

**Seminar: Russia, Archives and
Restitution**
International Institute of Social
History Amsterdam, 24 September 2001.

Back from Nowhere. The restitution of Belgian looted collections (1991-2001)

1. The latest facts, August =01 (intro)

After a long period of relative quiet in the media, the Belgian press published at the end of August a news flash about the imminent restitution of archives from Moscow¹. We followed the developments during the last months closely and were very active before the summer B on request of the Ministry of Foreign Affairs B with the composition of the acts of the Belgian restitution-dossier. We learned also that the Russian Interministerial commission postponed its decision in July because it did not obtain its quorum. Although we learned by experience to be prudent, we were more than surprised by the outspoken positive press reports. Our inquiries in the Belgian Embassy in Moscow learned us that it was only a positive recommendation, about a decision which still has to be taken. The same diplomatic source speaks about the existing pressure to round off the administrative procedure, before the visit of the Russian President Putin to Brussels, within the framework of the Presidency of Belgium of the European Union. This would open the way of an official statement during a state visit, as in the Dutch case, and making the way of an approaching restitution of archives. So, first there is some more shading and anxious waiting.

2. The happy(?) ending of a long story : a chronology

But, finally, it seems that the long story has a happy ending. Let us briefly go over the Belgian experience, who was involved f.e. and which archives were the subject of our demarches? What was the sequence of events? I restrict myself to the crucial developments, without too many details and with the emphasis on the recent developments².

- The search for the archives of the predecessor of the AMSAB, the NISG (the National Institution of Social History) brought us at the beginning of 1992 to the Osoby-archives in Moscow. As a consequence of our visit (as first Belgian researchers), we discovered to our astonishment a larger and more diversified archives-treasure, of which we could only at that moment estimate the importance.

Our motivation, even our devotion came and still comes from the search to our archival Agrail@ the mythical archives of the institution, which preceded AMSAB : the NISG. This institution was founded in Brussels in 1937, not surprisingly as the IISH by an insurance company³. Before that date the Institute of Marxism-Leninism (IML) from Moscow was already active in Belgium. Luc Somerhausen, a journalist of the socialist newspaper Le Peuple, was contracted as a correspondent and took all sorts of initiatives in prospecting social archives. When the Amsterdam Institute started its activities in 1935, there must have existed a sentiment in Belgium that the cultural heritage had to be placed in an

proper Belgian institution. (Representatives of the insurance company made a working-visit to Amsterdam, months prior the foundation.) The small brother of the IISH wanted to restrict its activities to the Belgian territory (hence the name 'National Institute'). But I can not get rid of the impression (on the base of documents, still in Moscow) that the initiators of the NISG had a special attention for the archives- and documentation-material of the Socialist International, which was located in Belgium. (In the house of Adler in Brussels, but also in the dwellings of Huysmans and Vandervelde). So, although the modest name, a lot of ambition!

- The period after the discovery in Moscow (1992-93) can be best described as a time of 'Aha-erlebnis' and euphoria: everything seemed possible. We took a quick restitution in account. In Brussels there were discussions about the exchange of microfilms for the originals. In meetings, organized by the Ministry of Foreign Affairs, with all the proper institutions (the archives-sector, the heirs, a/o.) there was an effective partition of the archival collections. In the meantime, the Netherlands were, in the footsteps of France, negotiating a protocol of return with Moscow.

- A similar agreement with Belgium was in December 1993 in the packet of documents, prepared for the signature of President Jeltsin, during his state-visit in Belgium. We were witness of the sincere astonishment of the Belgian diplomats, when at the last moment the Russians retracted the agreement. There existed a general annoyance about the unclear juridical argumentation. We understand now that on the legal side the situation had to be clarified, but the turn came through the pressure, imposed by nationalist forces. They had a majority in the Douma, which patronised the legislation on the 'Atrophy-archives' (as they call them). A situation that led to the freezing of any possible restitution for many years. The signification in Moscow of these matters and the effect on the local public opinion was completely miscomprehended in Western Europe. The case was difficult to explain to the home front, because the handling by the Russian government was mildly said, ambiguous.

It was a period of mixed feelings to us. There was disappointment about the developments and frustration about the legal complexity, which we could not grasp. On the other hand there were hopeful prospects, when the microfilming of a selection of the Belgian archives started⁴. Or when new Belgian fonds were discovered and later additional files in the so called Osoby-collections. (These were not classified on provenance but brought together on the basis of language : 20 % of the 'French' files proved to be of Belgian origin). And there developed a sympathetic, warm and professional understanding with our Russian colleagues. There was also a surprising small brochure about the Belgian archives, published by the Osoby-staff themselves⁵.

At the same time the international pressure was kept high, but the Ministry of Foreign Affairs did not engage themselves in this dossier and were difficult to move to take initiatives. This roll was taken up by the Ministry of Economic Affairs, where an one-persons-service (Jacques Lust) succeeded in coordinating the Belgian actions. At regular times there were deliberation meetings, where the problems on the restitution of cultural goods were discussed. The affair was more or less stuck, but I remember from these initiatives the personal contacts, which started a network : you learned to know everybody in our country, who was involved in these matters. There was also a beginning on the international level of developing contacts : in 1996 there was a meeting between the Benelux countries and France, which unfortunately had no succession. This Service Recuperation of Cultural Goods of the Ministry of Economic Affairs was also involved in

the magazine ›Spoils of War=. I do not forget the international congresses : Amsterdam in 1996 and Moscow in 1999. Research is essential in these efforts of restitution (it is not the purpose of my contribution here, but) : the good perception of the mechanisms and the motivations of the spoils helps the research in these lost archives.

It is appropriate here to give due praise to the work and the persistence of Patricia Kennedy Grimsted, who plays an important role in stimulating an international approach. Her publications are standard works of reference to us.

- Break-through (1999-2001) and ›trading=

- Although the result of the restitution law (April -98) remained unclear, there was introduced an official Belgian claim by an letter from Prime Minister J.-L. Dehaene. in February 1999. This was within the limit of the term of 18 months, which was stipulated in the stringent Russian law.
- But after the arrest of the Russian High Court (July -99) and even before the new amended restitution law was voted in May 2000 the Russian strategy changed: they were willing to negotiate. In the autumn of 1999 our Minister of Foreign Affairs, Louis Michel, received in Moscow the guarantee that the Russian were agreeing on the principle of restitution.
- In November -99 followed a first discussion in Moscow. The Amsab was the official representative of the private archives, our colleagues of the Royal Museum of the Army were there as observers of the public archives. This opening session went very slowly, even afterwards there was no agreement on the report of the meeting.
- Especially the financial demands were an obstacle. The archivist of the Ministry of Foreign Affairs, who was in charge of the mission, maintained a harsh attitude even on the principle, which we subscribed. In this context the idea of a Study Fund was introduced and initially accepted by the Russian Ministry of Foreign Affairs.
- It looked like the Belgian dossier was blocked but there remained positive signals coming from Brussels, with:- the official indication by the Ministry of Foreign Affairs of Belgian experts and -the organisation of a mission, which had to make a list of the Belgian archives. Although there was not yet an official agreement (which was normally a decisive condition). This preparative actions were finished by October 2000.
- What we retain from this episode is that -for the first time since the efforts of the Ministry of Economic Affairs B a professional and workable coordinating structure in our country existed, under the Ministry of Foreign Affairs.
- As an answer on our extensive list of material of Belgian provenance, 2 of the 5 categories were eliminated by Rosarkhiv. Besides the archives from the Osoby (RGVA), we had also asked for archives transferred to the former IML and KGB (as indicated in the inventories of the Osoby) and archives (Socialist International) from the RGASPI and GARF, which needed more research. But it seems that what is not anymore in the Osoby, does not come in contention of restitution. In the same letter of reaction to our list of Belgian material Kozlov, the president of Rosarkhiv, exposed some Adifficulties@about the future settlements.
- Subsequent the dossier was taken over by a high diplomat at the Ministry of Foreign Affairs in Brussels, he was less principal about the financial settlement, although we made it clear that our mandates about the private archives did not allow financial engagements.
- From this point onwards the Ministry of Foreign Affairs seized the dossier with both hands and went in March 2001 to Moscow, to negotiate until the finish (Awith a sum to negotiate@). There were made allusions on favourable political situation with the future Presidency of the European Union of Belgium. The Belgian delegation came to an

agreement after harsh negotiations. In the final text the principle of free restitution was clearly stated, but it also mentioned a compensation needed for the costs made by the RGVA (Osoby): 130.000 \$. We were March 2001, precisely one year after the signing the restitution agreement with the Netherlands. Important to us was that in accepting the rejection of two categories of material by Rosarkhiv, the Belgian negotiators proposed an open ending clause: that will allow us Btheoretically- to introduce supplementary claims in the future.

- A complementary mission was agreed upon for the examination of the additional files we asked from the Osoby-collections and the printed material⁶. After this working visit in April 2001 there was a rather frustrating final meeting at Rosarkhiv. We were the first country to ask for files from the Osoby-collections. Nevertheless they were willing to follow this demand. But with the claim on the printed material we went too far. In this respect we were urged us to prove the provenance of every single item.

3. What is it all about ?

What is the content of the magic box of Belgian archives in Moscow? It contains a total of 20.000 files, that is a multiple of the amount of material claimed by the Netherlands (3.200 files). Or to make it more comprehensible: we are talking of more than one kilometre, 60 tons of paper in 120 cubic metre. The great quantity or 80% consists of archival material of public administrations. With one major fond: that of the Ministry of Defence (3/4 or 15.000 files). But in my opinion (and I am aware that this is not a very objective statement) the highest quality of material can be found in the archives of the different private organisations and persons. The Masonic papers (2.000 files) represent more than half of the volume of this category. The national structures (Grootoosten van België) as well as the local organisations are present there. Archival material of socialist provenance is also an important part with 30% or 1.300 files: here we find the papers of the National Institute of Social History, but also the freethinkers organisation AL=Affranchissement@ and the socialist newspaper Le Peuple or the personal papers of a politician like Arthur Wauters who brings us to the heart of the Belgian Workers Party. (It is interesting to mention that Wauters became a diplomat after the war. At the time that he was the Belgian Ambassador in Moscow in the early fifties his files were being classified at the Osoby-archive (see date of inventory). A smaller but also interesting part concerns the liberal movement in our country with the personal archives of Emile de Laveleye (secretary of the Liberal Party) and of professor Mahaim f.e. who was a high rank official at the International Labour Organisation. It is clear that this material has a high potential for research. The Belgian claim covers 40 archival fonds that are mentioned in the official list (in their totality or partially). But we were not able in the actual state of our research to document every demand with the same strength. And as we know now that from the Dutch claim over 31 fonds (3.200 files) only 22 (1.200 files) were met, it is with some uneasiness that we await the details of the final decision in Moscow. So wait and see. But I must confess that I don't feel very comfortable with the way things were handled. We really had to bargain the deal. The discussion was not only on the price but also (and this still goes on) on the categories of material that were Aavailable@. But from the point of view of the private archives there will be no conversion of the costs (according to the number of boxes demanded: this was one of the scenario-s that went around at a given time) and the transport costs will be paid by the Ministry of Defence. They were already planning to send C-130 airplanes to Moscow (4 flights are needed) and they could include our fonds without increasing the bill.

4. Prospects for future cooperation

During our experiences in Russia there was a clear distinction between the professional level; our colleagues archivists in Moscow who understood our point of view, also from a deontological approach -on the one hand-. And -on the other hand- the political decision making level; also within the archival administration. Concerning the cooperation with the Russian archivists we took the option from the very beginning of our research in Moscow of employing a colleague of the former IML (at present RGASPI) as a "correspondent". This has allowed us over the years to forge a professional link between colleagues. We gain insights into their situation and they become more understanding with regard to our questions. We have no hesitation in stating that the research results that we were able to achieve would not have been possible without the commitment of colleagues in our partner institution. This co-operation has been a positive experience for us throughout. It is based on mutual respect and draws its strength from a common concern for our historical heritage. This opens prospects for common projects in the futur. Less positive is the observation that the necessary and essential information on the provenance and migration of the Belgian archives is not readily available. Although GARF and RGVA (Osoby) must have such evidence at their disposal, they are very reluctant in sharing it. I sometimes have the impression that we are asked to provide proof of what is hidden somewhere in the own files of the institution. All along the restitution saga it has been the task of Amsab-researchers (dr.Wouter Steenhaut and me) to secure the continuity of the follow-up and to stimulate the initiative. We organised the search for the necessary mandates (from persons and private organisations) and were also involved in editing the list of Belgian material. Our research on the matter surely helped us to convince people in Brussels (to act) and it also enabled us to formulate documented claims. It is our intention to continue that research even after the restitution from Moscow. We hope we can do so in a context of international cooperation.

Michel Vermote 24 September 2001

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Notes

¹ De Standaard, 30 augustus 2001: ARusland geeft Belgische archieven terug and De Morgen, 30 augustus 2001: ARusland wil archieven ruilen met België

² About our experiences in Moscow we published: AEen Zoektocht naar Archieven. Van NISG naar AMSAB, Gent, Amsab, 1997.

³ The socialist cooperative insurance company ALa Prévoyance Sociale

⁴ Mostly socialist (by Amsab) and freemason material (by the Université Libre de Bruxelles).

⁵ M. Mukhamedjanov (ed.): Fondy bel-giiskogo proiskhozhdeniia: Annottirovannyi ukazatel , Moscow, TsKhIDK, 1995. (Flemish translation: Fondsen van Belgische herkomst: verklarende index, Gent, Amsab, 1997).

⁶ It concerns printed material which originally was a part of one of the Belgian fonds. It can be defined as **Printed archives**, cf.: Walne, P. (éd.) *Dictionary of Archival Terminology B Dictionnaire de terminologie archivistique. English and French. With Equivalents in Dutch, German, Italian, Russian and Spanish*. New-York, London, Paris, Munich, K G Saur, ICA Handbooks Series (vol. 3), 1988 (2nd ed.), p. 122, item 355. In an explanatory note accompanying the list of Belgian material we gave an indication of the criteria that could be handled in order to determine the origine of such material, as well as a proposal of a practical approach of the reintegration of this material into the original archival context on the basis of the principle of provenance.