

## Open Forum

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# What are the Main Complications When it Comes to the Restitution of the Objects Stolen During the Holocaust in Bosnia and Herzegovina?

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**Abstract:** During World War II, Bosnia and Hercegovina was occupied by the Ustashe-led Independent State of Croatia, a Nazi collaborator *par excellence*. Ustashe, mostly Croats, Muslims-Bosniaks, and domestic Germans, overwhelmingly participated in the annihilation of more than 85 % of the Bosnian Jewish population during the Shoah. Beside the physical destruction of the community, these Nazi collaborators plundered Jewish assets in an estimated value of over one billion US dollars and robbed priceless cultural artifacts along with the communal archives. While witness accounts agree that looting of most movable property (books, artwork, and other valuables) was carried out in the first days of occupation by the Nazis themselves, the robbery of Jewish property (apartments, houses, businesses) as well as torture and killings of domestic Jews was committed by the Ustashe. What complicates the

**Correction note:** Correction added May 28, 2025 after online publication September 17, 2024: Mistakenly the articles by Ana Ćirić Pavlović “Looting of Jewish Business in Sarajevo during the Shoah: Revisiting Economic Destruction and the Responsibility of Local Collaborators” and “Stolen Memory and Delayed Restitution of Jewish Property in Bosnia and Herzegovina: Perspectives and Challenges” were mentioned as planned to be published in 2024, whereas they are going to be published in 2025. Please find the corrected references below:

Ćirić Pavlović, Ana. 2025a. “Looting of Jewish Business in Sarajevo during the Shoah: Revisiting Economic Destruction and the Responsibility of Local Collaborators.” In *The Unwanted Citizens: Destruction and Annihilation of Jewish Communities in South Eastern Europe during World War II*, edited by Goran Miljan, and Anders Blomqvist. London: Palgrave Macmillan. (Forthcoming).

Ćirić Pavlović, Ana. 2025b. “Stolen Memory and Delayed Restitution of Jewish Property in Bosnia and Herzegovina: Perspectives and Challenges.” In *70 Years of Holocaust Compensation and Restitution*, edited by Roni Stauber, and Dan Michman. Tel Aviv: Yad Vashem Publications and the Goldstein-Goren Diaspora Research Center. (Forthcoming).

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restitution in this country is the state and memory politics, but also the inexistence of a central registry of stolen items that could be claimed. Moreover, it is of the essence that the GLAM institutions (galleries, libraries, archives, and museums) within Bosnia and the former Yugoslavia region engage in conducting detailed provenance research of their respective collections.

**Keywords:** Bosnia and Hercegovina; cultural restitution; Holocaust

During World War II, Bosnia and Herzegovina was occupied by the Ustashe-led Independent State of Croatia, a Nazi collaborator par excellence (Levental et al. 1952, 54–113). Ustashe, mostly Croats, Muslims-Bosniaks, and domestic Germans, overwhelmingly participated in the annihilation of more than 85 % of the Bosnian Jewish population during the Shoah. Besides the physical destruction of the community, these Nazi collaborators plundered Jewish assets in an estimated value of over one billion US dollars and robbed priceless cultural artefacts along with communal archives. While witness accounts agree that the looting of most movable property (books, artwork, and other valuables) was carried out in the first days of occupation by the Nazis themselves, the robbery of Jewish property (apartments, houses, businesses) as well as the torture and killing of domestic Jews was committed by the Ustashe. Even though these crimes were effectuated under the auspices of the Nazis, the perpetrators were predominately domestic (Romano 1980, 125). A distinguishing feature of the local Holocaust, which is of relevance for the researchers of Bosnian Jewish history as well as of postwar claims, is that propaganda in the Independent State of Croatia extended the antisemitic stereotypes to the local Serbian population as well (“ruthless capitalists exploiting the honest Croatian workers”), thus normalizing the brutal murder and property pillage of both Serbs and Jews during the wartime (Korb 2010, 145–50).<sup>1</sup>

The nexus between memory and objects as embodiments of material culture appears rather evident. Objects represent carriers of human ideas and meanings over time, but they are mediums of the cultural transmission to the following generations as well (Jones 2007, 13). Some of the items stolen during the Holocaust had high market value (fine arts, rare and antique books/artefacts, jewelry, and so forth) but all of them possessed both personal and communal value, which is frequently overlooked. It comes as no surprise then that the disappearance or destruction of these objects owned by the Bosnian Jewish community produced serious memory gaps in the collective remembrance. The collections of Sarajevo Jewish intellectuals contained valuable Balcanica and Judaica items. The library of a prominent Sarajevo

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<sup>1</sup> The fascistic propaganda in Bosnia was disseminated through the main Ustashe newspaper outlets *Sarajevski novi list* and Roman Catholic *Katolički tjednik*, usually portraying these two ethnicities as participants in Judeo-Masonic conspiracy against the Croatian “Aryan” people.

Sephardi lawyer, Braco Poljokan included over 2000 books as well as one of the oldest editions of Tsar Dusan's Code (*Dušanov zakonik*);<sup>2</sup> the library of Vita Kajon, another distinguished intellectual whose father opened the first bookstore in Sarajevo, was equally impressive having, among other items, all issues of *La Alborada* (the first Bosnian Sephardi journal in Judeo-Spanish) and the first edition of Vuk Karadžić's works.<sup>3</sup> Similarly, based on preliminary research, it is estimated that hundreds of paintings of acclaimed domestic and foreign painters were looted from Bosnian Jews in the beginning of the war (Ćirić Pavlović 2025a).

Over four centuries Sephardi Jews maintained their presence in Bosnia, one of the longest continual Jewish existences in Europe before the Holocaust. It would be no exaggeration to claim that in such a long time, local Sephardim became native inhabitants amidst the Bosnian multiethnic and multiconfessional setting. The annihilation of over 85 % of the community along with the immense destruction and plunder of their material culture (synagogues, communal buildings and premises, archives, libraries, as well as households and personal belongings) endangered the transmission of their culture and traditions to the following generations.

The case of Bosnia is particularly difficult: not only does it unify the restitution issues found within domestic systems of other Eastern European countries but it also includes some local challenges. Apart from typical drawbacks that appear in other post-communist countries, such as neglecting the Holocaust and pertaining obligation to righteous restitution as well as problematic memory politics that seeks to rehabilitate domestic perpetrators (Shafir 2002), state politics in Bosnia represents a major cause for the delayed restitution of Jewish property.

Contemporary Bosnia, created on the basis of the Dayton Peace Agreement, is a post-communist, post-conflict, semi-sovereign<sup>4</sup> country with a rather complex political architecture (Pickering et al. 2024) and multiple decision-making centers (hindered by the nationalism of the three main ethnicities: Serbs, Croats and Muslims-Bosniaks). All of the aforementioned qualities, albeit yielding an ineffective governance, are in fact an excuse for the evident lack of political will to reconstitute Jewish property. It should be noted, though, that the overly dispersed and unreliable decision making of the main state organs (tripartite Presidency, bicameral Parliamentary Assembly, and Council of

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2 The Code of Emperor Dušan was a compilation of laws enacted in 1349 during the Serbian Medieval Empire.

3 Vuk Karadžić (1787–1864) was a prominent Serbian philologist and collector of the national folklore, a personality whose work significantly influenced the South Slavic cultural sphere.

4 The High Representative for Bosnia and Herzegovina (HR) and his Office were created with the purpose of overseeing the implementation of the Dayton Agreement that ended the interethnic conflict in 1995. The HR possess essential veto powers and is in fact the highest instance in the Bosnian politics. What brings into question domestic sovereignty is that the position is always filled with foreign diplomats.

Ministers) has practical outcomes as it creates confusion and uncertainty to whoever tries to negotiate about the compensation and restitution for Bosnian Jews.

With no law on restitution, the Jewish community has received only few properties back so far (as of February 2024). Redressing the cultural property proves even more troublesome given that registry, which tentatively encompasses as many stolen objects as possible, still does not exist. As previously mentioned, most of these items were stolen by the Nazis, and there existed a sound assumption that these were taken to Germany and Austria during the war (where post-war restitution claims were filled). It is safe to assume that a part of these objects has remained in the region or has returned, circulating meanwhile on the black market of fine arts and antiquities, or hiding within private collections.

Nonetheless, due to the passage of eighty-three years along with the devastating interethnic war in the 1990s, finding appropriate archival sources to corroborate the ownership might be a mission impossible. One should be aware that part of the documents related to Bosnian Jews, that, by some miracle, survived the Holocaust, was either destroyed or displaced during the latest war. After yet another devastating conflict, local memory institutions, such as archives, museums and similar, had to engage in the onerous processes of re-establishing themselves again. A great loss not only for a particular minority culture such as Jewish but for the cultural and historical memory of Bosnia in general terms. For all the aforementioned reasons, the so-called GLAM institutions (galleries, libraries, archives, and museums) of Bosnia and the former Yugoslavia region, if not already engaged, should conduct the provenance research of their respective collections (Staatliche Museen zu Berlin 2024). It seems even more effective and practical to involve as many regional institutions as possible. After all, being a unique cultural space, the flow of the local inhabitants, their ideas and belongings has continued almost uninterruptedly within the region, including before and after the two Yugoslavias' existence.

Furthermore, one ought not to underestimate the enormous impact that the memory politics of a country or a region had on the restitution processes. What jeopardizes and delays the restitution is certainly the highly problematic history revision tendencies both within Bosnia and in its immediate vicinity (read: Croatia). In a region with such a prominent history of inter-ethnic violence, a phenomenon of competitive victimhood inevitably arises along with Holocaust distortion. This affects social memory as it detaches the Holocaust from its local context and perpetrators, creating an accountability vacuum. No ethnicity/entity takes responsibility for the Ustashe crimes but conversely, some of them are unfortunately pursuing the rehabilitation of Second World War criminals. Some of the blatant examples include commemorations of the Bleiburg execution (Klein 2020; Pavlaković 2010, 125–47), the rehabilitation of the local Muslim Nazi collaborator, Husein Džozo, as well as controversial regular masses for the Ustashe leader, Pavelić and other officials held

by the Croatian Roman Catholic Church (Ćirić Pavlović 2025b). Only occasional, timid, and inconvincible appeal by some state officials calls for surpassing the notorious past, but no genuine effort has been made so far to come to terms with the dark fascistic legacy of the Independent State of Croatia. On the contrary, many politicians and public personalities are flirting more or less openly with the aforementioned legacy and Ustashe insignia (Tesija 2023),<sup>5</sup> counting on mass voters' support, a deplorable indicator that these neo-Nazi viewpoints are gaining momentum in a significant part of the Croatian population. In the contemporary Croatian society, a process of de-Ustashization is therefore much needed, based on a model of Germany's de-Nazification, signifying a constant effort of honestly dealing with the Second World War past. This would mean that today's society and their leaders assume a transgenerational responsibility for the Ustashe crimes as a warranty that nothing similar would happen in the future.

To conclude, the state and memory politics in Bosnia are obstructing the compensation for the great losses of the local Jews. Without proper social recognition of the Holocaust consequences, one could not expect pertinent legal recognition either. Since after the war the blame was almost exclusively shifted to Germans in the pan-European public narrative, some fascistic regimes/individuals were in that way *de facto* exonerated from the responsibility for the horrific crimes. The lack of proper reckonings paved the way for historical revision, the relativization of Ustashe crimes, and ultimately, the distortion of the Holocaust and that of the interpretation of wartime events. In such a distorted narrative, Bosnian Jewry becomes an abstract and usable character in the exaggerated and self-soothing stories of the imaginary good multicultural neighborhood instead of an ethnic group that endured by far the greatest physical, economic, and cultural destruction compared to any other ethnicity in the turbulent history of this country. There is no excuse for delaying the restitution law any longer, since the recovery of Jewish real estates and cultural objects will provide a chance for the recovery of precious memory to this once vibrant community.

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<sup>5</sup> See the report from the recent commemoration where participants with Ustashe insignia had a prominent role at Vuk Tesija, "Croatia: Politicized Vukovar Commemoration Sends Worrying Message to Serbs", *Balkan Insight*, <https://balkaninsight.com/2023/12/21/croatia-politicised-vukovar-commemoration-sends-worrying-message-to-serbs/> (accessed February 28, 2024).

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