demonstrate that collaboration can solve real problems if there is the will. Of course, the key is that both sides must be willing. Today we are within sight of bilateral negotiations that have the real possibility of success. However, there remain obvious differences of opinion. Many specific problems remain to be debated and compromises need to be made. Experience confirms that the national laws of some states support the restitution process as embodied in the recognized norms of international law while the national legislation of other states aggravate the problems and retard the restitution process.

International law determines procedures and establishes guidelines for the restitution of cultural artefacts. The subject of restitution was discussed in detail in a forum held in New York in 1995. The discussion revealed diametrically opposite interests and evoked much confrontation between the participants. Today in the light of the debates over the system of restitution, we want to focus on the losses of cultural property and how they might be reclaim. Existing standards are not always adequate to resolve the problems of states whose cultural artefacts are held in part even today as victims of aggression. These standards have sometimes an abstract nature, but the problems are more practical in nature. Two sides, one who has been treated unjustly and other who wants to ignore a difficult problem, are at a stalemate. Removal of cultural property, which has been taken under force needs to be returned under the doctrine of *ius postlimini*. It can be said to be the concept of the right of return.

As Leonid Kuchma, the President of the Ukraine emphasized, our country has been marked with a huge loss of the nation's historical treasures. Therefore, understanding that all states and nations have its unique cultural heritage, the Ukraine welcomes decisive steps in the international community to protect cultural property from destruction and its illicit acquisition. The Ukraine looks to bilateral co-operation as the bases for the return of its lost cultural artefacts. The Ukrainian position on restitution is embodied in almost all bilateral agreements concerning for cultural heritage. In international relations we co-operate with Poland, Germany, Byelorussia, Russia, USA, Hungary. We understand that the problem of identification and return of lost treasures does not exist in only one state. The active and sincere dialogue is needed. Therefore the Ukraine ratified the international conventions, which regulate co-operation in this field and undertook the obligations that proceed from these agreements. Such a similar approach we await from our partners. We believe that on all levels — bilateral and regional — international co-operation will bring results.

We deeply value the bilateral agreements between the Ukraine and the Estonian Republic to co-operate in the identification and return of cultural property illicitly removed during and after the Second World War. Embodied in the Friendship and Co-operation Treaty between the Ukraine and Estonian Republic of May 26, 1992, and the agreements of co-operation in culture, education and science between the Governments on March 16, 1994. The two parties founded a working group for identification and return of cultural property illicitly removed from the territory of origin. We wish to co-operate with our Estonian colleagues in the restitution of cultural property and we now propose a round table meeting on "Cultural Property of the Baltic States and Europe: the Losses and Possibilities for Return". Perhaps, the Archive of Rosenberg in Kiev contains some useful data on this topic. It does contain a lot of data about the Baltic States' cultural property. We are ready and looking for opportunities for a joint project "Restitution to the Estonian Republic and The Ukraine the Cultural Treasures Removed to the Territory of USSR after the Second World War". Our dialogue with the Baltic States is open, direct, honest and sincere. Lately we received the information from the Estonian colleagues that in the Ukrainian town Gaivorono is located narrow-gauge locomotive, constructed in 1895 in Belgium and it had been in service in Estonian Railroad until 1944. The Nazis gave the locomotive to Latvia in 1944 and in 1945 it was sold to Gaivorono where it stands on a pedestal as memorial. The sale is unlawful, in the opinion of Mr. Mehis Helme, the Director of Estonian Railway Museum. The solution of this matter, we think, most probably will be positive. But there is needed some preliminary work on procedures.

Such complicated and large-scale tasks in return of cultural properties, which stand now before the Ukraine, need careful organization of the work under well-defined goals. Today the need for a special state program for the return of lost cultural treasures to the Ukraine is clear. Here can serve as an example our developing co-operation with analogous institutions in Germany, USA, and Poland. We attach special importance to our reciprocal relationship with Russia. In our mind its institutions with authority in the area

of restitution of cultural artefacts have taken waiting position. Postponing and prolonging the problem by using pretext and superficially formal responses have been their methods. The experience of being for many centuries in Russian empire and later the Soviet Union was nearly fatal for Ukrainian culture. All, that was presumed to be of historical, scientific or artistic value, was methodically taken from the Ukraine into Russian depositories. Some were taken as war trophies at the order of central authorities or administrations. Others were taken in course of scientific expeditions or by private collectors. Still others were simply not returned without explanation after exhibition in Russia.

Currently Kiev brought to Moscow's attention the question of returning of 27 compositions of frescoes from the Mykhailivsky Zolotoverkhy (St. Michael of the Golden Domes) Monastery and the Cathedral. It is known that by order of the Bolshevik authorities this unique memorial of world culture from the beginning of 12th century was demolished in 1934. At that time People's Commissariat of Education of RSFSR turned to People's Commissariat of Education of USSR for help in establishing the Department of Early Russian Art in the Tretyakov Gallery. At this time works of art from the desired period were not numerous in Moscow. Frescoes and mosaics of St. Michael Cathedral were given temporarily for *The Song of Igor's Campaign* 750th anniversary exhibition to Moscow on July 23, 1938. Another part of this work of art from Kiev found itself in Moscow after the victory over Germany. At first the Nazis transported these treasures to their territory and later, after 1945, the victors displaced them to Russian towns. Since that time these treasures have been located unlawfully and against all legal standards outside of Kiev. It is necessary to remember that under the resolution of Leonid Kuchma, the President of the Ukraine, St. Michael Cathedral was rebuilt practically from its ashes, but instead of the frescoes and mosaics there are voids. The President of the Ukraine twice asked the President of Russian Federation to return these treasures of old Ukrainian culture. Up until the present time, we have not had a dialogue in this case. At the present time the frescoes and mosaics

are not on display, but are held in the depositories of the Russian museums like prisoners.

Among the losses are objects evacuated from the territory of the Ukraine to the interior of Russia during the war. Sacred artefacts were taken to the Northern capital during the bacchanal period of Soviet atheism to fill the vaults of the State treasuries or the storerooms of museums or simply to be destroyed. Based on the research of Ukrainian historians, in the year 1922 alone the losses from Ukrainian churches were 3 poods and 2 pounds of gold plus 2,850 poods and 30 pounds of silver plus other sacred adornments. The churches of the Kiev Pecherska Lavra (Calvin Cave Monastery) including the Uspensky (Dormition) Cathedral as well as many Ukrainian monasteries were impoverished. Among the lost artefacts were ancient manuscripts, Scythian gold, and treasures of ancient Black Sea coast. The spectrum of Ukrainian losses is broad — Cossack treasures, archaeological finds, frescoes, icons, personal items of historical public figures, archival documents, manuscripts and old books, applied art items, ethnographical memorials. By our count in 1970's, scientific expeditions from Moscow and Leningrad transported from the territory of the Ukraine more than 80 manuscripts and books, which now decorate the collections of several Russian libraries. The goal of our work is the creation of a database of lost Ukrainian treasures. The work is made more difficult because of the damage to inventory books during the war; important data about the stocks of many museums, libraries and archives has been lost.

By now the Ukraine has submitted catalogues of losses from seven Ukrainian museums to Germany. Also catalogues of European artworks taken from the Museum of Western and Oriental Art during the years of the Second World War while Kiev was occupied. Many works appeared in third countries. Good examples are the A. Dürer drawings from the Lviv Gallery and the archive of the Schevchenko Scientific Society. All these situations raise difficult questions, which need analysis and painstaking preparation for the negotiations.

We have also published the catalogue of cultural treasures stolen from the museums and churches of the Ukraine from 1984 to 1998. Such thefts in these years give rise to a new problem, which needs the integration of efforts from the law enforcement and regulatory agencies of the state.

As a result of our work, hundreds of thousands of objects of culture have been returned to the homeland. There is no carelessness or haste in our work. We combine exacting scientific standards with an open and collegial working attitude. Restitution to a large extent determines the tone of international cultural relations. The prevailing political and cultural forces within many European states are united in support of restitution. The task is to expand legal groundwork, which will encourage perspective and international co-operation. This is important for the Ukraine. Reintegration of cultural heritage is one of the highest priorities for every country. Therefore, the restitution of cultural treasures to the Ukraine is one of the significant sources of the renaissance and further development of the Ukrainian spiritual potential.

Estonian Cultural Heritage Lost in Wars and Occupations in the 20th Century

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Throughout history Estonia has been a battlefield for many wars: the Livonian War, the Nordic War, World War I, the War of Independence, and finally, World War II. Besides, there have been the revolutions of 1905 and 1917. During the World War I from 1917–1918, the German army occupied Estonia. After the Germans left and Estonia was declared independent on February 24, 1918, the country was partly occupied by the Soviet Russia. As a result of the War of Independence, Estonia became an independent state, which was affirmed in a peace treaty signed by Soviet Russia and the Republic of Estonia on February 2, 1920. The independent Estonian state did not last long. In 1939 following a bilateral agreement, Soviet military bases were established on the territory of Estonia, and in 1940 the Red Army occupied the whole country. In 1941 after the war between Germany and the Soviet Union had broken out, Estonia was occupied by Germany, and from 1944 until Estonia re-established its independence in 1991, Estonia was occupied by the Soviet Union (Soviet military units remained on the territory of Estonia until August 1994). All the wars, revolutions and occupations of the 20th century have destroyed a great bulk of Estonian cultural heritage, much, however, has been taken outside Estonia.

Russia's initial failure on the front-line during the World War I resulted in a planned evacuation already in 1915. In various institutions both material and cultural property were packed and taken to numerous spots in Russia. As the mass evacuation caused panic among people, the activities were stopped and a part of the evacuated treasures were returned. This happened in Estonia also. Later, as the front-line came closer to Estonia, the evacuation was initiated again; then it had to be done quickly so that in the chaos some things were deposited far from the intended destination. In Russia too, the treasures were often moved from one city to another so that the mess created was big, and later it was difficult or impossible altogether to locate the evacuated treasures.

In November 1918 the War of Independence broke out and lasted until February 1920 when the Peace Treaty between the Republic of Estonia and the Russian Soviet Socialist Federal Republic was drawn.¹ Article XII of the Treaty obligated Russia to return all cultural artefacts taken out of Estonia:

Section: 4. The Government of Russia will return to Estonia and hand over to the latter Government all the properties — including libraries, archives, teaching aids, documents and other items — which belong to the Tartu University or other educational, scientific and governmental institutions or societies situated at present or in the past on Estonian territory as well as all the archives, documents and other items taken from Estonia to Russia having a scientific or historical significance for Estonia as long as the above-mentioned items have been taken or will be taken to the sphere of power of the Government of Russia or other Russian institutions or societies.

Section: 5. The Government of Russia will return to Estonia with the help of the Government of Estonia any property belonging to Estonia, except gold and jewels, stocks and public funds like bonds, bills of exchange, etc., which have been evacuated or taken

¹ Published in: *Rahuleping Eesti ja Venemaa vahel. Мирный договор между Россией и Эстонией*. Tallinn, 1989.

outside the territory of Estonia by governmental institutions, social organisations or private or credit or other bodies, including also educational institutions in these cases Estonian authorities will indicate the present location of the bonds and other mentioned items. In case indication is not given or the given indication does not lead to finding the bonds or other mentioned items, the Government of Russia, while fulfilling Section 3 of the Article, is ready to accept as owners of the bonds and other items those who have sufficient evidence to claim that the papers and other items belonging to them have been evacuated during the war. For this purpose a special joint commission will be established.

Section: 6. In order to fulfil the conditions mentioned in Sections 3, 4 and 5 of the Article, the Government of Russia undertakes to give the Government of Estonia any related information and evidence and to assist in specifying the location of the property, items, archives, documents, etc. that are to be returned. The detailed arrangement of the proceedings in the matter is the task of the special joint commission, which will include equal number of members from both parties.

Unfortunately Soviet Russia did not fulfil all its obligations fixed in the Peace Treaty. Attempts were made to hinder the return of cultural artefacts to Estonia. Within a three-year period only 60 of the 230 institutions that had had their property evacuated in whole or in part received re-evacuation shipments from Russia. As time moved on, it became more and more difficult to re-evacuate the property, until it stopped altogether because of the opposition of the authorities in Red Russia. A few attempts on the Estonian side were made in early 1930s, but as these all failed, the activities in this field ceased.²

² P. Pillak. Nõukogude võimu poolt Eesti arhiivindusele tekitatud kahjud. / Damage Caused to the Estonian Archives by the Soviet Regime. — Peatükke Eesti ja Nõukogude Liidu arveraamatust. Eesti Vabariigi suhted Nõukogude Liiduga. Eesti sotsiaalne areng 1930.–1980. aastatel. Tartu, 1990. Lk 22–25.

The property of the Tartu University had been evacuated to Nizhny Novgorod in September 1915; in February–March 1916 it was taken to Perm and from there to Voronezh by the end of 1918. On November 12, 1918 Voronezh State University, the first Soviet university in Russia, was opened. The university used the study aids evacuated from Tartu but also utilized some of the former personnel, including 21 professors, and some students from Tartu University as well. As a result of the Tartu Peace Treaty, a great part of the Tartu University property was returned by 1922, but the collection of the Art Museum stayed in Voronezh.³ The art collection of Tartu University was in the possession of Voronezh University until 1933; then, on the basis of the Tartu collection and the treasures of the Regional Museum, the Voronezh Province Art Museum was established.⁴ Negotiations over the return of the property belonging to the Tartu University were begun in 1988, when the liberalisation of the Soviet society had started.⁵

In 1940, immediately after Estonia had been occupied by the Soviet Union, the occupation authorities in taking over the major institutions of the Republic of Estonia selected out a great bulk of documents, which they subsequently moved to Moscow. First and foremost were documents of the Headquarters of the Defence Forces and the Ministry of Foreign Affairs. The documents include several contracts drawn in 1920's and 1930's between the Republic of Estonia and other states, which are now in the Archives of the Foreign Ministry of the Russian Federation.

In summer 1941, as the war between the Soviet Union and Germany broke out, the conflict soon reached the territory of Estonia. As the Red Army quickly retreated, there was no time to evacuate cultural

³ See also: P. Pillak. To and from Voronezh. — *Global Estonian*. Summer 1999. Pp. 64–69.

⁴ Воронежский областной художественный музей изобразительных искусств. Москва, 1984.

⁵ See also: A. Laansalu. A Lost Art Collection. — *Art Antiquity and Law*. Volume 3, Issue 1. March 1998. Pp. 27–30; and her paper in the present publication.

artefacts or archival records to Russia on a large scale. Only managerial files of some major institutions were taken to Russia, other were simply destroyed on spot: the archives of the People's Commissariat of Internal Affairs, the Trade Union Council, the Tallinn City Government, militia departments, courts, etc.

Archives were damaged in the actual fighting too. In July 1941 the retreating Red Army set Tartu on fire although the German forces had not yet arrived. The artillery fire hit the State Central Archives and only the prompt action of the archivists preserved the archives from destruction. However, the archives of more than 20 churches, schools, societies, etc., some containing 17th century documents, were still destroyed. In the fires perished several art collections, personal libraries and archives in the homes of the professors and researchers of the Tartu University as well as those of artists and other public figures of Estonian culture.

In spring 1944 Soviet forces bombed Narva; in the bombardment the Narva City Archives and many of its documents were destroyed. The war left the city of Narva, one of the European pearls of Baroque architecture, in ruins. After the war the city was not restored. What standing walls remained were pulled down and replaced by blocks-of-flats built in Socialist style architecture. Only the Town Hall, a couple of houses and the Hermann fortress have been restored.

On the night of March 9, 1944, the Red Army conducted an area bombing of Tallinn's city centre. As a result numerous buildings in the old town of Tallinn were destroyed together with approximately 106,700 files or 2,085 metres of archival records from the years 1838–1940 preserved in the depository of the States Archives in Maneeži Street. Also destroyed were 150 metres of publications and 27,837 files or 850–900 metres of archival documents of the Tallinn City Archives in a new department located on the Rütli Street. Sound records of the Estonian Broadcasting Corporation burned in the "Estonia" Theatre.

In June 1944 the Germans evacuated 175 boxes of the oldest documents from the Tallinn City Archives, including the oldest record from the year 1237. After long travels these reached finally the Koblenz *Bundesarchiv* where they were kept until 1990. Their return to Estonia was hindered by the fact that in the last months of the World War II the archives of Hanseatic towns — Lübeck, Bremen and Hamburg — had been taken to Moscow, and Russia refused to return them. After years of negotiations between the Soviet Union and Germany the exchange took place, and in October 1990 the Tallinn City Archives recovered the records belonging to its collection.⁶ Until today, however, the archives of The Tallinn Brotherhood of Blackheads are split. On December 3, 1942 the archives were deposited in the Tallinn City Archives and in 1944 they were taken with other documents to Germany. The Blackheads, *Bruderschaft der Schwartzenhäupter aus Reval*, are still a registered union in Germany. 92 files of their documents have been deposited in the Hamburg State Archives (614-1/42), although the major part of the archives of the Tallinn Blackheads, 730 files, are preserved in the Tallinn City Archives (Fund 87).

Held in the Armoury Chamber of the Moscow Kremlin (Oruzheinaya Palata) are the symbol of Office of the President of the Republic of Estonia and the Collar of the Order of the National Coat of Arms, which were taken out of Estonia during the last war. The Collar of the Order of the National Coat of Arms was made in 1936 following a design of the well-known artist Paul Luhtein; it is made of gold and decorated with jewels. Under the statute of the Order of the National Coat of Arms, the Collar is the only one of its kind and can not be copied; it is not given to anyone personally but is handed over from one president to another as the sign of office worn at official ceremonies. Estonia has repeatedly raised the issue of the return of this symbol of office of the President. Several higher

⁶ W. Lenz. Die Verlagerung des Revaler Stadtarchivs im Rahmen der "Archivschutzes" während des Zweiten Weltkrieges. — Reval Handel und Wandel vom 13. bis zum 20. Jahrhundert. Herausgegeben von N. Angermann und W. Lenz. Schriften der Baltischen Historischen Kommission. Band 8. Lüneburg, 1997. S. 397–443.

officials of Russia have expressed their opinion that the Collar of the Order of the National Coat of Arms should be given back to Estonia. A similar conclusion was reached by the Expert Council of the Ministry of Culture of the Russian Federation. However, the Collar is still in the Kremlin behind several locks. It seems that the return has been banned by the Ministry of Foreign Affairs of the Russian Federation, which sees in the Collar an opportunity to bargain for something to be given to Russia in return.

After the last war the Estonian Postal Museum was liquidated, it had been established in 1935 although the accumulation of its collection had already begun in early 1920's. The liquidation was grounded on the statement that the structure of the Museum of History of the Academy of Sciences of the Soviet Union did not foresee a Department of Communications. In 1951 after the notorious 8th Plenary Session of the Estonian Communist Party, which was followed by the chase after the so-called bourgeois nationalists, the director of the Leningrad Museum of Communication named after Popov proposed to take the treasures of the "bourgeois" Estonian Postal Museum to Leningrad. The Act of Transference was signed on May 29, 1951. The 65 boxes and 344 parcels contained various documents and things from the collection of the museum beginning with telephones and radio transmitters, postal bags and pillar-boxes and ending with historic documents. Of special value was the collection of stamps, which had been systematically collected since 1921 (Estonian stamps) and 1922 (foreign stamps). From every stamp issue in Estonia since 1920, 400 were reserved for the museum. From 1928, the number held in reserve was 1000 stamps. All in all the collection included about 120,000 Estonian and 190,000 foreign stamps arranged in 25 leather albums and 22 strip-books, sheets and integral items were kept separately. Besides the stamps themselves in the collection are designs for stamps, clichés, proof impressions and postmarks. In 1960's first attempts were made at the re-establishment of the Postal Museum and the recovery of the collection from Leningrad. Unfortunately, the property of the Estonian Postal Museum is still in St. Petersburg where the

collection has been divided, violating the principle of preservation, and merged into the collection of the Popov Museum. In Russia no one has actually shown great interest in the collection, besides the Popov Museum of Communication, which has been closed for the last 25 (sic!) years for repairs. The Estonian Postal Museum, which was re-established in Tartu after Estonia had re-established its independence,⁷ has neither the exhibits of irreplaceable value nor the collection that could be used for research into the history of Estonian Postal activities. To have a comprehensive picture of one aspect of the Estonian history, its postal history, is impossible for the primary sources for the research are preserved in the depository of another state with practically no access. Moreover, the present depository in St. Petersburg is not even able to guarantee the preservation of the collection.

During the post-war decades thousands of files from Estonian archives have been taken to various archives in Soviet Union. According to the present data in the years 1948–1964, 18,705 files from the period between 1568 and 1940 were removed from the Estonian History Archives in Tartu. The removal concerns 65 archival funds; in most cases the whole fund has been removed.

Numerous “non-profile” documents have been removed from the funds of the Estonian State Archives too and taken to various archives in Moscow or Leningrad. Typical examples are the diplomatic credentials for Litvinov and Gukovski signed by V. I. Lenin, which were presented in 1920 to the Ministry of Foreign Affairs of the Republic of Estonia. In 1961 the documents were requested for a Moscow exhibition, and then it was decided that it would be better to preserve them in the Central Party Archives of the Institute of Marxism and Leninism of the Central Committee of the Communist Party of the Soviet Union, referring to the all-Union regulation that all the documents concerned with Lenin are to be preserved in the archives in Moscow. This is nothing but a public

⁷ A. Küng. Viis aastat Eesti Postimuuseumi taastamisest. / Five Years since the Re-establishment of the Estonian Postal Museum. — Tuna. Nr 1, 2000. Lk 149–151.

robbery. In the same way a letter by Maksim Gorky sent to Tallinn early this century was taken away from the State History Museum of the ESSR, now the Estonian History Museum.

In late 1980s the documents of the *Glavlit*, the Soviet censorship organization operating in Estonia, were taken to Russia. These are documents produced after 1975; the earlier ones are in the Estonian State Archives. This violates the generally accepted archival principle that calls for not splitting a whole collection; moreover, Estonia has lost important primary historical sources.

The list could be completed with the archives of the *KGB*. The removal of *KGB* documents from Estonia began in 1989. The Soviet Union has not existed for years now, and Russia has declared itself a democratic state, yet it considers the documents of this repressive body of the former totalitarian system to be secret ones, not to mention their return. This makes one doubt whether or not Russia is a democratic state.⁸

In December 1998 the work of Estonian-Russian bilateral commission resulted in the signing of an intergovernmental agreement on co-operation in the field of preservation of cultural treasures. This document had already been compiled during previous negotiations in November 1993, but the Russian delegation refused to sign it at that time because of an article, that asked for the return of illegally held cultural artefacts. In 1998 this article had been modified into a provision for co-operation in negotiating the return of illegally exported cultural artefacts. Another important point in the agreement establishes free access to collections of cultural artefacts in which either party might have an interest. Under the agreement, there will also be an Estonian–Russian bilateral team to resolve problems related to the restitution of concrete items. This agreement is the first step in breaking the

⁸ See: Эстонско–Латышско–Литовский совместный семинар “Документы КГБ в Балтийских странах”. Доклады. Таллинн, 1996.

atmosphere of mistrust between Estonia and Russia, which hopefully will lead to a legal solution of the question.

One more important aspect is worth mentioning. After the World War II when Estonia was occupied by the Soviet Union, there formed a massive exile community of Estonians that developed in the countries of their residence (Sweden, Germany, the United States, Canada, Australia, *et al*); the records of their activities are of vital significance to the continuity of Estonian state and culture. Exile organisations as well as single persons have created in various parts of the world valuable archival collections that are of great importance for Estonia. In recent years the archives of numerous prominent figures in the public life of exile societies as well as those of exile organisations have been returned to the homeland; for example, several libraries and art collections and have been handed over to state depositories.

The Decree of the Government of the Republic of Estonia from August 5, 1997 established the Expert Commission for Handling Estonian Cultural Heritage Outside Estonia. It is the task of the commission to get as an exact inventory of all the cultural property that is held outside Estonia as possible in whatever country for whatever reason and during whatever period of time. As the task of managing the restitution of cultural heritage turned out to be a long term and laborious process clearly beyond the possibilities of the expert commission working without institutional basis and besides accomplishing their basic work, the Government of the Republic decided to impose the task on the National Archives. Since January 1, 2001 all the questions related to the restitution of items or collections which constitute part of the cultural heritage of Estonia will be managed and co-ordinated by one of the counsellors of the National Archives.

Objects of a country's National heritage held outside national borders and issues related to their return are not specific to Estonia only but concern very many states all over the world, so co-operation between institutions of different states and international organisations as well must be appreciated by every person of good

will. I do hope that the cultural heritage lost during wars or taken out of the country illegally by occupation authorities will finally find their way back to the legal owners in Estonia or other countries that have suffered such losses.

Tartu University Art Collection and the Trends of Artistic Taste in the 18th and 19th Centuries

Inge Kukk

Director of the Art Museum of Tartu University, Estonia

The art collection of Tartu University expanded in the first half of the 19th century through two avenues — specific purchases for the foundation of the University Art Museum in 1803 and for the University's Drawing School and donations from scientific institutions and single persons. The most valuable and numerous private donations were from the founder of the University Art Museum Professor Karl Morgenstern who donated his private collection, and Otto Magnus von Richter of Baltic German origin who bequeathed his son's collection. Valuable donations also came from the Baltic noblemen von Mannteuffel, von Rennenkampf, and von Stackelberg as well as the University Professors Bartels and Ewers and others. Thanks to the surviving inventory books in the University Art Museum and University Library and Morgenstern's Manuscript Archive, it is possible to follow chronologically the purchases of artefacts that now belong to the University and the changing trends in art collecting. The documentary material allows the exact identification of the artefacts, their date of purchase, and the source of funding for each individual purchase.

Art collecting in Europe has a long tradition. It goes back to late Antiquity. However, the real collecting boom started in the

Renaissance. In the 17th century among the nobility the collecting of particularly exotic and valuable objects turned into a fashion. Not only fine art was collected but also everything remarkable from the sphere of nature, technology, history, etc. All this formed variegated and quite unsystematic art and rarity collections. Along with these oddities, art collections that specialized in one kind of art or object such as painting galleries, print and coin collects, and glyptotheks developed. The characteristics that were important for inclusion in these collections were the quality of artistic work and the historical importance. However, general collections uniting works of art and natural objects existed into the late 18th and 19th centuries, but they were systematized by kinds of objects or schools or other characteristics reflecting mostly the collector's scientific interests.

The idea of the Enlightenment to educate man through art not only increased interest in the already existing galleries but also brought a burst of foundation of new galleries and museums and the opening of private collections to wider audiences. The function of art was seen as a substitute for religion, and museums, where artefacts were arranged for educational purposes, as kinds of aesthetic churches and shrines. The ideal became a universal museum, which would enable a patron to survey the art of all nations and countries. The idea first developed in England where the British Museum, the first public museum, was established with an art department included. Also serving as a model for new museums was the Musée Napoleon in Paris whose collections aspired to achieve proportional representation of artefacts from as many countries as possible. It was imitated in several European capitals where numerous national museums and galleries were founded after the return of art works plundered by Napoleon. In Spain a picture gallery was founded in 1809 that led to the opening of Museo del Prado in 1815; the National Gallery in London was opened in 1824. In Germany during the first decades of 19th century, Ludwig I of Bavaria concentrated in Munich a number of paintings, which grew into the famous gallery Alte Pinakothek; he also brought together in the Glyptothek his collection of Greek and Roman sculptures.

In addition to big universal museums, art collections at universities were founded at the end of 18th and the beginning of 19th centuries to educate Enlightenment Age intellectuals through art study. In Germany, Göttingen and Bonn universities conducted art history and practical drawing courses. Especially outstanding in shaping Göttingen University was Johann Dominicus Fiorillo, an authority in art history.

Part of the burst of new museums in Western Europe, the foundation of Tartu University Art Museum on the eastern edge of Europe in 1803 was an early and progressive undertaking. The narrower aim of the art museum in Tartu was to illustrate the teaching of aesthetics and art history, but the wider aim was to produce educated people in the fashion of the Age of Enlightenment. Influenced by the ideology of the Enlightenment, Morgenstern believed in the paramount importance of an education. He valued self-education relying upon noble models, good literature and art. Settling in Tartu, Morgenstern was already quite an experienced collector. He brought from Germany his private collection, which he started to complement in parallel the building of a university art museum. The basis of Morgenstern's private collection stretched back to the mid 18th century with inheritances from his father and aunt. Their collections, therefore, reflected the popular trends in art collecting during that time period.

By that time the cultural life in leading European countries had adapted itself to bourgeois standards. These changes were the result not only of changes in artistic tastes but also from the active participation of the middle classes in art collecting. An increasing demand for works of art intensified the development of the reproduction techniques and gave new impetus for print collecting. Particularly among bourgeoisie, prints became the new trend in art collecting. Middle class collectors obtained fine reproductions of known masters paintings through inexpensive printing processes. They wanted art that suited the rational mentality of the middle classes. As a result collecting 17th century small-sized paintings by Dutch masters became popular especially in Germany. Successful

genre painters such as Gerard Dou and Caspar Netscher and Dutch landscape painters were in demand. One of the most successful was Jacob van Ruysdael. During the Neoclassical period in the last quarter of the 18th century, Italian style landscape paintings by Dutch painters, especially by Claes Berchem, became popular. The real objects of desire by the 18th century were German artists' paintings that imitated the 17th century Dutch style according to the tastes of the times.

Karl Morgenstern, born in Magdeburg and educated in Germany, descended from a doctor's family that loved art. A typical German middle class art collector, his father had paintings of 17th century Dutch and Flemish schools as well as German 18th century works in the Dutch manner. After his father's early death, the collection went to Morgenstern's aunt. It grew within the period known as *Sturm und Drang* with pre-romantic Italian-like landscapes, which were influenced by Neoclassicism. Karl Morgenstern obtained that collection when he was a young lecturer at Danzig in 1800. By the customs lists that were made when he moved Tartu, it can be stated that the majority of his Dutch and Flemish paintings and most likely the larger part of the print reproductions from 17th century Dutch paintings came from his father and aunt's collection. Morgenstern himself started art collecting at the age of 17 and soon established a collection of prints and drawings. Although at first he collected 17th century Dutch and Flemish art, these did not turn out to be the focus of his collecting activities. While studying philology at Halle University and working as a professor in Danzig specializing in classical philology, his interest primarily turned to ancient culture and Italian High Renaissance. This change was influenced by the ideas of Johann Joachim Winckelmann.

Morgenstern's formative years transpired in a complicated period in German intellectual life. These years were filled with the crisis of the ideals of the Enlightenment and in opposition to it the period of *Sturm und Drang* during the last quarter of the 18th century and the Romanticism at the beginning of the next century. As in Germany Neoclassicism and Romanticism were intertwined,

Morgenstern followed in his art collecting principles the preferences of both. His collector's range extended from Greek and Roman coins to contemporary German painting. At the same time he collected various kinds of art: paintings, prints, drawings, pieces of applied art, coins, medals, gems and their casts, sculptures but also natural objects (minerals, volcanic rocks, dried plants) and some other items (magnetic bracelets, microscopes, etc.) that reflected the collecting tradition of the previous centuries. His systematic arranging of the collection, however, was in accordance with the spirit of a humanistic education of the Enlightenment.

Tastes in art in the second part of the 18th century turned to the classical ideals of the beauty. The spread these ideals was helped by archaeological excavations in Italy and by Winckelmann's theoretical works, which glorified the Greek classical period. The assessment of works of art was influenced by this movement not only in Germany but also in the rest of Europe. The habit of collecting Dutch art came under sharp criticism because its noble theme and mythology was often connected with representing the common and everyday. Decreasing interest in Dutch art was also seen in Morgenstern's collecting trends. The University Art Museum acquired about ten German and Dutch paintings among them a landscape by Claes Molnaer as a present from Baltic German Countess Julie von Mannteuffel. The increased value placed classical clarity and harmony amplified the interest in Italian High Renaissance, whose features were the closest to the ideal of Classicism. Collecting Renaissance art occurred all through the 18th century; however, from about mid-century collectors became interested in the Roman school and Raphael. Winckelmann declared Raphael's art the absolute pinnacle. Raphael was highly valued through most of the 19th century. Also in demand by collectors was Correggio and Salvator Rosa and Nicolas Poussin and Claude Lorrain, the "Raphael of landscape painting". Winckelmann's theories about and idealizing of classical art strongly influenced Karl Morgenstern's views. In his writings he considered Raphael paintings as the embodiment of highest

beauty and aspired by collecting print reproductions to survey completely Italian High Renaissance paintings.

The Painting Collection

On the eve of the World War I the University owned about 200 oil paintings and gouaches from Morgenstern's private collection or from the art museum and drawing school's instructional collections. Numerically these paintings came almost equally from Morgenstern's private collection and the works purchased for the University, but the oldest and most valuable items were from the Morgenstern collection. His private collection had been 54% German, 25% Dutch and Flemish, and 13% Italian paintings. The rest were from unidentified schools or had doubtful attributions. According to the collecting trends of Neoclassicism, Morgenstern had obtained for his private collection in Tartu the originals of the Italian Renaissance masters Andrea del Sarto, Pietro Perugino and Paolo Veronese. However, he did not reject copies of Raphael, Correggio and Rembrandt painted by less known masters. All are now located in Voronezh.

At the art museum and the drawing school because their limited finances the acquisition of paintings was reserved and directed towards contemporary 19th century German art. The collection consisted of 65% of German art, 20% of local Baltic German and 15% of Dutch art. Entirely missing from the new acquisitions were more Italian originals. A few 16th and 17th century Netherlandish and Dutch originals were obtained in auctions in Vienna and Riga and also as donations. The portraits of Russian czars, hanging in the Main Building of the University and the portraits of the first Rector Georg Friedrich Parrot, Goethe, Herder and Wieland painted by Franz Gerhard von Kügelgen were part of the collection of the art museum. These last three works remain at Tartu.

Already in the period of *Sturm* and *Drang* the attempt to rediscover the roots of the nation began; however, at the beginning of the 19th century, the problem received increased attention. In

Germany the inquiry turned to Dürer, to early German art, and to the art of 15th century Netherlands. The Napoleonic wars and the secularisation of the church property broke up many art collections and threw onto the art market numerous paintings, among them 15 to 16th century altarpieces. By Karl Morgenstern's own estimation his private collection included ten early German paintings, which were quite rare in Estonian private collections, for example, Christ's Head painted by Michael Ostendorfer in 1530, which is now in Voronezh. In connection with heated art discussions in Germany about modern art and the artist's place in society in the first decades of the 19th century, collectors started to turn towards German modern art. As the prices were not particularly high in the art market at the time, works both in the spirit of Neoclassicism and Romanticism from painters J. C. Klengel, L. Hess, G. Carus and J. A. Koch who were popular then in Germany were obtained for the University Art Museum and Morgenstern's private collection.

The Print Collection

The originals of renowned masters remained for Morgenstern unobtainable because of cost. However by purchasing graphic reproductions, it was possible to assemble a collection, which constituted a historical survey of these types of artistic works. The acquisition of prints became the main goal for the University Art Museum and the Morgenstern private collection. During Morgenstern's time the Art Museum obtained approximately 2,700 prints; his private collection contained about 1,700 prints and the Drawing School about 1,600. The most important part of both the Museum and his private collection were the originals of Rembrandt, L. van Leyden, M. Schongauer, A. Dürer, M. Raimondi, artists' family Carracci, etc.

His predominant choices for the collections of graphic art were the reproductions of Italian painters, classified by the Schools of Florence, Rome, Venice, Bologna, and Naples. The most desired works were Raphael reproductions followed in almost equal extent

by Correggio, Tizian and S. Rosa. After the Italian prints the most numerous pieces in the collection were reproductions of Flemish artists' P. P. Rubens and A. van Dyck, which were loved by many collectors of the 18th and 19th century art like Morgenstern. Third in number were German prints almost a third which in the Morgenstern collection consisted of works produced in the 15th to 16th centuries while the other two thirds were 18th and 19th century works of Neoclassicism, Romanticism, and the Nazarens. The Dutch prints included 37 Rembrandts, which were highly valued during the period of Romanticism, but only 9 of these turned out to be originals. English and French engravings, which were mainly portraits and landscapes, were bought in equal proportions.

In addition to the prints, he obtained 16th to 19th century German, Italian, Dutch, Flemish and French drawings. In Morgenstern's private collection there were 80 of these drawings and in the Art Museum 108. Despite the inclusion in both collections of drawings from notable artists, these two collections grew somewhat by chance. The Drawing School collection held mainly demonstration sheets provided by local artists for instructional purposes.

Egyptian Art

The tolerance of the Enlightenment towards the art of different nations and its aspiration to learn about the cultures of distant and exotic countries led the collectors of that time to develop an interest in the art objects of the Orient, Africa and other far regions. The preference for classical art tastes at the end of the 18th and the beginning of the 19th century meant Greek sculptures and Egyptian art became highly valued. Gustav Friedrich Waagen, the leading German art historian of that time, said Egyptian art expressed a noble earnestness and religious solemnity. This art with its strict simplicity was looked on as a carrier of the spirit of the Greek Classical epoch. Egyptian art quickly found a road into museums and private collections. In the Art Museum of Tartu University that

tendency was expressed with the inclusion of 128 artefacts collected by Otto Friedrich von Richter that were presented to the University by his father. This donation brought to Tartu among the other valuable works two mummies, both of which remain in the University Art Museum.

Coins, Medals, Gems

In the first decades of the 19th century, enthusiasm about ancient antiquity got a new impulse of energy in Europe; it expanded geographically and embraced the various kinds of art works of classical antiquity. The number of discoveries from archaeological excavations raised the exploration of antique culture to a new level and provided the artefacts for the foundation of the big antique collections in the museums and private collections. Sculptures and their plaster casts, bronze statuettes, antique coins, Greek and Etruscan vases and lamps, gems and their casts were collected.

Aside from engravings, Morgenstern's second emphasis in collecting turned to coins, medals, gems and their casts as they gained in popularity as a result of the general interest in Antiquity. While working as classical philology Professor and Museum Director Morgenstern obtained for the University over 5,300 coins and medals, the most valuable of which were the Greek and Roman coins. On the eve of the World War I, this part of the collection had grown to 6,000 items. Morgenstern himself owned over 1,500 coins, gems and their casts. Morgenstern propagated the use of such objects by using casts of gems in his teaching and by purchasing them for the Museum. They were bought in big collections such as the von Stosch and Lippert collections. The number of casts of gems had reached about 17,000, which corresponds to the present collection in Tartu. There were 60 original gems, which were evacuated during World War I to Russia, and they have remained there. This boom of collecting gems would prove to be a typical trend of Neoclassicism. After

huge number forgeries of the antique gems appeared in the art market, the collecting of the gems was suddenly disrupted.

Antique Originals

A critical inventory of artefacts occurred in the middle of the 19th century at the University. A previously universal museum was transformed to a special antique museum, the Museum of Classical Antiquities. Artefacts, which did not correspond to the definition of antique art, were given to the University Drawing School. After the liquidation of the Drawing School at the end of the 19th century, the artefacts were transferred to the University Library. The Museum moved to the newly completed ground floor rooms in the annex of the Main Building. The walls of the rooms were decorated with the wall paintings suitable for displaying antique art. During the time of the museum directors Professors Mercklin and Schwabe, a collection of plaster casts made from the best of Greek sculpture was started. Before the First World War there were about 300 of them, and the entire collection has remained here in Tartu to this day.

Because of his background in the antiquities, Professor Schwabe, who worked as a Director in 1864 to 1872, initiated the acquisition of original Greek vases. All following directors until the first decades of the 20th century continued such acquisitions. The number of antique vases and terracottas had reached 228 when the collection was evacuated to Russia. This collection has not returned. All the items in this collection were described in Professors Malmberg and Felsberg's published catalogue.

The Museum also possessed some originals of antique sculptures. The foundation of this collection was laid down by Professor Morgenstern with three sculptures. Altogether 14 marble and bronze statues were either bought or obtained as donations from von Richter family and Professor Bartels. Professor Bartels donated as well 49 Greek vases.

The general trends in European art collecting in the second part of the 18th and in the 19th centuries did not change radically. Still there were differences between countries in the value they placed on the various schools and masters. Tartu University art collections reflected primarily the collecting trends in Germany as the University leadership and the directors of the Art Museum had close cultural ties with Germany. In the first half of the 19th century, it was endeavoured to complete art collections by including different kinds of art from different countries. Such diverse collections proceeded from the Enlightenment ideal of the universal museum. In the mid 1800's when the emphasis turned to specialized museums, the Museum at Tartu University in connection with the teaching of classical archaeology and art history started to procure Greek and Roman antiquities that gave a new profile to the Museum.

So by the time of the evacuation during the First World War, the University held the most valuable and richest collection in Estonia. The collection was obtained by competent purchases and numerous donations. From that treasury only the collection of engravings, casts of gems and plaster casts of antique sculptures have remained in their initial location.

The Removal of Property from Tartu University to Voronezh – Robbery or Evacuation? .

Dr. Helmut Piirimäe

Professor *emeritus* of Tartu University, Estonia

This article explains how the property of Tartu University including its art collections arrived and presently remains in Voronezh. The author's sources include materials from Estonian State Archive in Tallinn; however, the author's first and foremost source of information was the archive fund of the Ministry of Education of the Estonian Republic.¹ In part I have published these documents in the book discussing the beginning of the Estonian University at Tartu.² The main questions posed in this article are how was Tartu University deprived of its property, how this property was evacuated under wartime conditions to Russia, and why this property has remained in Russia? To understand the extent of the problem the author considers it necessary to present a review of the route and the methods by which the cultural property of Tartu University was removed to Russia and how the properties became a problem for Tartu and Voronezh.

¹ Eesti Riigiarhiiv / Estonian State Archive. F. 1108.

² Eesti ülikooli algus. Tartu Ülikooli uuestisünd rahvusülikoolina 1919. I. Koostanud H. Piirimäe. Tartu, 1994.

The historiography of the problem is extensive. The former chairman of the Tartu University Evacuation Commission, Konstantin Saint-Hilaire, dealt with the connections between Voronezh and Tartu University.³ Linda Eringson has covered the topic of the evacuation of Tartu University property in her article⁴. She has thoroughly researched the appropriate materials from the Tartu University Fund of that period, which is held in the Estonian Historical Archives. Her article gives an objective picture about the evacuation of the property to Russia despite the influences of the ideologies of those times.

To understand the significance of the art property that was evacuated to Russia, it is important to review what historical and theoretical research has been done on these works of art. Õie Utter, a former Director of the Museum, investigated the foundation of and subsequent history of the University Art Museum formerly the Museum of Classical Antiquities.⁵ The focus of her study was the physical location of the museum. The current Director, Inge Kukk, has studied the restitution of University property from 1920 to 1930. Her research was based on archival material and was presented in an article; however, in the circumstances of those times, she was careful and avoided being too harsh in her work.⁶

³ К. К. Сент-Илер. К истории Воронежского университета. — Труды Воронежского университета. Т. I. Воронеж, 1925.

⁴ Л. К. Эрингсон. Из истории эвакуации Тартуского университета (1915–1918 гг.). — Eesti NSV ajaloo küsimusi VI. Tartu, 1970. Lk 288–313.

⁵ Õ. Utter. Tartu Ülikooli kunstivarade ajaloost. — Tartu Ülikooli ajaloo küsimusi I. Tartu, 1975. Lk 71–78.

⁶ I. Kukk. Tartu Ülikooli varade reevakueerimine 1920–1930. — Tartu Ülikooli ajaloo küsimusi XXII (1). Lk 122–133.

How were the Tartu University Art Collections Formed?

The art collections of the University of Tartu were formed over a long period of time. Especially important was the work done in the 19th century. To understand the importance of the works of art in the context of the times, one must consider that collecting ancient art was not a hobby for people who were just interested in sciences and art but was first and foremost a large part of an education in the humanities at that time. In the middle of the 19th century, the emphasis in education had been on the exact sciences, which, of course, stressed experimentation and mathematical formulas. The connection between the humanities and art was again gained importance at the end of the century. The special attention given to ancient art was conditioned by need for antique objects, either originals or copies, as visual aids for lectures in history and art history. The collection of art and antique objects can be separated into two main periods as a result of the mentality of society and the correspondingly different trends. First is the period of Neo-Classicism at the end of the 18 century and to the beginning of the 19th when Greek and Latin and antique history had a central place in spiritual life. When the classical gymnasium came into being in Europe, antique culture became all that much more important at the university. Second is the period of Romanticism when Egypt and other Oriental countries were the fashion. Both periods influenced the development of Tartu University's art collection; especially important in these times were the activities of scientific expeditions. Also influential were the foundation of museums during the French Revolution that were quite different from the art and rarities collections of kings and princes of the past. The existence of an art museum at Tartu University was foreseen in the statute that reopened the University in 1802 though the statute itself was not published until 1803. The statute stated that the director of the art museum would to be a professor of classical philology and history of art. On the reopening of the university Karl Morgenstern became the first director. He had a special role in the foundation of the museum and the creation of its collections.

When Morgenstern retired, he handed over to his successor 14,033 items.⁷ Later he bequeathed to the museum most of his personal art collection. In the second half of the 19th century, two additional museums were established. Besides the art museum, which was subordinated to the Chair of Classical Philology and concentrated primarily on antique art, another art museum was created in the Drawing School with engravings and a little later paintings also. When the Drawing School was liquidated in 1893, its works of art were given for preservation to the University Library. The property of the Archaeology Cabinet formed another separate collection of old armaments.

The Evacuation of the Property to Russia

As reversal after reversal befell the Russian Army during World War I, the German zone of occupation expanded to include by 1915 Poland, Galicia, Lithuania, part of Byelorussia and Latvia to the outskirts of Riga. Tartu was still far to the rear when many public institutions were evacuated including the Riga Polytechnical Institute. Very soon it was understood in Tartu there was a need to store the property of Tartu University farther from the approaching front. The University Government discussed the evacuation of the property to Russia after receiving an appropriate authorization from higher authorities. The Rector, P. Pustoroslev, made an application to Moscow University for storage space for the property and for additional space for an office. The answer was positive, but the location offered for the office was only a half basement in the Physics Institute.

To find better possibilities, the University applied to Nizhni Novgorod, Yaroslavl, Yekaterinburg and Rostov-on-Don by telegram at the beginning of August 1915. The emphasis was to find rooms free of charge since the evacuation was only temporary.

⁷ Õ. Utter. Tartu Ülikooli kunstivarade ajaloost. — Tartu Ülikooli ajaloo küsimusi I. Tartu, 1975. Lk 72.

Some days later a positive answer arrived from Nizhni Novgorod. Therefore the University Government and University Council passed a resolution to evacuate to Nizhni Novgorod. An evacuation commission was formed on August 22, 1915 and Konstantin Saint-Hilaire was named its leader. Thereupon an elaborate evacuation plan was formulated. Under that plan all historical and cultural collections such as libraries and the collections of the museums were subject to evacuation. The evacuation plan also included most of the expensive laboratory equipment whose removal would not impede instruction at the University.⁸ The first train carrying the most valuable University property left Tartu for Nizhni Novgorod on September 22, 1915. This shipment included 756 boxes with a total weight of 65,878 poods in 13 carriages.⁹ The Scientific Library sent manuscripts, including first editions, engravings, maps, the De la Gardie archive, etc.; the shipment from the Art Museum included all the artefacts from classical antiquity as well as Egyptian artefacts and other items. The Observatory sent its most valuable instruments. When the train arrived in Nizhni Novgorod, it became evident that the Town Duma had decided not to receive the property from Tartu University as the storerooms had already been given to the Riga Polytechnical Institute. Then followed a search for a new storage location including a site for the temporary relocation of the University itself. After some discussion a decision was taken for Perm while Yekaterinoslav, Ufa and Tambov were taken out of consideration. Consequently two trains both with 40 carriages and packed with 2,851 boxes were dispatched to Perm in February–March.¹⁰

Tartu and Voronezh

The situation at the front had somehow stabilized by the autumn of 1916. Tartu University began to seek the re-evacuation of its

⁸ Л. К. Эрингсон. Из истории эвакуации Тартуского университета (1915–1918 гг.). — Eesti NSV ajaloo küsimusi VI. Tartu, 1970. Lk 292.

⁹ Samas. Lk 293.

¹⁰ Samas. Lk 298.

property and applied to the Ministry of People's Education for permission. Nothing came of this action because the question of evacuating the University itself had arisen again by the spring of 1917. A site in Yaroslavl was the initial choice, but the town was overcrowded with refugees. Then temporary shelter for University operations in Voronezh was arranged should the need for evacuation suddenly occur. As a preliminary move in September 1917, six carriages with University property not indispensable for continuation of classes at Tartu were sent from Tartu via Pskov.

At this time the Tartu Town Government, the local press and a part of the student body protested against the planned evacuation. After a meeting of 16 Tartu student organisations on September 6, 1917, the student organisations decided not to support the evacuation of the University to Russia.¹¹ Discussion on the evacuation continued, but on February 20, 1918 the University Council, which consisted mainly of professors of Russian nationality, stated that Voronezh would be the location to continue the work of the University if need for evacuation arose. As the German Army had landed on Estonian coast the previous evening, it was evident that the complete evacuation of the University was not possible in that situation. Therefore, it was decided instead to stay in Tartu and to continue working notwithstanding a possible German occupation.

When German military forces occupied Tartu on February 24, 1918, the Commandant, General Adams, allowed lectures and examinations in Russian to continue until March 20, 1918. Actually Russian classes lasted until May 31. A new period in the history of Tartu University ought to have begun at that time. Instead of a Russian University founded in 1889, there had come a German *Landesuniversität*. The Baltic Germans, who had worked in the Russian University, obviously could continue their work in German. The Estonian professors had a different attitude. For example Heinrich Koppel and Aleksander Paldrock and also the Latvian

¹¹ Л. К. Эрингсон. Из истории эвакуации Тартуского университета (1915–1918 гг.). — Eesti NSV ajaloo küsimusi VI. Tartu, 1970. Lk 305–306.

professors Jekabs Osis and Ernst Felsberg, were opposed to the idea of a German University. Estonian students boycotted the German University. The idea of an Estonian University gained strength.

The ceremonial opening of the Estonian University took place on December 1, 1919. Instruction had already begun on October 6 with 41% of the lectures still in Russian.¹² The appointments of several Russian professors were pending. Vladimir Kusmin-Karavayev was given the post of a professor of criminal law in the Faculty of Law,¹³ but he resigned, and his place was taken by a Swede, Andreas Bjerre.¹⁴ Nevertheless, at this time Professor Igor Tyutryumov was appointed to the same faculty.¹⁵ There were other Russians appointed as well.

Russian professors, lecturers, and students left Tartu on two trains in July and August 1918. Many professors and lecturers found positions at Voronezh University. Classes started there on November 12, 1918. This university was not simply a continuation of the Russian University at Tartu, but the beginning of new university based on the efforts of former lecturers of Tartu University. The leadership of this university was entirely new. As for the rector of Tartu University, a professor of mathematics, Vissarion Alekseyev, was elected in September 1917. The first rector of Voronezh University was byzantologist Vassili Regel. Anyway, the new university could not claim the property of another, older university on the grounds that some professors now employed at the new university [Voronezh] had once been professors at the older one [Tartu].

¹² Eesti ülikooli algus. Dok. 14. Lk 133.

¹³ Samas. Dok. 11. Lk 69. Dok. 12. Lk 70.

¹⁴ Eesti ülikooli algus. Dok. 40. Lk 133.

¹⁵ Samas. Dok. 14. Lk 74.

The Beginning of the Re-evacuation

The contacts between Tartu and Voronezh were broken off by reason of the War of Independence, which began on November 28, 1918. The Tartu Peace Treaty that ended the hostilities between Estonia and Russia was concluded on February 2, 1920. This treaty made provisions for the return all the property that had been evacuated from Tartu University. Under Article XII, 4: The Government of Russia will return to Estonia and hand over to the latter Government all the properties, including libraries, archives, teaching aids, documents and other items, which belong to the Tartu University or other educational, scientific and governmental institutions or societies situated at present or in the past on Estonian territory as well as all the archives, documents and other items taken from Estonia to Russia having a scientific or historical significance for Estonia as long as the above-mentioned items have been taken or will be taken to the sphere of power of the Government of Russia or other Russian institutions or societies.¹⁶

Tartu University already on February 13, 1920 had sent to the Ministry of Education a letter with proposals on how to organize return the University's property.¹⁷ The University had compiled lists of items that had been boxed and shipped to Russia. Additional data was provided by Professor Henrik Koppel, a future rector of Tartu University, who had recently been in Voronezh. Some data was also given by Aleksander Laagus, a student of Voronezh University at the time.

According to Prof. H. Koppel all evacuated items, which had been carried to Nizhni Novgorod, Perm and Voronezh, were now concentrated in Voronezh.¹⁸ All together there were 4,035 large and small boxes located in the dry and safe rooms of the new Petitshev factory. The boxes were arranged by institute and number. Only single boxes had been unpacked, and their contents

¹⁶ E. Mattisen. Tartu rahu. Tallinn, 1988. Lk 459.

¹⁷ Eesti ülikooli algus. Dok. 40. Lk 133–134.

¹⁸ Samas. Lk 133.

had been given to the new Voronezh University. A branch railway line led to the factory building. The branch line would facilitate the movement of the properties so there would be no need to employ wagons. Later it became evident that the information that all of the University's property had been concentrated in Voronezh proved to be somewhat exaggerated.

Prof. Koppel, who was aware of the real conditions in Russia after the revolution, knew it would be difficult to get railroad engines and carriages. Therefore he proposed a plan to send to Russia a train and workers with all means to accomplish the re-evacuation. As it would be difficult to get the flats for people in Voronezh, one carriage, he proposed, ought to be heated. Food, nails, boards, and tools would also be needed. Prof. Koppel proposed the party include one representative of the Estonian Government and one from Tartu University to oversee the receipt and organization of the properties. At the suggestion of the University, the Government of Estonia formed a commission for the re-evacuation. Professor Nikolai Maim was appointed chairman and a librarian, Friedrich Puksov, as its executive director. The commission was scheduled to leave on March 2, 1920; a man named Toru was included in the commission's party as a workman. Considering criminal situation in Russia, the members of the commission, including the workman, ought to have had Brownings and certain number of cartridges along.¹⁹

As the Government had planned, the commission departed on March 2, 1920. Although the report does not state whether or not they left on their own train, from the route they took it seems obvious that they did not. The direction they travelled was at first towards Moscow, but the St. Petersburg authorities did not allow the Estonian delegation farther than St. Petersburg. Still an official meeting with a representative of the Soviet Government, A. Joffe, took place as well as one with the Peoples Commissar of Education, V. Ter-Oganessov. The appearance of an Estonian commission from Tartu University was unexpected and unwished

¹⁹ Eesti ülikooli algus. Dok. 42. Lk 136.

for incident for the Soviet Government. The position of Russian Government was that they would forward the property to the border. They did not accept the suggestion made by the Estonian Government for the appointment of Estonian representatives to watch over the property while it remained in Voronezh. The Estonians formed the impression that the Russian Government was not interested in a quick return of the property in question; consequently, there would be no guarantee that in the meantime the treasures would not be destroyed or lost.²⁰

What Happened in Voronezh?

In his letter from June 7, 1920, Aleksander Laagus, a student of the Social Faculty at Voronezh University, detailed the actual situation in Voronezh at that time.²¹ That letter confirmed to the re-evacuation commission that the University's property had been concentrated in Voronezh at the Petitshev factory. The factory was guarded by Mihkel Fischer, an Estonian by name. Also present in Voronezh were members of the evacuation commission. Dr. Schlossmann, a future Tartu University professor, was obviously in the leadership role there. Aleksander Laagus, another commission member, made a more exact accounting of the property, which had been unpacked for Voronezh University. Laagus found that 43 boxes of books from the Law Seminary had been unpacked. Also several tens of boxes, supposedly from Zoology and Botany Institute, were taken to Gubernia Peoples Education Department and opened there. After the conclusion of the Tartu Peace negotiations, these were destroyed in a fire. The property of the Tartu Observatory did not even reach Voronezh; it had been taken away to Perm.

After the conclusion of the Tartu Peace Treaty when it was clear that the property from Tartu University would be returned, a group

²⁰ Eesti ülikooli algus. Dok. 44. Lk 140.

²¹ Samas. Dok. 43. Lk 137–138.

of Voronezh University employees, lead by the Rector Vassili Regel, started to withdraw the property from the factory site. Regel had had talks with Lazar Kaganovitch, the Chairman of Voronezh Gubernia Executive Committee and later a Soviet statesman, who was also a representative of the all-Russian Central Executive Committee; they obviously found a common line of action concerning the Tartu properties. Kaganovitch delivered a speech that was also published in local paper. In his speech he stated that numerous properties had been brought from Tartu to Voronezh, but that not all of the evacuated property from Tartu had reached Voronezh. This of course was right to some extent, but on the other hand he was an official representative of the Soviet Government who was now conspiring along with the new rector of Voronezh University, V. Regel, to accomplish the removal of Tartu University's property from the factory site. Many works of art were concealed. One list signed by V. Regel showed only six oil paintings and a sculpture at the factory site.²² It would have been easier to understand the concealment of scientific instruments and other equipment needed in university work. However, the most polite term that we can use to describe the withdrawal of the works of art is unethical. Another initial result from the Regel-Kaganovitch cooperation was the arrest of the storekeeper, Mihkel Fischer, and after that Dr. Karl Schlossmann as well.²³ Both sat in a Soviet prison without indictment until May 18, 1920. Only after he was released from a prison did Dr. Schlossmann discover the reason for his arrest. It was a letter from Voronezh University requesting his removal and the transfer of the properties. Aleksander Laagus wrote that David Lavrov, a professor of pharmacology and medical history, Nikolai Burdenko, a professor of operative surgery and topographic anatomy, and Pavel Nikitin, an architect, were also active participants for the removal of these properties, as was an individual named Kirillov. Among this group Pavel Nikitin, who had been appointed as caretaker of the Tartu University properties, was especially active in the withdrawal of art

²² I. Kukk. Tartu Ülikooli varade reevakueerimine 1920–1930. — Tartu Ülikooli ajaloo küsimusi XXII (1). Lk 124.

²³ Eesti ülikooli algus. Dok. 43. Lk 137.

works from the factory site; in Voronezh he was the head of the students' dining-rooms.²⁴ When Professor Friedmann appealed to several Soviet institutions for the release of Dr. Schlossmann, Professors D. Lavrov and N. Burdenko threatened that his continuing concern for Dr. Schlossmann would endanger his own personal safety.

Meanwhile as Dr. Schlossmann and Mihkel Fischer sat in the prison, the withdrawal of Tartu's property took place. Boxes were opened, emptied and then burnt. Equipment and instruments were taken and dispersed to workshops. The University Evacuation Commission had nothing additional to report about the concealment and removal of the property or about the silent consent of the Central Government of Soviet Russia.²⁵ In analysing the events that transpired, the Head of the Commission, N. Maim, said that Tartu University made a serious error when the former Professors of Tartu University, then in Voronezh, were not reinstated to their former positions in Tartu. They consequently adopted a hostile attitude towards Tartu University. For example, Professor Mikhail Krashennnikov awaited reinstatement to Tartu University and refused to participate in the machinations concerning the evacuated properties. For this he was labelled a traitor by the conspirators.²⁶ Prof. N. Burdenko had hoped to return Tartu as a professor, and he reproached Dr. Schlossmann because he had not regained his position.

Fortunately, not all University properties had reached Voronezh. The property of the Veterinary Faculty was in Saratov where Prof. Max Vasmer and Doc. Karl Saral preserved them.²⁷ A part of the University property had been left in the carriages the location of which at that time was unknown.

²⁴ I. Kukk. Tartu Ülikooli varade reevakueerimine 1920–1930. — Tartu Ülikooli ajaloo küsimusi XXII (1). Lk 123.

²⁵ Eesti ülikooli algus. Dok. 45. Lk 143.

²⁶ Eesti ülikooli algus. Dok. 45. Lk 144.

²⁷ Samas. Dok. 46. Lk 147.

Attempts to Find Solution

The Government of Estonian Republic, lead by Jaan Tõnisson as the Prime Minister, adopted a special resolution on October 6, 1920 in order to solve the contradictions and quarrels over the return of Tartu University's property.²⁸ According to that resolution the Government expressed its consent to pass over to the Russian Soviet Republic those Tartu University properties that were not urgently needed for study and scientific work. Included in these were 12 boxes with Russian scientists' manuscripts. In regard to all other properties in which the Russian Government had an interest, they would be subject to further negotiations between the two states. All other property would be return immediately.

In course of the subsequent negotiations, the greatest achievement was the return of the University Library. For some time the boxes with the books had stood unopened, sealed up because the Estonians thought a partial counting would only result in additional problems later with the Russian side.²⁹ Since the summer of 1920, a mixed Estonian-Russian commission — the Commission on Return of Evacuated Property — worked on the re-evacuation problem. The Commission was conceived in the provisions Tartu Peace Treaty. The Head of the Russian Commission, A. Sabanin, in a meeting with the Tartu University representatives promised to find the missing railway carriages with the University's property and have them forwarded to Moscow.³⁰ The carriages, which numbered 49, were found in Anna railway station near Voronezh. Before these carriages could depart for Moscow, again appeared Vassili Regel to prevent the re-evacuation of Tartu University's property. He stated that by mistake the carriages contained some personal property of the Voronezh professors.³¹ He succeeded in his intervention and had the property from the carriages divided

²⁸ Eesti ülikooli algus. Dok. 47. Lk 149.

²⁹ Samas. Dok. 46. Lk 147.

³⁰ I. Kukk. Tartu Ülikooli varade reevakueerimine 1920–1930. — Tartu Ülikooli ajaloo küsimusi XXII (1). Lk 124.

³¹ Samas. Lk 124–125.

into three groups. One group was property the new Voronezh University wanted to obtain plus the property of the Voronezh professors. Voronezh University desired the equipment of chemistry, physics, astronomy, meteorology and pharmacy departments and the property of some medical clinics — all together about 300 boxes. Among these boxes, supposedly were the belongings of Voronezh professors, but when opened, these boxes contained the property of the Zoology Museum and the Mineralogy Department. The discovery of this deceit did not mean the property was forwarded to Estonia. These boxes simply were added to the property Voronezh had wanted initially.

Sorting the property went slowly because the Estonian members F. Puksoo and N. Maim had fallen ill with dysentery. They were replaced, but valuable time was lost. A train of 26 carriages finally reached Tartu at the end of August 1920, and the properties transferred to Tartu University.³² From that point in time the re-evacuation became stalled. Curator P. Põld in a summary of the re-evacuation, which he wrote for the Government, noted that the University did not regain even one third of its evacuated property. The missing property was mostly the equipment and books of the University's institutes and departments plus the various collections of the Art Museum.³³ It was decided to sell some of the property, which remained in response to a Russian request to do so. Estonia never received full payment for the books, manuscripts and albums, which the Russians had requested and retained. As regards to the works of art, to this day Tartu University has fruitlessly demanded the return of its art property.

Main Conclusions

1. Tartu University's art collection has an important historical and artistic value not only from the point of view of European art

³² I. Kukk. Tartu Ülikooli varade reevakueerimine 1920–1930. — Tartu Ülikooli ajaloo küsimusi XXII (1). Lk 125.

³³ Samas. Lk 130.

history but as well as from the point of view of Estonian culture and history. A peculiarity of our culture has been the creation of close contacts with the cultures of other nations, a peculiarity that was obstructed during Soviet times. A large part of the art properties were donations from professors or families or individuals associated with the University. The property rights of Tartu University to these objects are beyond doubt.

2. The evacuation of property from Tartu University during World War I to Russia did not constitute an evacuation of the University. The University remained in Tartu. Obstructing their return to Tartu and retaining them in Russia were acts of robbery in time of war.

3. Voronezh University is not the legal successor of Tartu University although former lecturers of Tartu University were important in the foundation of Voronezh University in 1918. Tartu University was founded in 1632 and was re-established again in Tartu in 1802. The evolution of an Estonian language University in 1919 did not mean the foundation of new university but merely a change in the language of study from German to Estonian just as there had been a change from a Latin speaking Swedish university from 1632 to 1710 to a German speaking Russian university from 1802 to 1889 and Russian speaking Russian university from 1889 to 1918 and briefly back to German speaking again with the *Landesuniversität* of 1918; therefore, Voronezh University can not make claims on the property of Tartu University based on the supposition that Tartu University ceased to exist in 1918 merely because lectures were given in Estonian rather than Russian.

4. The restitution to Tartu University of the evacuated properties was a provision agreed to by both parties in the Tartu Peace Treaty that was concluded on February 2, 1920. We are convinced the Treaty remains valid, as there has never been a subsequent state of war between the Estonian State and Soviet Russia or the Russian Federation. Therefore the re-evacuation, which has been incomplete through two world wars, ought to be continued.

5. It would be an act of renewal as well as a restoration of honour for Russia to give up the Bolshevist habit denying facts that are inconvenient among which are the possession of objects of art and science donated to Tartu University by individuals and families who wanted their treasures to remain with the University in Tartu. The restitution of this property would help re-establish trust and confidence and friendly relations between the nations in our region.

6. In further discussions of this problem the points of view of the representatives of the other nations and states at this conference [Poland, the Ukraine, Netherlands, Germany] should be taken into consideration.

The Evacuation of the Yuryev University and the Foundation of the Voronezh University

Dr. Mikhail Karpatchev

Professor of Voronezh State University, Russia

In the histories of Tartu University and Voronezh University there have been events that have had a decisive influence on their common fate.

After official designation between the end of the 19th and the beginning of 20th century, Yuryev University was one of the ten Imperial universities of Russia. It consisted of five faculties. Four of them, the Faculty of Medicine, Faculty of Law, Faculty of History and Philology and Faculty of Physics and Mathematics were prevalently Russian by their professors, students and staff. Only one, the Faculty of Theology, was mainly German. During the last years of the existence of the Russian Empire, Yuryev University had been considered by the Russian administration as an important centre of the Russian cultural influence in the Baltic provinces of the Empire. At the same time Estonian society, more culturally defined than the society of Imperial Russia, resisted the policy of Russification. Such situation put under doubt the location of an Imperial University near the border of the Empire. The suggestion of a possible transfer of the University from Yuryev to

Voronezh in the interior as it turned out was raised by a Professor of Kiev University, A. Antonovich in 1893.

The opinion of one Kiev scientist did not lead immediately any real results. But quite unexpectedly the professors of Yuryev University suggested Voronezh in 1910 while discussing their dissatisfaction with the University's location. At one of the sittings of the Scientific Council some of its members reported that the attitude of the Estonian and German population was indifferent to the needs of a Russian university and its students. The medical members complained especially hard that they had insufficient material basis to prepare medical personnel. There was written into the protocol of the Scientific Council: "Considering that circumstances are reasonable a move of Yuryev Medical Faculty into some more populous Central Russian town, for example Voronezh with its 95,000 inhabitants, is recommended"¹. There were no immediate consequences, of course, from these discussions. It was only the second statement that Voronezh was a possible alternative location for Yuryev University.

The third time the possibility was brought up was in 1915, but this time it was already due to more serious and troubling causes. The retreat of the Russian armies from the front in the spring and summer of 1915 presented the organs of power with the painful question of evacuation of Russian Universities from the Western parts of the country into the interior. In September 1915 the Voronezh city administration received information that the Petersburg Government had elaborated a plan for the transfer of the Yuryev University to Voronezh. The members of the City Council immediately decided to support such a plan. Meanwhile the local authorities put forward the idea to leave the University in Voronezh permanently. The requisite theoretical motivations and calculations, including financial, were prepared.

¹ Обзорение лекций в Императорском Юрьевском университете. Юрьев, 1910. № 7-9. С. 13-17.

Still the evacuation of Yuryev University did not take place in 1915. Russian armies had halted the German offensive at the end of the same year. With the threat of German occupation of Estonia then diminished for some time, Yuryev University continued its work without major changes. However, the Russian Government worked out the plan to organize some new universities in the territory of Empire in 1916. According to that plan one new university was intended to be in Voronezh. The situation decisively changed after the fall of monarchy in February 1917. On one side came the end of the Government, which had made the plans for organizing new universities, and on the other came anarchy in Russian army and in all the Russian political systems.

In these conditions the Council of Yuryev University renewed requests for evacuation to the center of Russia. On April 9 the Chairman of the Gubernia Government, V. Tomanovski, the Head of all Voronezh administration under the new government, received a telegram from P. Pustoroslev, the Rector of Yuryev University, "The Government of Yuryev University humbly asks the Government of Gubernia to provide temporary refuge for Yuryev University if there would appear the necessity for its evacuation from Yuryev"². From that date started prolonged and difficult transfer of the Russian part of Yuryev University that ended with foundation of the university in Voronezh.

Professors of Yuryev University A. Bogojavlenski and V. Rubashkin visited Voronezh at the end of April 1917 in order to investigate the situation and the possibilities of the city accepting the relocation of the university. The visit was successful; the city authorities convinced the University delegates that the staff and students would be met on quite satisfactory conditions. As the actual threat of the German invasion of the Baltic seemed unpredictable, Rector Pustoroslev telegraphed the Voronezh Town Duma on August 26, 1917 with a request to confirm its consent to the relocation plan. The Town Government once again asked that a representative from the University come to Voronezh. Professor

² ГАБО, ф. 20, оп.1, д. 10517, л. 3.

K. Saint-Hilaire arrived Voronezh in September 1917 and explained the intensive preparations for the relocation of the University. However, the planned evacuation was not immediately carried out at that time.

The relocation to Voronezh was delayed because the war front had not only become silent but also the Provisional Government of Russia had listened to the requests of Estonian representatives, who were afraid of losing a centre of education and its cultural treasures and the revenue the University generated by its location in Estonia. They insisted the University remain in Estonia because of its cultural, political and commercial significance. The October Revolution naturally destroyed the plans of the Provisional Government. For several weeks the evacuation of the University became absolutely impossible. Meanwhile the Voronezh intelligentsia was not satisfied with the fluctuating attitudes of the national government and decided to found the "Society for the Promotion of the Foundation of the University in Voronezh" in November 1917. The Society initiated the discussion on such a project by the local Zemstvo Area Government. In January 1918 the Voronezh Zemstvo decided to found new university on its own resources independently of the decision of the question of the evacuation of Yuryev University³. Discontent with the delay of the evacuation was also expressed by some professors of Yuryev University. The Dean of the Faculty of History and Philology Prof. E. Petuhov arrived to Voronezh and stated the readiness of a group of his colleagues for independent removal.

The last and decisive stage of the delayed campaign for the foundation of the university in Voronezh took place in spring 1918. The German troops occupied Estonia at the end of February. Already at the beginning of March the German military administration declared university in Dorpat as German and

³ Журнал Воронежского губернского земского собрания чрезвычайной сессии 16 января 1918 г. Воронеж, 1918. С. 49.

immediately closed the Russian university in Dorpat⁴. Russian lecturers and students had to leave Estonia and find new shelter. Naturally the majority of them did not think that they had to resettle in Voronezh, but the need to make a decision coincided with Voronezh Zemstvo initiative. The delegates of the Voronezh local administration and intelligentsia began to act together with the former Yuryev professors. Therefore, the Government of Soviet Russia promptly made its decision. The suggestion to found new university in Voronezh was approved in May 1918 and the foundation of Voronezh University was adopted by Government in June. The new Russian university was allowed to use the personnel and equipment from the former Yuryev University⁵. The staff, professors and students of the closed university received an opportunity to continue their professional activities in Russia.

German authorities did not obstruct to removal of property and Library of Yuryev University at first. According to official information, part of the equipment and numerous books as well as the collection of Fine Arts Museum was transferred to Voronezh. 39 professors, 45 docents and approximately 800 students left Estonia for Voronezh in July and September 1918 in order to start new life. The Voronezh University began to function in autumn, 1918, and a former Professor of Yuryev University, the historian Vassili Regel, became the Rector of the newly founded university.

Soon Voronezh University had to give up the majority of the removed property. According to a Treaty signed by the Soviet Government with Estonia in February 1920, the Soviet Government was obliged to return the property of Yuryev University. This was a provision of the Treaty especially insisted on by the Peoples Commissariat of Foreign Affairs. Soviet diplomacy at that time urgently strove to break the international isolation of Bolshevik Russia and saw Germany and the Baltic States as the most probable partners in this attempt. Soon

⁴ История Тартуского университета 1632–1982. Таллинн, 1982. С. 166.

⁵ ГАРФ, ф. 2306, оп. 1, д. 35, л. 126.

49 wagonloads of property, including 27 wagons with 1,800 boxes for the Main Library arrived in Estonia from Moscow.

Thus, the liquidation of the Yuryev University in 1918 opened the opportunity to found new university in Voronezh. However, in Estonia a new page in the history Tartu University had also opened. Anyway, historically and juridically this was the situation that came to pass.

Otto Friedrich von Richter's Journey to Egypt and Nubia

Sergei Stadnikov

Egyptologist, Estonia

Otto Friedrich von Richter, a Baltic-German traveller and collector, was born at Vastse Kuuste, known at the time by its German name Neu Kusthof, near Tartu (Dorpat) on August 6, 1791. He was born into the family of Otto Magnus Johann von Richter, the Livonian *Landrat* (district magistrate).¹ His private tutor in 1803 was Gustaw Ewers, who later was Rector of Tartu (Dorpat) University from 1818 to 1830. Ewers instilled in young Richter an interest in antiquity. Richter became proficient in Latin and Greek and also gained some knowledge of Modern Greek. Otto Friedrich von Richter moved to Heidelberg in autumn 1809. Under the guidance of Prof. Friedrich Wilken, he acquired the fundamentals of Persian and Arabic at Heidelberg University. In 1812 he travelled through Switzerland and Italy to Vienna where he continued his studies privately. The Vienna library there provided Richter with many excellent opportunities for self-improvement. At this stage of his life, he was deeply influenced by Friedrich Schlegel, a well-known German writer and linguist and ideologue for the pre-romantic period, who lived in Vienna that time.

¹ Deutschbaltisches biographisches Lexikon 1710–1960. Hrsg. G. Welding, E. Amburger, G. v. Krusenstern. Köln-Wien, 1970. S. 631.

Richter returned to his homeland in the summer of 1813 travelling through Bohemia, Silesia and Poland. He stayed there only for a year. By the summer of 1814, Richter had sailed from Odessa to Constantinople (Istanbul). He wanted to see the Eastern world with his own eyes, and at the same time to understand the world from an Oriental viewpoint as the European viewpoint for Richter seemed boring and monotonous.²

In the Ottoman capital under the hand of some mullah, he improved his Persian and Arabic and started to learn Turkish. At the hospitable home of the Swedish Ambassador Nils Palin, the young man from the Baltics became a friend to Embassy's preacher Sven Fredrik Lidman. They decided to undertake together a long scientific journey to Egypt. Here I must insert a few words about Lidman. Lidman was named Uppsala University Arabic Docent in 1811. In the same year he travelled to Constantinople and became the preacher at the Embassy. By the way, Ewers in his book identified him as the Embassy's secretary.

On March 30, 1815 Richter and Lidman accompanied by a well-travelled Armenian servant named Gregory began their journey aboard a Greek ship bound for Alexandria. They reached Alexandria on April 12 after visiting both Lesbos and Rhodes. Upon arrival the travellers found Egypt under a new ruler, Mohammad Ali (ruled 1806–1849). After submitting numerous letters of recommendation, they got from the new pasha official permission to travel inland. The official approval also meant that local authorities were unlikely to place obstacles in their path. I would like to remark here that the travellers were wearing European clothing at this time. The Aswan ruler, Hussein, personally accompanied Richter and Lidman through the desert to

² O. Fr. von Richter. *Wallfahrten im Morgenlande*. Aus seinen Tagebüchern und Briefen dargestellt von J. P. G. Ewers. Berlin, 1822. S. VI, VII.

El-Heifa (Philea) in the region of the First Cataract of Nile.³ Their route took them through Karnak, Luxor, Kom Ombo and other Aswan antiquities, which subsequently have become well known in Europe through the publications of the famous Napoleon expedition and Dominique Vivant Denon's drawings.⁴ At the beginning of June, they were ready to travel along the upper course of the Nile to Nubia. This area was considered at that time a very wild land where only few Europeans dared to go. One of them was Johann Ludwig Burckhardt who was in Nubia in 1813 and from whose pen has come a description of his journey.⁵ Nubia was *terra incognita* at the time and the artefacts and monuments of ancient Egypt located there were completely uninvestigated. So it transpired that O. F. von Richter and S. F. Lidman were among the first to investigate Nubia. Their primary goal was to find the location of the ancient Meroe kingdom located once far south.⁶ Unfortunately for Richter and Lidman this dream was not realized for reasons beyond their control.

Ibrahim, the son of the ruler of Upper Egypt, Mohammad Ali, put at the travelers' disposal some Nubian rowers⁷ thanks to whom the journey down the Nile was quite pleasant, and with this help they managed to reach as far south as Ibrim just north of Abu Simbel. This place would be the farthest extent of their expedition south.⁸

³ G. Ewers. Richter's Reise durch Aegypten und Nubien. — Dörptische Beyträge für Freunde der Philosophie, Literatur und Kunst. Bd. 2. 1819. S. 451.

⁴ Description de l'Égypte ou Recueil des observations et des recherches qui ont été faites en Égypte pendant l'Expédition de l'Armée Française, publié par les ordres de Sa Majesté l'empereur Napoléon le Grand. Paris, 1809–1828.

⁵ Reisen in Nubien, von der Londoner Gesellschaft zur Beförderung der Entdeckung des Inneren von Afrika herausgegeben. Weimar, 1820. Translated by English original from 1819.

⁶ B. Peterson. Über Altertümer in Nubien. Sven Fredrik Lidmans Reise im Jahre 1815. — Orientalia Suecana. Bd. XXIII. Stockholm, 1974. S. 45.

⁷ G. Ewers. *Op. cit.* S. 451.

⁸ B. Peterson. *Op. cit.* S. 45–46.

To move forward from there would have been extremely dangerous as G. Ewers mentions [based on Richter's own letter] hostilities had just broken out between three brothers each of whom were famous for outrageous acts of violence.⁹ Back in Aswan by June 20, Richter and Lidman journey to Nubia had lasted almost three weeks.

Lidman notated his observations in two notebooks both of which are today in the possession of his descendants. However, Richter's diaries are available for researchers in Estonian Historical Archive in Tartu. His drawings and plans of the Nubian temples Uffedin, Garb Sabua, El Dekke, Garb Girsche among others are a valuable addition to Lidman's detailed written descriptions [Richter produced about 50 drawings including pyramids, temples, sepulchers, and the living conditions of local people].¹⁰ Richter also copied a hieroglyphic inscription for the name of the Egyptian ruler Philippos Archidaos of Macedonia (323–316 BC).¹¹ Here I would like to express thanks to Sirje Kivimäe for discovering Richter's diary in the Archive. Richter wanted to compare the temples of Nubia with the masterpieces of architecture in Persia and India while Lidman wanted to write a historical description of Nubia. Lidman's diary along with Richter's drawings was to have been the basis for their work. Unfortunately the manuscript is still unpublished. Had it been published at that time, it would have been the pioneering work in the exploration of Nubian architectural monuments. But even now the manuscript's publication would be of great importance for Egyptology because after 1815 many Nubian artefacts would be severely damaged or entirely destroyed. However, Lidman did publish an excerpt of his diary in the Nordic

⁹ G. Ewers. Richter's Reise durch Aegypten und Nubien. — Dörptische Beyträge für Freunde der Philosophie, Literatur und Kunst. Bd. 2. 1819. S. 451.

¹⁰ Eesti Ajalooarhiiv / Estonian Historical Archives. F. 1388, nim 2, lk 209.

¹¹ O. Fr. von Richter. Wallfahrten im Morgenlande. Aus seinen Tagebüchern und Briefen dargestellt von J. P. G. Ewers. Berlin, 1822. S. 13.

Archaeology and Literature journal *Iduna* in 1817.¹² Lidman described some Egyptian temples, which he visited together with his young Baltic friend. In Ibrim they investigated two tombs cut into the rock cliffs, and they also made an exact description of Ramesses II's temple in Derr. In some sepulchres they copied Greek inscriptions from antiquity. Richter and Lidman made copies of Greek inscriptions in the El Sabua and Maharak temples. Many of these Greek inscriptions from the El Dekke temple appeared in print first in the journal *Iduna*. Lidman and Richter hoped later to provide the results of Egypt-Nubia expedition to wider public in Rome but that intention was not realized nor was Richter's wish to continue his Oriental studies in Paris.

Lidman and Richter were back in Cairo at the end of July. They wanted to start a journey along the Nile Delta, but when a revolt against the government broke out on August 4, 1815, Lidman and Richter had to give up their plan.

Richter describes in the letter from the city of Damiette on August 14 the events that transpired: "The Arnauts (Turkish name of the Albanians — note of Sergei Stadnikov) who formed pasha's infantry expressed dissatisfaction with his plan to establish European rifle drill and discipline and attacked his house. Pasha had wisely taken shelter in the palace and the rebels were defeated there. Subsequently, they spread through the city and plundered freely the stores, covered markets and shops meeting no resistance from the miserable population of the town. Rather than miss an opportunity the loyal units of pasha's army gave up hunting the rebels and began to plunder the town themselves. The anarchy lasted almost two days. In the Franks' quarter (Richter calls Europeans Franks after a name for Europeans which spread after the crusades but more probably the term was in use even earlier — note of Sergei Stadnikov) where Richter was located, the gates were closed and defensive preparations were made. It was not

¹² S. F. Lidman, *Om Fornlemningar I Nubien. — Bref från en resande Svensk till en af Idunas utgifware Iduna. Sjunde Häftet. Stockholm, 1817. S. 46–85.*

difficult as the rebels lacked leaders, a plan or even simple unanimity. Nevertheless, they did not attack Franks' quarter for a period of eight nights. Help was asked from pasha, but even he could not give more support to the Franks other than gunpowder and an agaa (a person of officer's rank in Turkish army — note of Sergei Stadnikov) to whom the pasha assigned responsibility for quarter's security. This same agaa's soldiers now attacked the Franks every night using ladders and gunfire. What fate would have befallen the poor Europeans, I do not know if the Swedish consul Bokty had not stepped into action and distributed more than sixty guns and personally organized the quarter's pickets into an effective force. This watchfulness kept back the robbers who did not want risk the pickets' bullets without being sure of what profit there was to be had. At the same time the pasha was negotiating with the Arnauts, offering them amnesty if they would returned their plunder and promise to compensate the town for its losses. At the same time loyal cavalry units encircled Cairo so that no one could escape with plunder from the city. As the rebels had used almost all their gunpowder supply, they had to give up. Although the sheer number of the rebels still recommended caution, the quarter was opened for a certain number of hours every day."

As long as the danger of renewed turmoil persisted, Lidman and Richter were forced to give up the investigation of Lower Egypt. They left the land of pyramids with heavy hearts on August 20 on an Arabian ship. The Egyptian expedition had come to its end. Lidman and Richter took with them numerous artefacts from several cultures and a large variety of manuscripts as well. After three days Lidman and Richter were in Jaffa. Their roads parted in Akra. Lidman went back to Constantinople, but Richter went after a short visit to Tyros and Sidon on to Baalbek (Heliopolis), which was ruled at the time by the notorious emir Tsaachtchah. Richter carried with him a recommendation from the Akra pasha; luckily the need to use the document never arose. After an adventurous journey to Jerusalem, Damascus, Tadmor (Palmyra) and Haleb (Aleppo), Richter reached Latakia. He boarded an Arabian ship on February 24, 1816 for a trip via Cyprus to Alanya on the shore of

Asia Minor.¹⁴ From there he went on horseback with his Tartar companion to Constantinople where he stayed altogether six weeks. During his stay in Constantinople Richter sent part of the collected Arabian, Turkish, Persian artefacts, manuscripts, books and coins to Sweden from where they were later brought to Estonia. Richter continued his journey by sea. A Turkish ship took him through the Dardanelles and onto the coast of Asia. After a visit to Brussa and Lemnos islands, Richter turned back to Europe. In Macedonia he climbed Mount Athos (Monte Sano), but his wanderlust did not abate even then. Soon he was back on the coast of Asia Minor seeking the location of Troy.¹⁵ Unfortunately, he would not be given much more time to realize his numerous scientific plans. Richter fell seriously ill and died in Smyrna (Ismir) on August 13, 1816. He was buried in a European graveyard there. More detailed information about the circumstances of his death comes from the notice given by Roubaud de Pontevés, the Russian Consul General, to the Imperial Ambassador in Turkey, Privy Counsellor Italinsky. Translated into English the announcement went as follows, "On the date of 13th at 6 p.m. he left finally from the life, maintaining consciousness until the last moment, being but very weak the two last days. Arriving here he had been already for 10 days seriously ill, he was overcome by dysentery, the unhealthy season in those countries and by his exhaustion from travelling."¹⁶ Richter's death evoked a response from abroad. The *Intelligenzblatt der Jenaischen Allgemeinen Literaturzeitung* provided in its 8th issue of 1817 the following obituary, "On August 13, last year the Livonian traveller O. F. von Richter died in Smyrna. He had travelled through Egypt, part of Nubia, Palestine, Syria and Anatolia, and he intended to go to Persia, where by the order of the Emperor Alexander, a honourable post awaited him, but death took this 25-year-old young man. His papers, collected manuscripts and antiquities are in safe place."

¹⁴ G. Ewers. Otto von Richter's Tod. — Dörptische Beyträge für Freunde der Philosophie, Literatur und Kunst. 1820. Bd. 3. S. 233.

¹⁵ G. Ewers. Otto von Richter's Tod. *Op. cit.* S. 234.

¹⁶ G. Ewers. Otto von Richter's Tod. *Op. cit.* S. 232.

Richter's personal things and the larger part of the antiquities he collected were sent via Sweden to his homeland where they were handed over to his father. Richter's Father in turn decided to present his son's inheritance to the Dorpat (Tartu) University Art Museum and Library. Otto Magnus von Richter's letter to the Curator of Tartu Region, Karl von Lieven, has survived. A copy of the letter in Russian was made along with a list of the items in Richter's collection. These documents and a letter from the Curator were forwarded to Knyaz (Prince) Golitsyn, the Minister of Clerical Affairs and Peoples Education. In the letter *Landrat* von Richter expresses the hope that the life of his son, which was short, would inspire following generations to the similar scientific undertakings.¹⁷ Two protocols of the University Council also survive in the University archives. A protocol from August 4, 1819 states that *Landrat* von Richter has presented to the University from his dead son noteworthy manuscripts, antiquities etc. At the curator's direction [the University] accepts this unique collection as listed and in accordance with Mr. von Richter's wish to preserve the antiquities at the museum and the manuscripts and printed matters at the library and that the items in these two collections be kept together. It was decided to give the task of the receiving the gift to the present Rector and to Professor Morgenstern.¹⁸ The protocol from October 8, 1819 affirms that the books and manuscripts of the collection have been handed over to the University Library and the antiquities and coins to the Art Museum. Attached to this protocol were the certificates of recipients.¹⁹ As a reward for his valuable donation, the Czar Alexander I presented to *Landrat* Richter a tobacco box with his

¹⁷ Eesti Ajalooarhiiv / Estonian Historical Archives. F. 733, nim 56, s 242, lk 4.

¹⁸ Eesti Ajalooarhiiv / Estonian Historical Archives. F. 402, nim 5, s 21, lk 69.

¹⁹ Eesti Ajalooarhiiv / Estonian Historical Archives. F. 402, nim 5, s 21, lk 70.

signature.²⁰ By the standards of that time, it was a rather remarkable expression of his appreciation.

As mentioned in the protocol, the collection was received by the Museum's first Director Karl Morgenstern (1770–1852) who also compiled a list of the antiquities²¹:

1. Wooden sarcophagus, covered outside and inside with hieroglyphic drawings together with a decorated cover with minor damage and fragments [that] belonged to it.
2. Two child mummies.
3. Dog mummy.
4. Ibis mummy.
5. Two more ibis mummies (damaged).
6. Six small Egyptian clay figurines.
7. 25 scarabs.
8. 20 small partly damaged Egyptian clay figurines.
9. 50 very small Egyptian amulets and other figurines.
10. 9 very small bronze figurines and fragments.
11. One wooden figure with hieroglyphs together with head adornment and foot stand.
12. One Egyptian figure (either from basalt or granite).
13. Small head of Isis (either from basalt or greenish black limestone).
14. Man's figure with big ram head with the piece of foot stand.
15. Two limestone slabs covered with hieroglyphs (remains of colour).
16. The top of a small Egyptian obelisk (rather the top of a small pyramid from bright yellow limestone).
17. Big slab from limestone with a bas-relief, Egyptian work.
18. Two sandals from a branch of a palm.
19. Four Egyptian bardaks (an Arabian name for a vessel to cool water — note of Sergei Stadnikov).

²⁰ Eesti Ajalooarhiiv / Estonian Historical Archives. F. 402, nim 5, s 21, lk 71.

²¹ K. Morgenstern. Otto's von Richter orientalischer Nachlass, durch dessen Vater der Universität Dorpat geschenckt. — Dörptische Beyträge für Freunde der Philosophie, Literatur und Kunst. Bd. 3. 1820. S. 466.

The first detailed description of the Egyptian antiquities was given by K. Morgenstern in O. F. von Richter's book *Wallfahrten im Morgenlande*.²² In spite of not being an Orientalist, he was a person with an impressive knowledge of antiquity as it is evident from his written commentaries that he had read most the published works then available on Egypt.

At the end of 1800's a famous Russian Egyptologist B. Turayev published a description of the Egyptian part of the collection including with translations of the texts.²³ By the number of items and their scientific importance the collection was comparable with the biggest Egyptian collections in Russia.

This collection was taken to Russia during the World War I evacuation of Tartu University in 1915. Since 1918 the collection has been in Voronezh. For several years now Tartu University and the Estonian Government have desired and demanded that the collection be returned to Estonia together with other University artefacts. Leningrad Egyptologist E. Bogoslovski worked in Voronezh Art Museum at the beginning of 1970's. He published from this Egyptian collection material about the antiquities from Deir el-Medineh.²⁴ During his work there, this scientist discovered an unknown hieroglyphic sign.²⁵

Richter's fate was tragic on several levels. First he died so young, barely 26 years old. Second his scientific heritage remained

²² O. Fr. von Richter. *Wallfahrten im Morgenlande*. S. 614–622.

²³ Б. Тураев. Описание египетских памятников в русских музеях и собраниях. IV. Собрание в г. Юрьеве. — Записки Восточного отделения русского археологического общества. С. Петербург, 1899. Т. 11. С. 154–163.

²⁴ Евг. Богословский. Памятники и документы из Дэр-эль-Медина, хранящиеся в музеях СССР. — Вестник древней истории. Москва, 1972, 2; 1973, 2.

²⁵ E. S. Bogoslovski. A New Sign in Egyptian Pharaonic Writing. — *Göttinger Miszellen. Beiträge zur ägyptischen Diskussion*. Heft 8. Göttingen, 1973. S. 15–17.

practically unknown to the scientific community because the Nubian and Egyptian observations in Ewers's diaries are unpublished. Why? The reason is unknown. I think, Ewers considered them too scientific. Richter's Nubian and Egyptian diaries are full of detailed descriptions of the temples and maybe Ewers thought that a learned and educated European would not find this material as interesting reading as Lidman and Richter's everyday experiences or their extraordinary travel adventures. It is one possible explanation. On a third and less tragic level his collection, the larger part of his heritage, is held in a place other than the one chosen by Richter family. It is not in Tartu. In my mind not only from a moral but also from a legal standpoint, it is not important or relevant what language was or was not used for study at Dorpat i.e. Yuryev i.e. Tartu University. What is important and meaningful is that the owner of the collection is Tartu University a fact that has been legally affirmed and proved.

The Collection of Otto Friedrieich von Richter — My Ancestor

Leon Baron von Richter

Eldest of the Family von Richter, Germany

Ladies and gentlemen, it is a great pleasure and certainly a great honour to represent the Richter family at this conference.

Most of you are probably aware that one of my forefathers donated the so-called Richter-Collection to the Museum of Tartu in 1819. His name was Otto Magnus von Richter, born 1755. He died in Tartu 1826. It was his son — the only child of Otto Magnus and his wife Anna Auguste von Engelhardt — who collected the Egyptian artefacts, which were originally exhibited in the Art Museum of Tartu University.

My ancestors have lived in the Baltics for a few hundred years. Their history goes back to the year 1569. In former times there were a number of VIP's in my family: high-ranking officers decorated in the Russian army, fairly influential politicians in the Baltics as well as in St. Petersburg. There were a number of scholars of international reputation. One of the Richter ladies became the "First Lady of Honour" to the Czarina. And there was this Otto Friedrich von Richter. The son of Otto Magnus von Richter. Profession: Orientalist. He died at the age of twenty-six. He lost his life far away from home in Smyrna.

Considering the time — he was born 1792 — and taking into account the circumstances of the society he was born into, the biography of this Richter is really unusual and has always fascinated me. Otto Friedrich developed his interest for ancient cultures and for the Orient at a very early age. Actually I do not think that the word “interest” describes correctly his attitude. It must have been a fixation, closer to an obsession. In the year 1808 at the tender age of 16, he mastered Modern Greek in Moscow. From 1809 to 1812 (age 17 to 20) he stayed in Heidelberg where he enrolled in the Faculty for Orientalism. He became fluent in Arabic and in the Turkish language. He extended his studies into Switzerland, into Italy and also to Vienna (1812) where he attended lectures of Friedrich Schlegel.

Otto Friedrich von Richter was not only a hard working young man he was also a very lucky young man. His father supported him full heartedly. Otto Magnus von Richter financed the extravagant ambitions of his son without hesitation and with great generosity.

After his studies Otto Friedrich von Richter started to travel extensively. In 1814 at the age of 22, he visited Odessa and Istanbul. In 1815 he undertook a voyage via Lesbos and Rhodes to Egypt and from there to Palestine and Jerusalem, returning through Syria to Istanbul. In 1816 he again started an extensive and at that time certainly dangerous trip: first to Jerusalem, then to Damascus. On February 24 he arrived by ship in Cyprus, landed on the Turkish shore at Alanya, and went on horseback to Istanbul where he spent a total of 6 weeks. From there he sent the better part of his collected artefacts together with manuscripts and his diaries via ship to his home country. He visited Greece once more, came back to Turkey in July.

Travelling was difficult in those times. It was very cumbersome and very often not without danger for life and possessions. He always travelled in the company of an Armenian who had the reputation of being very loyal to his master but not very brave. When travelling through areas considered dangerous, the young

Richter would hire a so-called Janissary, a soldier of the Turkish sultan's guard.

He arrived in Izmir [called Smyrna at that time] on July 23, 1816. The family Maraccini, the Consul of The Netherlands, received Otto Friedrich. He had developed a serious sickness. The family of the Consul took loving care of the young gentleman from the Baltics. The Doctors diagnosed the ailment as an inflammation of the intestines. They thought it was caused by bodily exhaustion suffered after an extensive investigation of the ruins of Ephesus.

There is a letter he wrote to his parents from Smyrna in which he praised enthusiastically the wonders of his travels. The letter ended with the words: "And for all of this I would like to thank you, my father, and you, my dear mother." It was a letter of farewell. He never wrote again.

Otto Friedrich von Richter died on August 13, 1816 at the age of twenty-six. The last ten days of his sickness were difficult. He developed a high fever. He suffered excruciating pains. Two days after his death he was buried at Smyrna in a coffin of white marble. By personal decree of his Majesty the Czar of Russia every piece of his collection, his diaries and his manuscripts were shipped via Sweden back to Estonia.

There is no doubt in my mind — the young Richter who succeeded in sending home to the Baltics a total of 126 Egyptian artefacts had a purpose that went far beyond the fashionable taste of a private collector. He himself like all of his forefathers considered the Baltics his homeland. And he wanted to let this home country of his participate in the scientific investigation of ancient cultures and the newly developing science of the 19th century. Looking at that time with today's knowledge, one would have to admit it was a fairly grand illusion that a basically German family like my ancestors were called the Baltic States their home country. For Otto Friedrich and his forefathers of two, three hundred years, it

was considered a fact of life: they were gentlemen from the Baltics, and the Baltic States were their home.

It is not my task — indeed I think it is not anybody's task to question the motivation of people who lived and worked 200 years ago. The Richters of that time certainly wanted to contribute something of value to the country they considered their home. The fact remains that one of them lost his life in pursuing this task.

At a funeral gathering back home one of his friends presented the epilogue. He said, "You, my dearest friend of my soul whom I miss so grievously until we meet again in another life — I do hope you find rest in the land you dreamt so intensively about when young. You left us too early, much too early! But there is a value to die for the cause of science; and anyhow it is more beautiful to die for a cause instead of only dying of old age."

I am seeking your permission to end this excursion my family has taken with an opinion that has nothing to do with politics, nothing to do with jurisdiction, with international law or international agreements. A very personal opinion, a personal statement. My young ancestor died for a cause — the family would be immensely grateful if this conference could help to re-establish the purpose of his young life: the restitution of the Richter collection to the place they had selected for it — the Art Museum of Tartu University in Estonia.

The Formation of the Art Collection of Voronezh Fine Arts Museum

Elena Pchenitsyna

Head Treasurer of Voronezh Fine Arts Museum,
Russian Federation

Voronezh Regional Art Museum named after Ivan Kramskoy opened in 1933. The formation of the museum's collections began considerably earlier in the middle of the 19th century when the idea for the Gubernia Museum occurred in Voronezh. The source of the idea was an attempt by Voronezh scholars and historians to found a memorial exposition at the beginning of the 19th century on the work Peter the Great and his companions did to construct at the Voronezh a shipyard for the Azov Fleet. The Minister of War turned over more than a hundred prints made in Peter's time to the Committee for the Foundation of the Memorial. Many of these prints were by the 18th century master of printmaking, Alexei Zubov. Thus the foundation of the collection for the future museum was laid. All these prints are now kept in the museum collection. The prints were exhibited at the museum's exhibition *300 Years of Russian Fleet* in 1996.

The Committee for the foundation of the museum was led by the priest, Stepan Zverev, future director of the Gubernia Museum. Among the other founders of the museum were Nikolai Vtorov and Leonid Veinberg. They researched the history of Voronezh Gubernia and collected items for the museum. The opening of Voronezh Gubernia Museum took place September 9, 1894. From

the moment of its opening, the museum held departments for history, ethnography and art.

Art collection of the Gubernia Museum grew with art donated by the Mitrofanov Monastery and the Voronezh Mikhailovsky Cadet Corps. These were portraits of highly notable persons in the Czar's palace by unknown artists of the 18th to 19th centuries. The Voronezh Government presented watercolours by Sergei Pavlov, the drawing instructor of the Cadet Corps, as well as icons and works of applied arts. Many interesting exhibitions were organised at the museum at the end of the 19th century. The exhibition covering the Ekaterine Epoch, an exhibition of religious paintings, an exhibition of printing and an exhibition on the Orient are some examples. Museum carried out active archaeological activities. All this increased the prestige of the museum. The collecting and scientific work made it possible to start publishing *Voronezh Regional Studies*. At the beginning of 1920's, the art department of the Gubernia Museum received a notable collection of Russian and Western European paintings, a number of which were from Oldenburg Princess's Olgino Ramonsky Palace. Among the other paintings acquired were works by our famous Russian artist Ivan Kramskoy. The contemporary art collection got works of art from the Voronezh Art School, which included portraits and landscapes by Kuznetsov, Mashkov, Falck, Natalia Gontsharova, Kuprin and compositions by Vassily Kandinsky and Kasimir Malevich.

Besides the Gubernia Museum there was the Museum of Antiquities and Fine Arts at Voronezh State University. Nikolai Bezzubcev, the treasurer of the Museum, characterized the Museum of Antiquities and Fine Arts in the period of the 1920's in his article in the *Voronezh Regional Studies I*, 1924. Bezzubcev said that the main goal for the museum was to give provincial university students an understanding of the distinctive features of the cultures of different nations and epochs through original works of fine art. Under the care of Professor Vasili Regel, the Rector of the University, who personally guided the work of the Museum and its directors, Professors Felsberg, Krashennnikov,

Kurdinovsky, Uspensky and Bogoyavlensky each following the other have conscientiously carried out their duties so that with the support of the University's Scientific Council the museum attained a good working reputation among the other university museums of that time.

The art collection of Voronezh University had high cultural-historical and artistic value consisting of works of art from Ancient Egypt, Greece and Rome and works from Russian and Western European sources. The artefacts and works of Art included paintings, prints and also a numismatic collection. It should be underlined that the Museum of Antiquities and Fine Arts in Voronezh has conscientiously carried out the traditions, which were laid down at the foundation of the museum at Dorpat Imperial University in 1803. A professor of classical philology, Johann Karl Simon Morgenstern (1770–1852), the first director of the museum was the founder of its art collection. Professor Morgenstern is remembered for the depth of his education and his tireless scientific and literary activities as well as his active participation in university life. The museum collection was enlarged with the purchases and gifts from the Imperial Archaeological Commission, with donations from university professors and private persons who loved the classical periods in the history of art. The University at Tartu was the very one from which the University of Voronezh was formed in 1918. This action was taken under the authority of the Council of People's Commissariat of Soviet Russia. As well, the museum at Tartu University was the museum from which the Art collection of Voronezh University came.

These two collections, the art collection of the Gubernia Museum and the collection of the Museum of Antiquities and Fine Arts were the sources for the new collection of the Voronezh Regional Fine Arts Museum. The Museum was opened January 15, 1933 by the decision of the Presidium of Voronezh Regional Executive Committee.

During the years of the Great Patriotic War, the larger part of the Fine Arts Museum collection was evacuated to Omsk in Siberia. The western bank of Voronezh was occupied by fascists. Two collections were destroyed — a collection of icons and a collection of 1920's and 1930's paintings. The paintings were replaced with works of art taken as compensation after the war years. Fortunately, the larger part of the collection survived thanks to the efforts of the museum's workers and to the art restoration experts from the Moscow Grabar Center, with whom we have worked since the 1950's.

Today Voronezh Regional Art Museum named after Ivan Kramskoy owns a unique collection of antiquities, Russian and Western European paintings, prints, applied art, sculptures, paintings by the famous regional artists Kramskoy, Butchkuri, Kiselyova as well as the paintings of contemporary Voronezh artists.

Worth special mention is the wonderful Egyptian Antiquities Collection. It is rather small but some of the exhibits have great historical and artistic value. The Egyptian collection, now at our museum, was collected by Otto Friedrich von Richter (1792–1816). After his death his father presented the collection to the University at Dorpat. The Richter Collection contains a painted wooden sarcophagus, small stelae, statues of divinities, ushebti, amulets, scarabs, and objects from the daily life of Egyptians. The Voronezh Egyptian collection belongs to the New Kingdom period. The collection has always been of interest to researchers. A complete description of the sarcophagus was given by Turayev in *Description of Egyptian Antiquities in the Russian Museums and Collections*, published in the *Studies of the Oriental Department of Russian Archaeological Society*, 1899. The sarcophagus and the rest of Egyptian collection of our museum were studied by Evgeny Bogoslovski in the 1970's. He published his articles on the museum's Egyptian artefacts in the *Studies of Ancient History*. The author also gave a historiography on the research of these artefacts. In 1991 the Egyptian collection was on display in the Pushkin State Museum of Fine Arts in a Moscow exhibition entitled *Egyptian*

Antiquities from the Museums of the USSR. In 1998 our Egyptian collection was published in the *Catalogue of the Egyptian Collections from the Museums of Russian Federation, Ukraine, Byelorussia, Caucasus, Central Asia, and the Baltic Countries* prepared by Dr. Oleg Berlev and Prof. Svetlana Hodjash. Now our museum is collaborating with the Institute of Egyptology at the Russian Academy of Sciences in the study of this collection.

The Fine Arts Museum is one of the very important culture centers in Voronezh. It is located in the town centre in an 18th century palace built by the architect Ievski in a style of so-called provincial baroque. Continually, the Museum is rendering help to the other museums, libraries, schools and universities through its collections. The museum researchers organize our exhibitions and lectures and provide guided tours as needed.

An album on the Museum's collections was published in 1984. It was entitled: *Voronezh Regional Fine Arts Museum*.

The Legal Basis for Tartu University's Claim to the Morgenstern Collection and the Subsequent Restitution Activities

Anu Laansalu

Restitution Project Manager of Tartu University, Estonia

The restitution of the cultural property is a sensitive topic in international political relations. The twists and turns of the history are the reason why we are confronted with so many problems. However, to ignore these problems would be wrong, as historical injustices must be addressed. One reason why cultural property has been removed is war. In the last century Europe has experienced two general wars — the First World War and the Second World War. Tartu University lost its art collection, now in Voronezh, during the First World War.

For 85 years Tartu University has been deprived of its Morgenstern Art Collection. In September 1915 the original artefacts in the collection held by Tartu University were evacuated to Imperial Russia first to Nizhny Novgorod, which was farther from the frontlines. In 1918 the collection was transported by train to Voronezh. Under the terms of the Tartu Peace Treaty of 1920, negotiated between Soviet Russia and the newly independent Republic of Estonia, this collection was to be returned to Tartu University. The legal basis for the return was Article XII, 4: The Russian government shall restore to the Estonian Government all property of the University of Tartu, and of other educational

institutions, which is, or was, situated in Estonian territory and has been removed to Russia. Such property shall include libraries, records, documents and, in general, all other objects having a scientific or historical interest for Estonia. Such restitution shall only be made so far as the whereabouts of the property is known to the Government or public institutions of Russia, or shall be revealed to them.¹

Soviet Russia did not meet its obligation to return Tartu University property in its entirety. Neither did the Soviet Union or the Russian Federation return the artefacts of Tartu University withheld by Soviet Russia, which was their duty under international law as the legal successor states. The collection remained in Voronezh although the re-evacuation commission worked in 1920, 1921, and 1922 to put into effect the treaty obligation to return the collection to Estonia.

The art collection of Tartu University was kept in the Voronezh State University until 1933 when the newly founded Voronezh Museum of Art took physical but not legal possession. The works of art and ancient artefacts in the Morgenstern Collection were the first of their types to be acquired by the Voronezh Museum. The Morgenstern collection that belongs to the oldest and most prestigious Estonian university remains at the Fine Arts Museum in Voronezh to this day. The numbers of pieces held in Voronezh from the original art collection of Tartu University are as follows: 228 Greek vases, oil lamps and terracottas; 23 ancient Greek and Roman marble and bronze statues; 126 Egyptian antiquities; c. 6,000 coins; 128 paintings; 51 drawings; numerous engravings as well as some less significant artistic works. The Museum in Voronezh had no historical role in the foundation and growth of the collection, and the collection remains in the Russian Federation

¹ No. 289. Esthonia and Soviet Republic of Russia. Peace Treaty, signed at Tartu, February 2, 1920. — League of Nations. Treaty Series. Publication of Treaties and International Engagements Registered with the Secretariat of the League of Nations, Volume XI. Geneva, 1922. P. 65.

without legal justification. Despite of having no legal rights to that collection the museum in Voronezh has developed an owner's attitude to it during the past decades. But can such an attitude be a legal justification for ignoring the principle of restitution of property to its owners.

As the collection grew in the 19th and early 20th centuries from Morgenstern's original work, it gradually became a part of the cultural life of Dorpat (Yuryev) i.e. Tartu University. It is historically connected with the persons who moulded this centre of learning. They established the standards of excellence in academic and cultural achievement for which Tartu University is now well known and of which the Morgenstern Collection is a prime example. The collection carries the legacy of those times and persons and, therefore, rightfully belongs to the legal as well as the historic heir, Tartu University.

In 1987 the atmosphere at Tartu University was quite different from today. The whole of Estonian society was awakening from a period of stagnation under totalitarian rule. The conditions in the Soviet Union had turned toward openness and freedom so that it became possible to ask without risk why an art collection, which grew at Tartu University, should not be and must not be at Tartu University. To bring forth such questions at the beginning of these times even at Tartu University was not easy because the old thinking — that only higher authorities should make decisions, exercise leadership, and determine the parameters of political discussion — was still governing. But soon after visits to Voronezh by the museum's staff, the University administration commenced steps to recover the collection. At the same time the issue was presented to the Estonian public through the press and electronic media. All the historical documents relating to the art collection from the pre-war and post war periods were assembled in anticipation of renewed negotiations. Since that time the Art Museum of Tartu University has maintained a documentary record of the negotiations undertaken with the various political and cultural institutions of the Russian State.

The status of this collection and the importance of the collection prompted appeals for the return of the cultural artefacts to Estonia. Contacts at the Governmental level started in April 1988 with a proposal for negotiations on restitution to the USSR Ministry of Culture. The renewed process to finish the re-evacuation, interrupted in 1920's, had started. Tartu University has maintained consistently from the beginning of its appeals that:

- the issue of the Tartu art collection, evacuated to Russia in 1915, is mainly judicial one and as such needs a settlement on the basis of generally acknowledged legal principles and norms;
- Tartu University is the legal successor of Dorpat (Yuryev) University, and the title to this property passed to the legal successor of Dorpat (Yuryev) University, i.e. Tartu University;
- the restitution of the art collection to Tartu University was agreed to by the signatories of the Tartu Peace Treaty of 2 February 1920 under Article XII, 4;
- taking into account the absolute character of property rights, Tartu University considers it lawful to demand the return of its property;
- following recognition of Tartu University's title to this property, the University is ready as a sign of goodwill for additional negotiations on restitution process, taking into consideration the importance of the collection to its present preserver.

The history of bilateral negotiations falls into three periods:

Official government-to-government contacts began in April 1988 with a proposal from the Estonian SSR to the USSR Ministry of Culture for restitution negotiations. The USSR Ministry of Culture then directed the Fine Arts Museum of Voronezh to compile a response to the Estonian proposal. The Estonian Government received this response through Moscow in late July 1988. The

Russian authorities gave the following justifications for the retention of the collection in Voronezh²:

- Soviet Russia has returned all the property of Tartu University under the terms of the Tartu Peace Treaty excepting a small part of the collection that remained in Voronezh under a bilateral agreement between the Universities of Tartu and Voronezh;
- the Fine Arts Museum is the only art museum in the Voronezh region. The restitution of Egyptian and Greek antiquities would mean an uncompensated loss for the museum, which is active in the promotion of art and aesthetic education among the working people of the Voronezh region;
- not a single piece in the collection is Estonian in origin;
- is it not more reasonable to hold the collection in a special art museum than in the museum at Tartu University?

Tartu University did get back a significant part of its evacuated property in 1920 and 1921. However, to placate the Soviets and thereby hasten the return process, Estonia was obliged to sell to the Soviets 304 Russian autographs, 34 manuscripts in Russian, two death masks of Pushkin, several engravings and 78 drawings. Altogether a sum of 15,165 gold roubles was received.³ The Russians also received the library of Rastorguyev and several books from the library of Neustroyev. Yet the archival documents do not reveal any agreement to leave a meagre part of the collection in Voronezh, nor do they account for the artefacts still held in Voronezh for which no compensation was ever received. The documents do, however, tell about obstacles suddenly placed in the path of re-evacuation commission, and, more ominously,

² Letters of 21 June 1988, Nr. 13-10/A-2492 from Mr. Ivan Shabanov, the Vice-Chairman of the Executive Committee of People's Deputies Council in the Voronezh Region to Mr. Aleksandr Shkurko, the First Deputy to the Minister of Culture of the Russian SFSR; and of 26 July 1988 Nr. 3775-03/15-41 from Mr. Vladislav Kazenin, the Vice-Minister of Culture of the USSR to Mr. Ain Soidla, the First Deputy to the Chairman of the Council of Ministers of the Estonian SSR.

³ Eesti Riigiarhiiv / Estonian State Archive. F 1108, nim 5, s 157. Lk 68.

allegations that boxes were illegally unpacked, and the refusal of the Russian authorities to allow Estonian authorities to investigate the situation.

While it is true to say that the artefacts in the collection did not originate in Estonia, they did not originate in the Voronezh region either. Just as the academics of numerous Russian museums did, the academics of Tartu University developed their collection in the nineteenth and early twentieth centuries when it was accepted practice to remove of artefacts from the countries of their origin.

The propagation of art and culture by one institution should not be done with artefacts originally collected by and belonging to another institution. Further, in the case of the Fine Arts Museum of Voronezh, it has a rich collection of art apart from the artefacts evacuated from Tartu with which to promote art and aesthetic education.

The reply compiled in Voronezh indicates that its authors did not appreciate the underlying judicial principles of the appeal made by Tartu University. Estonia's claim is in full accordance with the provisions of Hague Convention of 1954. The convention states that it is the duty of signatory States to prohibit and inhibit the unlawful acquiring of cultural property in any form.⁴ The USSR was a signatory state of the Hague Convention of 1954, and the Russian Federation, as the successor state, is bound to fulfil the obligations undertaken in the Convention. As to the return of cultural property, international law does not recognise that the rights of the legal owners expire with time. Every state administering the cultural property of another country is responsible for its preservation and is obliged to return such property at the demand of the legal owners.⁵

⁴ Final Act of the Intergovernmental Conference on the Protection of Cultural Property in the Event of Armed Conflict. UNESCO. Article 4.3. The Hague, 1954. P. 10.

⁵ Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property. UNESCO. Paris, 14 November 1970. P.2.

In April 1988 Tartu University appealed the issue to the Culture Fund of the USSR. Tartu University was supported in its efforts by the Culture Fund of the USSR and its Chairman, the Academician Dmitri Likhachev. The Culture Fund has acknowledged Tartu University's legal rights to the collection and supported its return to Tartu University. I should like to quote the Academician's letter 01/4287 on December 9, 1988 to the Presidium of the Supreme Council of the USSR, at the start of his letter, he gave a synopsis of the problem with its historical background and then he wrote, "In this case the Soviet Culture Fund feels it is vital to draw attention to not only on judicial side of the question but also to its social-political significance. The latter needs in particular a careful approach to the problem of returning the treasures so that the further positive development of international relations is not hindered. The Board of the Soviet Culture Fund believes it is correct to support the appeal of the people of the ESSR for the return of treasures in question to Tartu. It is necessary to take into account that these treasures are an essential part of the collection of the Voronezh Museum, which has preserved them since 1932 and through a second evacuation during the years of the Great Patriotic War. The Voronezh Museum also carried out on the treasures needed restoration work. In the event of satisfying the claim of Tartu State University and the Estonian Culture Fund, [we] believe that at the same time actions could be taken to replenish the stocks of the Voronezh Art Museum from the reserve stocks of the other museums of the RSFSR. The central museums of the [Russian] state have on display as a rule 1.5 to 5 % of all the items in their collections."⁶

As a result of the appeals from Estonia and the letter of the Academician Likhachev, an Estonian-Russian mixed commission was set up to settle the dispute. The commission, as constituted, was a sixteen-member body with eight members from Estonia and eight members from Russia. The commission met for its first joint

⁶ Letter of 9 December 1988, Nr. 01/4287 from Academician D. S. Likhachev to the Presidium of the Supreme Council of the USSR.

session in February 1990. During this joint session, the Estonian commission members put forward the points I have mentioned previously with some small variations:

- the issue of the Tartu art collection, evacuated to Russia in 1915, is mainly judicial in nature and as such requires a settlement on the basis of generally acknowledged legal principles and norms;
- the legal basis for restitution is that Tartu University is the legal successor of Dorpat (Yuryev) University, and that the title to this property was transferred to the said legal successor of Dorpat (Yuryev) University (i.e. Tartu University), under Article XII section 4 of the Tartu Peace Treaty concluded between the Estonian Republic and Soviet Russia on 2 February 1920;
- taking into account the absolute character of property rights, it is lawful for Tartu University to demand the return of the property evacuated from Dorpat (Yuryev) University in 1915;
- following recognition of Tartu University's title to this property, additional negotiations on the order of the restitution process should take place taking into consideration the importance of the collection to its present preserver and the importance of maintaining goodwill between the parties.

Unfortunately, the Russian commission members did not address any of the preceding points during the joint session but instead claimed that the collection under discussion did not originate from Dorpat (Yuryev) University in the first place. However, the two sides did agree that they would present reports on the historical and legal arguments concerning the succession rights of Tartu University and the ownership problems related to the collection held in Voronezh. It was decided to set up working-groups both in Voronezh and in Tartu to examine the inventory lists in order to establish property rights. The Estonian side presented their report to the Ministry of Culture of the USSR in early April 1990, but there was no corresponding report from the Russian commission members. The work of the commission vanished into the political changes of the early 1990's.

The second period of bilateral negotiations was from 1990 to 1992. The Ministries of Culture of Estonia and Russia worked on a Treaty of Cultural Co-operation. The negotiations were concluded and a Treaty signed by the respective Ministries in May 1992. Article 6 of the Treaty covered historical and cultural artefacts that for various reasons were held on the respective territories of signatory states. The Treaty produced few if any concrete results, but it was a basis for further negotiations so in that sense some useful work was accomplished.

From 1992 to 1995 governmental delegations from the Estonian Republic and the Russian Federation conducted a third round of negotiations. A working group was formed from the members of the respective delegations. This group prepared a Proposed Treaty of Co-operation for the Preservation of Cultural Property. In this Treaty the two Governments, in accordance with the norms and standards of international law, agreed in Article 5 to return cultural property that had been illicitly exported from or imported to their respective territories. The Treaty was ready for signing in May 1994. The Head of Estonian Archives, then the Estonian Minister of Culture, travelled to Moscow in 1994 to sign the Treaty, but the Russian government delayed the signing. In the summer of 1997, the Estonian Government independently established a commission of experts to deal with the question of Estonian cultural property situated abroad. The members of the commission have made continuing efforts on the two most significant aspects concerning restitution of Estonian cultural property, first, compiling lists of the cultural artefacts held in the Russian Federation in contravention of bilateral agreements and international law and second, reopening negotiations with the Russians.

Since the beginning of 1998, the Commission has worked with a high level inter-governmental commission on cultural co-operation between Estonia and Russia. In a plenary session of that intergovernmental commission in June 1998, the Estonian appeals for the return of the Republic's golden Presidential emblem and the art collection of Tartu University were discussed. The next

working session was scheduled for December 1998. There was then a renewed hope for the conclusion of the Treaty on the Preservation of Cultural Heritage. In the interim the Government of the Russian Federation was expected to provide access to the materials and ensure their preservation. It was hoped at the time that the 20th century would close with the restoration of important elements of Estonia's cultural heritage.

The delay in signing the Treaty continued until the December 1998 date when further progress was made. The plenary session of the Intergovernmental Estonian — Russian Commission signed an Agreement to co-operate in preservation of cultural property. The cultural properties covered under the Agreement include historic or artistic objects and archives with cultural or legal ties to one signatory country but held on the territory of the other. Three general principles in regards to such objects were agreed to. First, the citizens of both countries have free access to these objects. Second, both governments agreed to aid in the identification, cataloguing and preservation of such cultural objects. Third, each government would assist in the recovery and the restitution to the legal owners of cultural objects that were illicitly held on their territory or were illicitly exported or imported.

Some practical steps toward implementing co-operation followed when the Estonian and Russian expert commissions met in Voronezh in December 1998. The task of the expert commissions was to formulate specific proposals for dealing with that part of Tartu University's art collection currently held by Voronezh Fine Arts Museum. The Protocol of Co-operation between Tartu University Art Museum and Voronezh Fine Arts Museum in Voronezh was negotiated and signed. Under the terms of the Protocol, both institutions guaranteed free access to researchers to those artefacts and art works whose ownership is under dispute or that hold a special historical or cultural significance for Estonia or Russia. The two Museums also agreed to jointly prepare and publish printed materials based on the collections in question and to organise exhibitions from these collections. A scientific

conference to be held in Tartu about the history and disposition of these collections was also agreed to. The conference we are now attending is the one agreed to in 1998.

Further practical steps were taken. Photographic sessions in summers 1999 and 2000 were conducted. During these sessions selections of the artefacts claimed by Tartu University were examined and photographed although full access to all items was denied on both occasions. A series of postcards with photographic images of artefacts were published by September 2000. This international conference, "Estonian Russian Co-operation in Museology: The History and the Disposition of an Art Collection Established by Professor Morgenstern in 1803 at Tartu University" is the latest step toward implementation of the agreement and the restoration of an important part of the cultural history of Tartu University.

Despite its clear title to the artefacts held in Voronezh, Tartu University sees the restitution as a process. This process continues. Tartu University also hopes that the process of building a truly democratic state in Russia will continue to progress. A democratic Russia will inevitably be a Russia that meets its treaty obligations to other States, both large and small.

Conference Summation

Dr. Peeter Tulviste

Chairman of the Town Council of Tartu,
Professor of Tartu University, Estonia

In the name of the Organizing Committee, I would like to say some words in summation. It is very difficult to draw a conclusion because the conference itself, indeed, is just ending, but concerning the art treasures under discussion, although for many years Tartu University has been working for their return, we are still only beginning the process. We have started a new stage of this process. Why new? At first I would like to say that if this conference is a beginning of something, then, in any case, it has been a good beginning and about good beginning is said that it is half of a win. I think that three things today are new and we can consider them as achievements.

First, for all who gathered here to discuss these questions, it was a lot of time and trouble to be here. Second, our discussions were open. In Soviet times difficult questions were also discussed, but without exception this happened behind closed doors. Our discussions have been from the beginning open to everyone and probably will leave this room through the media to all those countries with an interest in these questions. And third, today's conference will bring the discussion of Tartu University's art collection into an international context. We are not only talking among our Tartu University colleagues here but with people who came from other countries. Thanks to that international context, the

question of the art collection has achieved as well an international level of interest.

From the organizers I would like to thank first of all the people who gave yesterday's two background sessions on the Morgenstern collection. We heard reports on legislative acts and judicial rules concerning the restitution of cultural artefacts. All the representatives kindly shared their experiences on restitution, and for that we also are very thankful. I think that I am not mistaken if I say that yesterday was articulated one principle, from which we can proceed. It is the principle of territoriality. Cultural and artistic collections belong in the country where they were created. I have tried to recall an alternative to this principal being mentioned, but I do not remember hearing one.

I am very happy that Tartu University has followed the principle of territoriality. Although, I have to say, we ourselves did not know that we were following that principle at the time. We have just returned some property to its rightful owner. We gave back to Petchory Monastery its library, which was taken by communists from the Monastery and subsequently given to the University Library in 1940. That library's collection was restored and catalogued here at the University. Then at the first opportunity we returned it to Petchory Monastery. So here at Tartu University we take pride in having once already applied territoriality.

Two more important principles were suggested in the conference sessions. The first principle, as mentioned by Professor Piirimäe, is that property rights are inviolable and should be given priority in the restitution process. The second principle, as mentioned by Professor Karpatchev, was that there is no urgent need to make passionate accusations about the motives people had for actions they took decades ago.

It is quite obvious that in this conference we did not reached an end to the debate on these questions related to the restitution of displaced cultural property. One could also understand why every

discussion did not proceed along a peaceful path during the conference. A lot of passions exist over this topic. I think there are at least two reasons for these passions. First, the two countries most directly concerned, Russia and Estonia. If we compare their shared history with the history of Sweden or Switzerland, then it is a miracle that something survived at all. I collect old books, and, therefore, I know when I visit a library in Switzerland or in Sweden, and I want to see 17th or 18th century books, then there they are by the tens of meters. The same is true in every proper second-hand bookshop. We do not have anything of the kind here. In those countries unlike here, there have not been revolutions, wars, and deportations — all these “splendid” things history has blessed us with. Therefore, it is quite clear why we have become a little too passionate over the treasures, which still remain. Sometimes passion is good but sometimes it is not. Second, in the Estonian and Russian and Ukrainian cases it concerns states, which could only strive for democracy and come into being with the collapse of the Soviet Empire. It is obvious that there is still the room for development in Estonia, Russia and the Ukraine. The conference confirms in my mind that democratic discussion about these topics is possible and that it will be some time before a democratic solution is found.

In conclusion, I would like to affirm that if it is possible for co-operation between Tartu and Voronezh universities to continue to be as good as it has been during the last years with the exchanges of students and lecturers, then there is good reason to believe that other elements of our respective institutions can and will co-operate as well.

Appendix

Conference Programme

Thursday, September 14

Arrival of conference participants

19¹⁵ Tour in the Main Building of the University

20⁰⁰ Welcoming address by Prof. Jaak Aaviksoo, Rector of
Tartu University

Friday, September 15

Opening remarks

10⁰⁰–10¹⁵ Address by Peep Ratas, Chancellor of the Ministry of
Education

10¹⁵–10⁴⁵ Mr. Evgeny Novitchihin, Chairman of the Committee
of Culture for the Voronezh Region — *Cultural
Situation in Voronezh*

10⁴⁵–11¹⁵ Address by Prof. Jaak Aaviksoo, Rector of Tartu
University

11¹⁵–11³⁰ Coffee break

Session I. International Law of Restitution

11³⁰–12⁰⁰ Prof. Dr. Wojciech Kowalski, Foreign Ministry of
Poland — International Law as it Pertains to the
Restitution of Cultural Property *

- 12⁰⁰–12³⁰ Mrs. Miriam Brewka, Division for Cultural Heritage of UNESCO — *UNESCO's Action for the Return and Restitution of Cultural Property*
- 12³⁰–13⁰⁰ Mr. Yuri Titov, Head of the Department of Restitution for the Ministry of Culture of the Russian Federation — *Russian Federation Law and Practice in the Area of the Restitution of Cultural Property*
- 13⁰⁰–14⁰⁰ Lunch

Session II. The Practice of International Restitution

- 14⁰⁰–14³⁰ Dr. Josefine Leistra, of the Inspectorate of Cultural Heritage in the Netherlands — *Dutch Results and Methods of Various Projects in the Field of Restitution*
- 14³⁰–15⁰⁰ Prof. Dr. Wojciech Kowalski — The Activities of the Polish State in the Area of Restitution of Cultural Property *
- 15⁰⁰–15³⁰ Dr. Regine Dehnel, Researcher for the Co-ordination Office of the Federal States for the Return of the Cultural Property – *Repatriation Activities in Germany in Completing the Database of Looted Art*
- 15³⁰–15⁴⁵ Coffee break
- 15⁴⁵–16¹⁵ Dr. Oleksandr Fedoruk, Chairman of the State Service for Control over Transferring of Cultural Treasures across the State Border of Ukraine — *The Restitution of Cultural Treasures to Ukraine and the Impact of Restitution on Cultural Revival*
- 16¹⁵–16⁴⁵ Mr. Peep Pillak, Head of Service for Private Archives Department at National Archives of Estonia — *Estonian Cultural Treasures Located Outside Estonia*
- 19⁰⁰ A reception in the Town Hall hosted by Prof. Dr. Peeter Tulviste, Chairman of the Tartu Town Council and Mr. Andrus Ansip, Mayor of Tartu

Saturday, September 16

Session III. The Morgenstern Collection

- 10⁰⁰–10³⁰ Mrs. Inge Kukk, Director of the Art Museum of Tartu University — *Tartu University Art Collection and the Trends of Artistic Taste in the 18th and 19th Centuries*
- 10³⁰–11⁰⁰ Prof. emeritus Dr. Helmut Piirimäe, Tartu University — *The Partial Evacuation of Tartu University During World War I*
- 11⁰⁰–11³⁰ Prof. Dr. Mikhail Karpatchev, Voronezh University — *The Evacuation of Yuryev University from 1915 to 1918 and the Foundation of Voronezh University*
- 11³⁰–11⁴⁵ Coffee break
- 11⁴⁵–12¹⁵ Mr. Sergei Stadnikov, Egyptologist — *Otto Friedrich von Richter's Journey to Egypt and Nubia in 1815*
- 12¹⁵–12³⁰ Mr. Leon Baron von Richter, Senior of the family von Richter — *The Historical Background of the Richter Family*
- 12³⁰–13⁰⁰ Mrs. Elena Pchenitsyna, Head Treasurer of Voronezh Fine Arts Museum — *The Formation of the Art Collection at Voronezh Fine Arts Museum*
- 13⁰⁰–14⁰⁰ Lunch
- 14⁰⁰–14⁴⁵ Mr. Vladimir Ustinov, Director of Voronezh Fine Arts Museum — *The Historical Aspects Surrounding the Problem of the Art Collection Established by Prof. Morgenstern **
- 14⁴⁵–15¹⁵ Mrs. Anu Laansalu, Restitution Project Manager for Tartu University — *The Legal Basis for Tartu University's Claim to the Morgenstern Collection and the Subsequent Restitution Activities*
- 15¹⁵–15³⁰ Coffee break
- 15³⁰–16³⁰ Open discussion: *Perspectives in Co-operation in the Field of Restitution of Cultural Property*
- 16³⁰–16⁴⁵ Summary of Conference Results — Prof. Dr. Peeter Tulviste
- 16⁴⁵–17⁰⁰ Closing Address — Prof. Jaak Aaviksoo, Rector of Tartu University
- 19⁰⁰ Banquet at Restaurant Atlantis

Sunday, September 17

Departure

- * Professor Kowlaski and Mr. Ustinov did not submit written texts of their reports.

