

Candidate of Historical Sciences (Ph. D. in History), Senior Scientist Researcher,  
Department for Special Branches of Historical Science  
and Electronic Information Resources,  
Institute of History of Ukraine NAS of Ukraine  
(Kyiv, Ukraine), nataliya.kashevarova@gmail.com  
ORCID: <https://orcid.org/0000-0003-2426-0440>

## CRIMES AGAINST CULTURAL HERITAGE: THE EINSATZSTAB REICHSLEITER ROSENBERG AND THE NUREMBERG TRIAL

**Abstract.** *The purpose of the research is analyse the role and significance of documents of the Special Command Force of Reichsleiter Alfred Rosenberg (Einsatzstab Reichsleiter Rosenberg), considered at the Nuremberg Trial as sources for its activities in the occupied European countries in the field of confiscation and transfer of cultural property (art, other museum collections, libraries and archival collections). The methodology of the research is based on the principles of historicism, scientificity and comprehensiveness. The following general historical methods were used: historical-comparative, retrospective, methods of the historiographic and source study analyses. The scientific novelty. The location of the ERR documents in the general body of documentary evidence, involved by the prosecution as a source of coverage of Nazi looting of cultural property in the territories, occupied by Nazi Germany during World War II, as well as the problems and prospects of further cultural issues, values and archival search, are described. Conclusions. Particular attention was paid to documents relating to crimes against culture, since in the course of preparation for the trial they were referred to as crimes related to property loss. But cultural crimes mean not only the destruction, damage, or displacement of cultural objects, but also the spiritual heritage of the occupied countries. Reports, correspondence of the ERR itself, as well as the materials of interrogations of witnesses of this looting activity are briefly covered, among which were both employees of the ERR and various Nazi state and military figures engaged in the looting of cultural property in the occupied countries. The documents of the Special Command Force of Reichsleiter Alfred Rosenberg were involved in a small number of cases, mainly by Western Allies and the Soviet side's allegations of cultural property losses were based first on aggregate data on from the acts of the Extraordinary State Commission for Ascertaining and Investigating Crimes Perpetrated by the German-Fascist Invaders and their Accomplices. For example, the consequences of the operations of the Special Command Force of Reichsleiter Alfred Rosenber were attributed to the loss of cultural property to which it was not involved. It was found also that the role of other Nazi structures and organizations involved in the looting of cultural property was presented slightly during the process. The problems and prospects for further research on the issue of displaced and lost cultural property and archival search were also highlighted, especially the search for new documents in the archives of other Nazi organizations of the World War II.*

**Keywords:** World War II, Nuremberg Trials, cultural property, Einsatzstab Reichsleiter Rosenberg.

For many years after World War II, the Nuremberg trials remains a landmark historic event that remains relevant to World War II researchers and has great importance for the development of international law, given the first unique

experience of organizing and pursuing international criminal justice. Therefore, the significance of the Nuremberg trials will never be lost, given the magnitude of this international event and its particular historical significance.

An international military tribunal for the organization of an international trial against Nazi Germany was established in the summer of 1945 by representatives of four allied countries (USSR, US, UK, France). Nuremberg was chosen as the venue for it, and it also had a symbolic meaning, because it was that city, where during the Third Reich, for several years in a row, the NSDAP large annual conferences were held.

In total, over the course of several years, 13 lawsuits were held, the Nuremberg trial was the main one (November 1945 – October 1946), in which the 24 representatives of the Nazi party and state leaders, recognized as major war criminals, tried, and held hearings on recognition of the criminal nature of entire organizations (403 hearings in total). The defendants of the Nuremberg trials were charged with four major articles: 1) plans of the Nazi Party; 2) crimes against peace; 3) war crimes; 4) crimes against humanity<sup>1</sup>. After it, 12 additional processes (1946–1949) took place in Nuremberg by the American side (the US military) against a number of Nazi figures (diplomats, lawyers, military, judges, doctors, industrialists, etc.)<sup>2</sup>.

The four above-mentioned categories of crimes at the Nuremberg trial included a number of others, among which crimes against culture took a separate place. In particular, they were included in the group dealing with material damage, although crimes against culture meant not only the destruction, damage or displacement, for example, of art objects, objects of cultural heritage, especially museum, archival, library collections, etc., but the spiritual heritage of the occupied peoples and their historical memory<sup>3</sup>. At the Nuremberg Trials, the most important among the Nazi organizations involved in the confiscation and transfer of cultural property from the territories of other countries was the Reichsleiter Rosenberg Taskforce (German: Einsatzstab Reichsleiter Rosenberg, hereinafter ERR). It is still considered the largest Nazi organization engaged in the looting of cultural values of countries occupied by the Nazis during the Second World War, especially in France, Belgium, the Netherlands, the occupied part of the USSR, in Estonia, Latvia and Lithuania, which are a part of the USSR in 1940<sup>4</sup>.

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<sup>1</sup> For a brief summary of the Nuremberg process, see: *Дерейко І.І., Коваль М.В.* Нюрнберзький процес 1945–1946 // *Енциклопедія історії України*. – Т.7: Мі – О. – К., 2010. – С.497–498.

<sup>2</sup> The published materials of these processes see: *Trials of War Criminals before the Nuremberg Military Tribunal under Control Council Law No.10 [«The Green Series»]* / The Library of Congress. Retrieved from: [http://www.loc.gov/rr/frd/Military\\_Law/NTs\\_war-criminals.html](http://www.loc.gov/rr/frd/Military_Law/NTs_war-criminals.html)

<sup>3</sup> Культурні цінності в умовах ведення бойових дій та на тимчасово окупованих територіях: міжнародний досвід й Україна (оглядова довідка за матеріалами преси, Інтернету та неопублікованими документами за 2015–2016 роки). – К., 2017. – 19 с. Retrieved from: [http://nlu.org.ua/storage/files/Infocentr/Tematch\\_ogliadi/2017/cinnosti.pdf](http://nlu.org.ua/storage/files/Infocentr/Tematch_ogliadi/2017/cinnosti.pdf)

<sup>4</sup> However, the ERR did not carry out its activities in the territory of the Protectorate of Bohemia and Moravia and in the General Governorate (governor-general), primarily because they had a different status, and the issue of cultural property management in these territories was within the competence of other structures and individual representatives of the state. administration, as well as in the German Allies, for example, in Italy, where ERR employees analyzed press material for national socialism and collected material on the history of Freemasonry, as well as in Hungary. ERR activity was also limited in the Balkans.

For many years, World War II researchers have been turning to the evidence base of Nazism crimes involved in the process by the International Military Tribunal. But references to post-war and contemporary scientific literature on the coverage of the ERR activities in the occupied countries of Europe during the World War II and its role in the movement of cultural values are limited by the general and fragmentary information presented in the published documents of the process, as of the time of its holding, without analyzing the documents themselves in the structure of the general source base involved in the process, as well as memories of the fact consideration of the activities of ERR at the Nuremberg trials, most often in connection with the search for specific displaced or lost collections and objects of art<sup>5</sup>. The parties to the prosecution, on the basis of separate documents and data obtained from witnesses, were able to determine the main objectives of the ERR and establish its general structure, determine the extent of its predatory activities in various European countries. But current research on ERR archives documents, the two largest parts of which are approx. 130 thousand archival records, which are stored in the Central State Archive of Supreme Bodies of Power and Government of Ukraine in Kyiv<sup>6</sup> and in the Federal Archives in Berlin (Bundesarchiv Berlin)<sup>7</sup>, certifying that in limited conditions of the process – in the circumstances of short terms, difficulties in coordinating the work on the preparation of court proceedings, as well as the impossibility of processing the entire Allied source base, are inaccurate in some places given the ERR's workplaces, its scope, its individual decision-makers and the responsibility, generalization of the amount of damage inflicted by the ERR to the occupied countries where its structures operated. It does not affect the overall assessment of its work and the loss of cultural property caused by it, the damage caused not only to the material but also, to the spiritual heritage of the peoples to be under German occupation, as well as to the verdict of the Nuremberg Tribunal, since the main purpose of this judicial process, namely the condemnation of the ideology of national socialism and the punishment of war criminals for solving the war and its consequences, has been achieved. But it can help in the further direction of scientific search, since the theme of cultural values displaced by World War II remains extremely relevant<sup>8</sup>,

<sup>5</sup> At present, the fullest references to ERR documents submitted to the Nuremberg trials can be found in the publications of P.K.Grimsted. See, for example: *Grimsted P.K. Reconstructing the Record of Nazi Cultural Plunder: A Survey of the Dispersed Archives of the Einsatzstab Reichsleiter Rosenberg (ERR)*. – Amsterdam, 2011. – 432 p. See also: *Idem. Trophies of War and Empire: The Archival Heritage of Ukraine, World War II, and the International Politics of Restitution*. – Cambridge, MA, 2001. – 749 p.; *Idem. Art and Icons Lost in East Prussia: The Fate of German Seizures from Kyiv Museums // Jahrbücher für Geschichte Osteuropas*. – Bd 61, H. 1. – 2013. – S.47–91. See also: *Verschleppt und verschollen: eine Dokumentation deutscher, sowjetischer und amerikanischer Akten zum NS-Kunstraub in der Sowjetunion (1941–1948) / U.Hartung*. – Bremen, 2000. – S.221.

<sup>6</sup> Collection of documents of the Einsatzstab Reichsleiter Rosenberg Retrieved from: <http://err.tsdavo.gov.ua/>

<sup>7</sup> Einsatzstab Reichsleiter Rosenberg: NS 30 [Description of the Archive of the Rosenberg Operational Staff at the Federal Archive in Berlin] / Bundesarchiv. – Koblenz, 2004 Retrieved from: <https://invenio.bundesarchiv.de/basys2-invenio/main.xhtml?sessionid=hO37XZYXTuD0x8OusZ3hR1Cw>

<sup>8</sup> At different times, the aforementioned cultural values and restitution processes of the displaced as a result of World War II the aforementioned P.K.Grimsted, G.Freitag, U.Hartung, W.Eichwede, A.Heuß, N.Volkert, E.Adunka, etc., in Ukraine – S.Kot, T.Septa etc. have been worked. A more complete list, especially of those scholars, in the framework of the study of the problem of displaced cultural property

taking into account that many art and historical values are still considered lost. But this topic is difficult to research for a variety of reasons, including the large volume of source base and its dispersion in archives from different countries of the world, which complicates the search for hitherto found objects of art, as well as the legal and legal aspects of the topic related to issues of both international law and national law of different countries.

Therefore, first of all the purpose of this article is to highlight the Nuremberg Tribunal's assessment of ERR activities in the light of cultural crimes based on ERR documents involved in the Nuremberg trials and its published materials in the context of current ERR studies in Nazi-occupied European countries<sup>9</sup>.

The source of this review is the full published process materials that can be found in the dedicated online resource of the US Congress Library<sup>10</sup>, primarily the 42 volumes published by the United States in 1947–1949 (the so-called “Blue Series” (“The Blue Series”)<sup>11</sup>, containing primarily transcripts of the trial, and the so-called “The Red Series” of 12 volumes, most of which are publications of documents translated into English the language brought by the American side of the allegations as a source<sup>12</sup>, as well as the “Nuremberg trials” publication. Collection of materials in 8 volumes<sup>13</sup>. Materials from the Nuremberg Trials were transferred to the Hague, and can also be found at the National Archives and Records Administration of the United States (also known as the “National Archives”, hereinafter – NARA) (Washington)<sup>14</sup>. The materials of the Soviet

also works with ERR documents, was compiled by P.K.Grimsted: *Grimsted P.K. Reconstructing the Record of Nazi Cultural Plunder: A Survey of the Dispersed Archives of the Einsatzstab Reichsleiter Rosenberg (ERR)*. – Amsterdam, 2011. – P.10–11. A bibliography of P.K.Grimstead herself as of 2013 see: *Grimsted P.K. Displaced Cultural Treasures as a Result of World War II and Restitution Issues: A bibliography of publications Patricia Kennedy Grimsted; International In-te of Social History*. – First published January 31, 2002. Retrieved from: [https://iisg.amsterdam/files/2019-05/Bibliography\\_Displaced\\_Cultural\\_Treasures\\_as\\_a\\_Result\\_of\\_World\\_War\\_II\\_and\\_Restitution\\_Issues\\_0.pdf](https://iisg.amsterdam/files/2019-05/Bibliography_Displaced_Cultural_Treasures_as_a_Result_of_World_War_II_and_Restitution_Issues_0.pdf)

<sup>9</sup> Other issues related to the figure of A.Rosenberg himself and his activities as the Commissioner of the Fuehrer for the Supervision of the Entire Intellectual and Ideological Schooling and Training of the NSDAP (Beauftragter des Fuehrers für die Überwachung der gesamten geistigen und weltanschaulichen Schulung und Erziehung in der NSDAP), as well as relevant documents involved by the prosecution as evidence, especially the implementation of the Nazi occupation policy, are not considered here. The legal aspects of the problem of restitution of cultural property are not considered as well.

<sup>10</sup> Nuremberg Trials: Nuremberg, Germany: 1945–1949 Retrieved from: [http://www.loc.gov/rr/frd/Military\\_Law/Nuremberg\\_trials.html](http://www.loc.gov/rr/frd/Military_Law/Nuremberg_trials.html). Materials from the Nuremberg Trials, as well as a list of resources on the tribunal, can also be found on this resource: Nuremberg Trials Project: A Digital Document Collection. Retrieved from: <http://nuremberg.law.harvard.edu/>

<sup>11</sup> Trials of the Major War Criminals before the International Military Tribunal: Nuremberg, 14 November 1945 – 1 October 1946. Retrieved from: [http://www.loc.gov/rr/frd/Military\\_Law/NT\\_major-war-criminals.html](http://www.loc.gov/rr/frd/Military_Law/NT_major-war-criminals.html)

<sup>12</sup> Nazi Conspiracy and Aggression: Office of the United States Chief of Counsel for Prosecution of Axis Criminality: Nuremberg, Germany (1945–1946). Retrieved from: [http://www.loc.gov/rr/frd/Military\\_Law/NT\\_Nazi-conspiracy.html](http://www.loc.gov/rr/frd/Military_Law/NT_Nazi-conspiracy.html)

<sup>13</sup> Нюрнбергский процесс: Сб. мат. в 8 т. – Москва, 1987–1999. There are a number of other documentaries in Russian that contain published material from the Nuremberg Trials, but this edition is the most complete one to date. For an electronic version, see: <http://militera.lib.ru/docs/da/np8/index.html>. See also: СССР и Нюрнбергский процесс: Неизвестные и малоизвестные страницы истории: Сб. док. / Науч. ред. и сост. Н.С.Лебедева. – Москва, 2012. – 624 с.

<sup>14</sup> See: Collection of World War II War Crimes Records of the Office of the US Chief Counsel for the Prosecution of Axis Criminality / The U.S. National Archives and Records Administration. Retrieved from: <https://www.archives.gov/research/captured-german-records/war-crimes-trials.html>

side are stored in the State Archives of the Russian Federation (fond R 7445 “International Military Tribunal for the Main German Criminals (Nuremberg Trial). Nuremberg. 1945–1946”). Interesting German documents are collected primarily by the American side, stored in collections dedicated to the World War II and cultural values stored in the NARA<sup>15</sup>, and a separate special portal under NARA, which publishes scientific research on displaced cultural property<sup>16</sup>. Materials created during the processes at the moment (except directly Nuremberg) – documents, photographs, newsreels, etc. are stored in archives around the world. Many documents were duplicated, and they are now in the form of copies and photocopies in the collections of various cultural and scientific institutions, both in modern Germany and abroad<sup>17</sup>.

The materials of the Nuremberg trials were published in English after the trial, above all this 42-volume edition, accompanied by 12 volumes of the Red Series<sup>18</sup>. Later, a complete collection of the process materials was published in German and French. The text of the transcript of the process in Russian contains 39 volumes, but the publication of the complete collection of documents of the Nuremberg trials in Russian has never happened.

According to the US side, its representatives reviewed about 100 000 documents, 4000 of which were selected, 1400<sup>19</sup> were presented as evidence,

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<sup>15</sup> Records of the American Commission for the Protection and Salvage of Artistic and Historical Monuments in War Areas (The Roberts Commission), 1943–1946. Retrieved from: <https://www.archives.gov/research/microfilm/m1944.pdf>. See the digitized version of the collection at the resource: <https://www.fold3.com>. The resource called «Fold3 by Ancestry» (also includes the Footnote.com resource) at <https://www.fold3.com> is a repository of digitized historical documents created by Ancestry on the platform of the company for mass digitization of documents «Archives» (USA), where collections of various institutions, including NARA documents, are in the public domain. As of May 2016, it already contained approx. 500 000 000 documents. On this resource you can find other NARA collections on cultural property displaced by World War II and restitution, such as «Records regarding the central collecting points («Ardelia Hall Collection»): Wiesbaden Central Collecting Point, 1945–1952.

<sup>16</sup> National Archives and Records Administration Records Related to Nazi-Era Cultural Property. Retrieved from: <https://www.archives.gov/research/holocaust/international-resources/nara>

<sup>17</sup> For example, a separate group of materials from both the Nuremberg trials and other later documents relating to the issue of cultural property displaced and lost during the World War II is stored in the Federal Archives of Germany, at its branch office in Koblenz. These include three files of the B 126 Fond («Federal Ministry of Finance», German: «Bundesministerium der Finanzen»), namely files 68473–68475, which have documents of the Federal External Restitution Service (German: Bundesamt für äusere Restitutionen) for the 1960s, documents The Berlin Document Center, created by the Americans at the end of the war, was engaged in collecting the documents of the times of National Socialism needed for the Nuremberg trials, materials from the Institute of Modern History (Munich) and others. Among them, in addition to the ERR documents and the summary documents created during the war involved in the Nuremberg trials, there are the correspondence with Robert Scholz and Bruno Lohse in the 1960s, which discusses their activities in the field of cultural transfer of cultural values during the World War II. Also the fond B323 («Guardianship of cultural property under the Munich Financial Directorate», German: «Treuhandverwaltung von Kulturgut bei der Oberfinanzdirektion München») attracts an attention. The documents from this collection can be viewed on the website of the Federal Archives of Germany.

<sup>18</sup> List of documents, published by American and British party, see in: Nazi Conspiracy and Aggression. [A Collection of Documentary Evidence and Guide Materials Prepared by the American and British Prosecuting Staffs for Presentation before the International Military Tribunal at Nurnberg, Germany]. Office of Chief of Counsel for the Prosecution of Axis Criminality. – Vol.VIII. – Washington, 1946. – P.783–1090.

<sup>19</sup> See the details about German documents that were used as the evidence at Nuremberg trial first of all concerning the documents, worked out by American and British parties in: Nazi Conspiracy and Aggression. – Vol.I. – Washington, 1946. – P.V–XVIII.

the Soviet side provided 520 documents, some of which consisted of several documents and were complex in nature<sup>20</sup>. In total, 2630 documents were provided by the prosecution, and 2700 documents were provided by the defense<sup>21</sup>. Most of the documents, in which the ERR appears, are in the hands of the US and French sides. They compiled a brief summary of the share of cultural values of the occupied countries during the war, and partly of the ERR role, published in the first volume of the Red Series, accompanied by a list of German cultural documents (39 in total) involved in the process<sup>22</sup>.

Documents according to which the ERR was involved in the confiscation of cultural property and involved by different parties to the Nuremberg prosecution can be conditionally divided into several groups: 1) documents created by the ERR in the course of its activities; 2) documents created by representatives of the state and party leaders that are relevant to the work of the ERR and reflect its relationship with other services and structures; 3) the documents of A. Rosenberg as Minister for the Occupied Eastern Territories and the Commissioner of the Fuehrer for the Supervision of the Entire Intellectual and Ideological Schooling and Training of the NSDAP, where the ERR appears; 4) materials of interrogations (hearings) of both accused and witnesses involved in the process.

The first group consists of the ERR reporting documents, the main place among which is taken by the report of the head of the Sonderstab ("special headquarters") "Fine art" (German: Sonderstab Bildende Kunst) under the ERR Robert Scholz on the activities of the Sonderstab from October 1940 to July 1944 according to which, over this period, up to six storages in the Reich, 29 echelons with confiscated property were taken out – in general there were 21 903 art objects (which included 5281 art paintings)<sup>23</sup> (1015-B-PS<sup>24</sup>) with an appendix – a list of art objects (1015-GG-PS), as well as one of the main evidence – 39 album of the ERR, which contained an inventory of confiscated objects (PS-2522 (USA 388<sup>25</sup>)). Eight of them were shown in the court. Among other documents of this group there is the certificate of Gerhard Utikal as the head of the ERR dated April 1, 1941 signed by A. Rosenberg (143-PS (USSR-371)), the report of Utikal for November 1941, drawn up to inform the military leadership regarding

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<sup>20</sup> Лебедева Н.С. Подготовка Нюрнбергского процесса. – Москва, 1975. – С.161.

<sup>21</sup> Нюрнбергский процесс: Сб. мат. в 8 т. – Т.1. – Москва, 1987. – С.234–235.

<sup>22</sup> Nazi Conspiracy and Aggression. – Vol.I. – P.1097–1116.

<sup>23</sup> The original document is kept at Federal Archive of Germany in Berlin, in fond NS 30, in file 181: Bundesarchiv Berlin, NS 30/181/004–009.

<sup>24</sup> Hereinafter the numbers of documents, involved into trial, are mentioned. Marking PS means «Paris-Storey» («Colonel Robert G. Storey, Documentation Division, Paris» or «Colonel Robert G. Storey, documentation division, Paris») and is the main massif of documents, presented by accusation on behalf of the USA. If a document was at the same time used by the other party of accusation, so the trial documents in brackets contained the additional marking «USA» – for American party, «USSR» – for Soviet party or «RF» – for France, «GB» – for Great Britain. The documents, submitted only by one of the parties to mark the available evidence, had the same marking. Some groups of documents also had the specific marking or were marked according to the surname of the accused.

<sup>25</sup> Albums No 7, 8 and 15, accompanied by historical referece, may be seen on NARA's website by the link <https://www.archives.gov/research/holocaust/international-resources/nara/err/>. The digital copies of all albums may be found by search at the address: <https://www.fold3.com>

the authority of the ERR and seizures in Western Europe (RF-1319, RF-1320, RF-1321), undated report of the Netherlands main working group ERR on its activities 176-PS (USA 707, RF-1325), the report on the evacuation of the main Ukrainian group ERR from Kyiv in the autumn of 1943 and transportation of cultural property (035-PS); opinions dated July 1944, on the possibility of extending the activities of ERR to Hungary (158-PS (USA 382), Denmark and Norway (159-PS (USA 380), the order of G.Utikal to F.Schüller<sup>26</sup> of August 23, 1944 for export of cultural property from the territory of Estonia, Latvia and Lithuania, an ERR letter dated August 1944 on the export of art from Paris 160-PS (RF-1346), as well as a report dated February 1941 on the seizure of the archives of the Rothschild Bank (171-PS (RF-1326).

A special place in this group is taken by the undated report on the replenishment by the confiscated collections of the Library of the Jewish Question Institute in Frankfurt, which belonged to the structure of the so-called Higher School (the future NSDAP institution of higher education), supervised by A.Rosenberg largely replenished by ERR (171-PS (USA 383, RF-1324).

The second group of documents is larger in volume. This is, first of all, the well known order of A.Hitler of March 1, 1942, concerning the tasks of the ERR (149-PS (USA-369)), which saw its main task as combating the “ideological enemies of national socialism” (Bolshevism, Jewry, and Freemasonry)<sup>27</sup>, Hermann Göring (44-PS (USA-384), 1117-PS, 1651-PS, RF-1335), Wilhelm Keitel (137-PS (USA-379, RF-302), 138-PS (USA-379), 139-PS (RF-1303) on support for the ERR activities in Western Europe, including state party and military structures in the Netherlands and France, clarification of the ERR objectives, establishment and support of the High School, and correspondence, also Hermann Göring and Martin Bormann and A.Rosenberg (072- PS (USA 357). These are also the documents 140-PS (RF-1304), 05-PS (USA 385, RF-1336), 155-PS (ERR Support Instructions). These include documents 136-PS (USA 367, RF-1308) – a copy of A.Hitler’s order to establish the High School on January 29, 1940, and L-188 (USA 386) – a report on the confiscation of Jewish property under the so-called M-Aktion – actions for the seizure of various pieces of art and furniture from abandoned Jewish premises by A.Rosenberg’s services, 707-PS – correspondence regarding the evacuation of Kharkiv museums in 1943 and participation of the special SS command under the direction of Herbert Jankuhn<sup>28</sup> and others.

The third group of documents includes A.Rosenberg’s correspondence on cultural and material policies, tasks and activities of the ERR, which he created. These include letters on the confiscation of cultural property of Jewish families (014-PS (US-784), 041-PS); among them there are letters on the transfer of albums with photographs of seized belongings to A.Hitler (015-PS (RF-1323, US-387)). an order to establish a separate cultural property accounting service under

<sup>26</sup> The citation from the document, submitted by Soviet party, by mistake mentioned Schiller.

<sup>27</sup> See the publication of this document, accompanied in Ukrainian, in: *Кашиєварова Н.Г.* Діяльність Оперативного штабу Розенберга з вивчення нацистами «східного простору» (1940–1945). – Ч.2: Документи. – К., 2014. – С.112–113.

<sup>28</sup> H.Jankuhn’s special team, employee in Ahnenerbe Society or «Heritage of forefathers» that acted in the territories, occupied by Nazis at SS Divison «Viking».

the Reich Ministry for the Occupied Eastern Territories, headed by G.Utikal, the head of the ERR (153-PS (USA 381), etc.

The fourth group of documents was presented by interrogators, both defendants and witnesses, in particular H.Göring and the aforementioned head of the visual arts headquarters, R.Scholz, who provided information on certain facts of the ERR that served as an adjunct to the basic documents provided as evidence. ERR is also mentioned in other materials – in the case of A.Rosenberg himself, one of the speeches of the French side on cultural values, etc.

But a more thorough analysis of the documentary complex on cultural property, which was the basis of the source base of the prosecution, shows that the documents of the ERR itself and evidence of its activities were involved in a relatively small amount, taking into account the fact that often the same document was used by different parties. In fact, these are only about ten documents created by the ERR itself, which, although they contain data about its work in the occupied territories and specific figures, are not exhaustive or most indicative of its predatory activities. Descriptions of the losses cited by the prosecution gravitate towards the loss, first of all, of the private property of citizens of Jewish origin in France, Belgium and the Netherlands from 1940 onwards, while specific figures on the loss of cultural property in the occupied territory of the USSR are presented in a consolidated form. It should also be noted that in the occupied territory of the USSR, as of the beginning of the war, as a result of large-scale nationalization, there were virtually no private collections of art, unlike in Western Europe. In the testimony provided by the Soviet side of the prosecution, there is practically no data on the work of the ERR obtained from Soviet sources<sup>29</sup>. This is largely due not only to the fact that at that time the Soviet side did not have a significant number of the ERR documents, but also to the fact that the bulk of the evidence of crimes against culture brought by the Soviet side was created on the basis of summary data on losses in accordance with acts of the Extraordinary State Committee to Investigate German-Fascist Crimes Committed on Soviet Territory and their accomplices and the damage they caused to citizens, collective farms, public organizations, state enterprises of the USSR, and the relatively small number of German documents<sup>30</sup>. Part of the cultural property was lost in a different way, for example, during evacuation, bombing, etc., since during the occupation accounting was difficult, and the first generalized figures in the newly liberated territories of the USSR were considered already with the beginning of the work of the Extraordinary Commission. But, as post-war studies have shown, especially the studies of recent years<sup>31</sup>, the final data of this commission

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<sup>29</sup> Data on actions to plunder cultural values in the USSR directly at the direction of A.Rosenberg, contained in a condemnation speech of the Soviet side, are limited by a German document of August 2, 1944 on the possibility of export by the ERR forces to the Reich cultural assets from the Baltic countries. See transcript of M.Raginsky's speech in the section «Destruction and looting of cultural values» in: Нюрнбергский процесс: Сб. мат. в 8 т. – Т.4. – Москва, 1990. – С.406–452.

<sup>30</sup> Там же. – С.407.

<sup>31</sup> See in details, for example: Дубик М.Г. Надзвичайна державна комісія по встановленню та розслідуванню злочинів фашистів // Енциклопедія історії України. – Т.7: Мі – О. – К., 2010. – С.156.



deserve careful study, since they have a generalizing character. Thus, according to the consolidated acts, it is difficult to distinguish the real figures of losses caused precisely by the ERR.

In turn, for the Western Allies, the main evidence with specific generalized figures was the Sonderstab report “Fine art” with applications and albums, as well as letters from A.Rosenberg, H.Göring and several other persons, where specific numbers were indicated, and partially other documents of the Rosenberg Force<sup>32</sup>, related with ERR. But they do little to disclose the ideological component of the ERR work, which became new after the start of Germany’s military campaign against the USSR, and which guided the ERR during 1941–1944. Here there were the largest permanent ERR structures – the main working group of Ukraine<sup>33</sup> (German: Hauptarbeitsgruppe Ukraine) and the main working group of Ostland (German: Hauptarbeitsgruppe Ostland) whose work covered the territory of Ukraine, Belarus, Estonia, Latvia, Lithuania, occupied regions of Russia<sup>34</sup>. It should also be remembered that in the territories of the USSR, one of the main areas of work of the ERR was not only the plundering of cultural values, but the systematic selection and confiscation of other materials that contained information about Bolshevik teaching and could be used in national socialist propaganda and teaching (books, magazines, newspapers, archival documents). A part was taken to Germany, unnecessary and “ideologically dangerous” (from the ERR point of view) had to be destroyed. These aspects were not actually presented in the ERR materials involved in the Nuremberg trials, although much of the ERR exported from the occupied territory of the USSR was rather of ideological, historical, cultural and scientific value, above all as sources of Bolshevism study and function<sup>35</sup>.

There is a separate question about the role of other Nazi services in the process of robbing or destroying the cultural values of the occupied countries of Europe, which were extremely narrow represented at the Nuremberg trials, with the exception of certain facts, for example, the activities of Governor Hans Frank in the territory of the General Province, but to a much lesser extent, as well as general issues of cultural values related to the work of local structures

<sup>32</sup> It refers to the set of institutions and organizations of A.Rosenberg as the Commissioner of the Fuehrer for the Supervision of the Entire Intellectual and Ideological Schooling and Training of the NSDAP.

<sup>33</sup> For example, for losses incurred by the ERR Library Collections of Ukraine, see: *Бібліотеки Києва під час нацистської окупації (1941–1943): дослідження: анот. покажчик: публікація документів / Укл. Л.А.Дубровіна, Н.І.Малолетова.* – К., 2004. – 813 с. For the ERR activity in the territory of occupied Ukraine, see.: *Gutsul N. Der Einsatzstab Reichsleiter Rosenberg und seine Tätigkeit in der Ukraine (1941–1944).* Retrieved from: [http://geb.uni-giessen.de/geb/volltexte/2014/11002/pdf/GutsulNazarii\\_2013\\_07\\_02.pdf](http://geb.uni-giessen.de/geb/volltexte/2014/11002/pdf/GutsulNazarii_2013_07_02.pdf)

<sup>34</sup> For the ERR work in the occupied territory of Russia, see: *Зинич М.С. Похищенные сокровища: вывоз нацистами российских культурных ценностей.* – Москва, 2003. – 276 с.

<sup>35</sup> See the details about tasks and structure of the ERR, as well as its work in the occupied territories of Eastern Europe in: *Кашеварова Н.Г. Діяльність Оперативного штабу Розенберга з вивчення нацистами «східного простору» (1940–1945).* – Ч.1: Джерелознавче дослідження. – К., 2014. – 552 с. See some published ERR’s documents about its tasks in the sphere of ideology and science in: *Її ж. Діяльність Оперативного штабу Розенберга з вивчення нацистами «східного простору» (1940–1945).* – Ч.2: Документи. – К., 2014. – 992 с.

of the German occupation administration. First of all, this question of what was exported or destroyed and by which particular structures can help in the further search for the lost collections by working with archival materials of these structures remains. So, a part of the exhibits of art museums in the occupied part of the USSR was plundered by various German military services even before the start of the work of the ERR groups here (autumn 1941). They destroyed a part of the book collections in 1941–1943. Here, for example, the team of Eberhard von Künsberg (Ministry of Foreign Affairs<sup>36</sup>, the team of Peter Paulsen)<sup>37</sup>, the aforementioned team of H.Jahnkun and others acted here. But during the work of the Soviet side, the charges on the process documents show a tendency to include losses incurred by the ERR, all possible loss of cultural property, including, for example, death during evacuation, physical destruction during the occupation, theft and looting, etc., which is not always reflected in the documents or data of potential witnesses. During the search, one should focus not only on the ERR archive, but also on the archives of other structures, primarily German, which are not yet sufficiently involved in scientific work. The documents of the ERR archive indicate that scientific institutions of the occupied territories were also the target of looting. Household and economic materials, a meeting on geology, minerals, mining, and heavy industries were exported by various services (Wehrmacht, SS, Wirtschaftsstab Ost, etc.), which are also mentioned in documents of the ERR. All of this could be needed when developing further plans for exploiting the resources of the occupied part of the USSR and creating a new strategy if moving deeper into the territory of the USSR, and this question has been little explored.

Thus, at the Nuremberg trials, documents on crimes against culture and looting of cultural property were presented, mainly by the ERR documents, and in a limited amount (on the part of the Western Allies), and the Soviet side's allegations of loss of cultural property were based primarily on summary data on losses from the acts of the Extraordinary State Committee to Investigate German-Fascist Crimes Committed on Soviet Territory, often without specifying a particular structure and identifying the cause of its losses. At the same time, the role of other Nazi structures, actively engaged in displacement, export, and sometimes destruction of cultural property, was almost not represented. But further searches for new documents, not only in the ERR archive, but also in the archives of other Nazi organizations during the war, will expand the range of searches and scientific ideas about the processes related to the issue of cultural values during the World War II, and help in the search for lost art objects, library, archival and museum collections.

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<sup>36</sup> Künsberg's special team (German: Sonderkommando Künsberg) – department (figuratively «special team»), established at the beginning of the Second World War by Ministry of Foreign Affairs of Germany for confiscation of cultural values, first of all art works, in the territory of the countries, occupied by Nazis.

<sup>37</sup> Paulsen Special Team (German: Sonderkommando Paulsen) – department, established in 1939 at Chief Administration of SS on issues of race and settlements (German: SS-Rasse und Siedlungshauptamt) at the initiative of Anenerbe Society.

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**НАТАЛІЯ КАШЕВАРОВА**

кандидатка історичних наук, старша наукова співробітниця,  
відділ спеціальних галузей історичної науки та електронних інформаційних ресурсів,  
Інститут історії України НАН України  
(Київ, Україна, nataliya.kashevarova@gmail.com  
ORCID: <https://orcid.org/0000-0003-2426-0440>)

## ЗЛОЧИНИ ПРОТИ КУЛЬТУРНОЇ СПАДЩИНИ: ОПЕРАТИВНИЙ ШТАБ РОЗЕНБЕРГА ТА НЮРНБЕРЗЬКИЙ ПРОЦЕС

**Анотація.** *Мета дослідження* – проаналізувати роль і значення документів Оперативного штабу райхслайтера А.Розенберга як джерел щодо його діяльності в окупованих країнах Європи, а саме на території передусім

Бельгії, Нідерландів, Північної Франції, частини СРСР, що були залучені різними сторонами під час Нюрнберзького процесу як документальні докази при розгляді злочинів щодо конфіскації та переміщення культурних цінностей (предметів мистецтва, інших різних музейних зібрань, бібліотечних та архівних колекцій). **Методологічні засади** дослідження ґрунтуються на принципах історизму, науковості, усебічності, було використано як загальноісторичні (насамперед історико-порівняльний, ретроспективний, проблемний), так і джерелознавчі методи дослідження. **Наукова новизна** полягає в тому, що охарактеризовано місце документів Оперативного штабу у загальному комплексі документальних доказів, залучених до Нюрнберзького процесу сторонами звинувачення як джерельної бази з висвітлення пограбування нацистами культурних цінностей на території країн, окупованих гітлерівською Німеччиною під час Другої світової війни. **Висновки.** У загальних рисах окреслено суть Нюрнберзького процесу, категорії злочинів, за якими відбувався судовий розгляд, а також побіжно охарактеризовано загальний масив документів, створений унаслідок діяльності Міжнародного трибуналу в Нюрнбергу. Особливу увагу приділено документам, що були пов'язані зі злочинами проти культури, під час підготовки до процесу їх було віднесено до статті злочинів, пов'язаних із завданням матеріальних збитків. Але злочини проти культури означають знищення, пошкодження чи переміщення не лише об'єктів культурної спадщини, наприклад окремих предметів мистецтва, музейних, архівних, бібліотечних зібрань тощо, а й духовної спадщини окупованих народів та їхньої історичної пам'яті. Тому стисло висвітлено загальний склад документів Оперативного штабу щодо втрат культурних цінностей, залучених до Нюрнберзького процесу, передусім звітів, донесень, листування, а також матеріали допитів свідків грабіжницької діяльності, серед яких були як співробітники згаданої інституції, так і різні нацистські державні, військові діячі. Встановлено, що документи Оперативного штабу було залучено до процесу в незначній кількості, в основному з боку західних союзників, і вони не відображали повністю грабіжницьку діяльність, а дані радянської сторони звинувачення щодо втрат культурних цінностей базувалися передусім на зведеній інформації про втрати з актів Надзвичайної державної комісії зі встановлення й розслідування злочинів німецько-фашистських загарбників та їхніх співників, часто без указівки на конкретну структуру та без ідентифікації заподіяних збитків. Так, наприклад, до наслідків діяльності Оперативного штабу приписувалися втрати культурних цінностей, до яких ця інституція не була причетна. Крім того, з'ясовано, що роль інших нацистських структур та організацій, які займалися переміщенням, вивезенням, знищенням культурних цінностей, було представлено під час процесу в невеликому обсязі. Також окреслено перспективи подальших досліджень у сфері проблеми переміщених і втрачених культурних цінностей та архівного пошуку, перш за все нових документів в архівах інших нацистських організацій періоду війни, що дозволять розширити наукові уявлення щодо процесів, пов'язаних із питанням культурних цінностей під час Другої світової війни, та допомогти в пошуках втрачених предметів мистецтва, бібліотечних, архівних, музейних зібрань.

**Ключові слова:** Друга світова війна, Нюрнберзький процес, культурні цінності, Оперативного штаб Розенберга.