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Activities of State Institutions of Ukraine in the Return of Cultural Property and Documentary Archival Collections

Objective. The purpose of this publication is to investigate the activities of the State institutions of Ukraine in identifying and returning historical, cultural property, library collection, and archival documents to Ukraine. **Methods.** The research is based on the method of system analysis and synthesis, historical method, structural-functional analysis, and problem method. **Results.** Based on archival documents, legislative and regulatory acts, and published research, the article analyzes the activities of state institutions of Ukraine in the process of returning cultural and historical property as well as archival and library collections to Ukraine. The chronological framework of the research is stipulated by the establishment of the National Commission for the Return of Cultural Property to Ukraine after Ukraine's independence and a significant narrowing in the early 2000s of the state policies on the return of historical and cultural heritage. **Conclusions.** The results showed that during the existence of the National Commission for the Return of Cultural Property to Ukraine and the State Service for Monitoring the Movement of Cultural Property Across the State Border of Ukraine, the Department for the Control of the Movement of Cultural Property did a wide range of multi-vector work. The foundations were laid for future long-term intergovernmental cooperation in the field of search, record-keeping, return of historical and cultural property, library collection, archival documents, and collections.

Keywords: memory; historical property; archival collection; library; library collection; archival institution; archival document; historical and cultural heritage

Introduction

Huge collections of archival documents of Ukrainian political, cultural, and religious figures, which for various reasons turned up in public or private collections of other countries, have been the subject of discussions on the possibility of their return to their homeland after the proclaimed independence of Ukraine. The topic of preservation and return of historical and cultural property has recently become extremely relevant. First of all, this is due to the update of Ukrainian legislation and the compliance of its individual clauses with the generally accepted world principles of restitution, return, exchange, and donation. A significant amount of historical, cultural property, library collection, and archival documents that reflect the history and culture of the Ukrainian people were returned to Ukraine from other countries.

Through documents, archival institutions relay the events to the present, which happened in the distant and not-so-distant past. As for libraries, one of their functions is preservation and access to library and archival collections returned to Ukraine. As an example, we can offer a personal library collection of the outstanding scientist. His research can help to reconstruct the intellectual biography of the creator and, due to the contents of the book and archival collections, reproduce the periods of the scientific biography of the scientist, his various research interests,

participation in international academic institutions and forums, the creation of scientific institutions by this person, as well as long-term contacts with outstanding scientists, state, church and cultural figures of many countries of the world. An important role is played by the interaction between libraries and state archives in the context of cooperation in ensuring the preservation and organization of intellectual and physical access to library and archival funds returned to Ukraine.

The purpose of this publication is to investigate the activities of the State institutions of Ukraine in identifying and returning to Ukraine historical, and cultural property, in particular library collections and documentary archive collections. Pursuant to the purpose, the main objectives of the research were to analyze a set of unpublished archival documents, determine the legal succession of institutions responsible for the search, discovery, and return of cultural values to Ukraine, identify key areas of their activities, and summarize the achievements of these institutions.

Methods

In order to achieve this purpose, a set of best-fit scientific methods has been applied by the authors of the research. This has made it possible to systematize, interpret, and synthesize scientific information in the context of the issues addressed in the article.

The method of systematic analysis and synthesis considers the return of cultural and historical property, in particular library and archival collections being an urgent problem today. This scientific approach allowed the authors to conclude that this problem is one of the important aspects of public life in any state.

The purpose of the historical method is to study the formation of state institutions that dealt with the return of cultural property to Ukraine. The use of the historical method allows us to identify the degree of importance of preserving the historical and cultural heritage of Ukraine as a state; to analyze the chronology of the transformation of state institutions that dealt with this issue; to determine the prospects for further actions in the direction of returning to Ukraine its historical and cultural heritage, which under certain circumstances appeared overseas.

Structural-and-functional analysis is a method that considers the structure and functions of government agencies involved in the preservation, use, and return of historical, cultural heritage and valuable library and archival collections. The method allows us to analyze the organizational principles of state policy and structural changes in the bodies of state executive power of Ukraine, which influenced the process of international cooperation in the direction of return and restitution of cultural property.

The application of the problem method became the basis of the study. The problem method led to the conclusion that the return of historical and cultural heritage in Ukraine has not been completed yet. Transformation of the system of public authorities, changes in the powers of executive authorities, responsible for the implementation of information and cultural policy, are hampering the processes of international cooperation for the return of historical, cultural values and valuable archival collections to Ukraine.

Results and Discussion

Various aspects of the problem of returning cultural property to Ukraine, including library and archival collections, are laid down in the scientific works by V. Akulenko, S. Kot, M. Kulinich, M. Palienko, I. Tatiivska, V. Tykhenko et al.

Thus, Viktor Akulenko in a number of his studies addressed, first of all, the issue of compliance by the Ukrainian side with the norms of international law on preservation and the main stages of the return of cultural property (Akulenko, 2010).

Serhii Kot considered a similar topic in a number of articles, drawing attention to the legal status of cultural values, their movement and loss, ways of search, and possibilities of their return (Kot, 2011; Kot, 2015; Kot, 2017).

Maryna Palienko touched upon the problem of the presence of archival collections of documents belonging to the representatives of the Ukrainian emigration on the territory of foreign countries (Palienko, 2006; Palienko, 2011).

Volodymyr Tykhenko was the first to raise the issue regarding the activities of the National Commission for the Return of Cultural Property to Ukraine (the State Service for Monitoring the Movement of Cultural Property Across the State Border of Ukraine – since 2000) (Tykhenko, 2018; Tykhenko, 2020). The scientist analyzed in detail the archival documents stored in fund 72 of the Central State Archive of Foreign Ukrainica and noted that with the creation of the Commission in 1992, Ukraine had begun not only to establish but also to actively implement a State policy for the restitution of cultural property.

Mariia Kulinich covered the stages of the Ukrainian policy implementation in the process of returning the archival Ukrainian property from abroad and, primarily, on the role of state institutions and scientific academic institutions in this process (Kulinich, 2013; Kulinich, 2014; Kulinich, 2015).

Inesa Tatiivska drew attention to the legislative, regulatory, and legal aspects of the activities of state institutions of Ukraine in the return and restitution of cultural property. The author also analyzed in detail the domestic and international law on the illegal import or export of artifacts of the national culture of Ukraine (Tatiivska, 2014; Tatiivska, 2018).

We witness significant scientific achievements on the problems of the presence of an array of Ukrainian cultural values in foreign countries, the possibility of their return to Ukraine, and the legal basis of this process. Still, activities of the National Commission for the Return of Cultural Property to Ukraine (hereinafter – the Commission) and other state institutions that were engaged in the identification and return of cultural heritage of Ukraine, which for various reasons were residing in other countries, are inadequately treated in historiography.

To coordinate the search process, to establish contacts with foreign countries, to discuss possible ways of bilateral cooperation on the return/restitution of cultural property to Ukraine, the Cabinet of Ministers of Ukraine adopted in December 1992 a Resolution “On the establishment of the National Commission for the Return of Cultural Property to Ukraine” (Verkhovna Rada of Ukraine, 1992a), and in June 1993 – the Resolution “On approval of the Regulations on the National Commission for the Return of Cultural Property to Ukraine” (Verkhovna Rada of Ukraine, 1993a). The main tasks of the newly established institution were the following: restoration and preservation of national spiritual heritage by returning objects of cultural value to Ukraine, coordination of activities in this direction of interested institutions and organizations, development of legal grounds for the legality or illegality of objects of cultural value in other countries (Verkhovna Rada of Ukraine, 1993a).

One of the priorities of the Commission’s leadership was to establish close interstate cooperation with countries that have preserved the cultural values of Ukraine or whose cultural values could be located on the territory of Ukraine. To this end, the representatives of the Commission sent a draft Resolution of the Cabinet of Ministers of Ukraine “On the Standard Regulations on the Ukrainian part of the bilateral Intergovernmental Committee for Promoting the Return of Cultural Property” to the Deputy Prime Minister of Ukraine I. Kuras. According to this Regulation, the Intergovernmental Committee was supposed to be established on the basis of a

bilateral agreement with the relevant foreign country. The agreement was to consist of two parts: the Ukrainian and the foreign ones. The Ukrainian part of the Intergovernmental Committee ensured the fulfillment of the obligations of the Government of Ukraine arising from the relevant international agreements, organized work with a foreign country on the identification and record-keeping of cultural values to be returned (Ukrainets, 2010, p. 284).

The Cabinet of Ministers of Ukraine also adopted other Resolutions on the formation of Ukrainian units of bilateral intergovernmental committees on various aspects of intergovernmental cooperation (Verkhovna Rada of Ukraine, 1993b; Verkhovna Rada of Ukraine, 1996a). It should be noted that in pursuance of the order of the Cabinet of Ministers of Ukraine of October 12, 1995 No. 17810/2 it was necessary to agree on proposals for the staff of the Ukrainian part of the intergovernmental Ukrainian-Russian, Ukrainian-German, Ukrainian-Polish committees for the return of cultural property. Accordingly, the following candidates were nominated to the Ukrainian part of the Intergovernmental Ukrainian-Russian Committee: V. Akulenko, O. Diachenko, S. Zaremba, S. Kot, P. Kiryakov, V. Lozytsky, O. Nestiulya, L. Miliaeva, V. Ulianovsky, O. Fedoruk, G. Chmil. The Ukrainian-Polish commission includes O. Belashov, B. Voznytsky, Ia. Isaievych, I. Lisevych, N. Martynenko, M. Mozdyr, O. Masiuk, M. Kovalsky, L. Krushelnyska, and O. Fedoruk. Subsequently, the Government in its order of May 31, 1996 No. 1179/46 approved the composition of the working groups on the restitution of cultural property (Ukrainets, 2010, p. 286).

The approval of all these documents contributed to the improvement of Ukraine's international status, and ensured its involvement in world trends of constructive dialogues on various issues and the maintenance of long-term partnership, including the return of cultural values.

The Federal Republic of Germany (FRG) became one of Ukraine's partner countries. Under Articles 16 and 17 of the Intergovernmental Agreement on Cultural Cooperation signed on February 15, 1993 (Verkhovna Rada of Ukraine, 1993c), there were negotiations, meetings of delegations on the return/restitution of those cultural values that were exported during the Second World War and then in subsequent years to Germany. After all, according to far from complete estimates, Hitler's troops in Ukraine looted 151 museums, which lost more than 300 thousand exhibits; libraries – about 51 million books; archives – 46 million cases. Inventory lists of museums and art galleries, as proof of ownership, were also destroyed or taken away by the Nazis (Akulenko, 2018). Since during the Second World War Ukrainian culture suffered huge and irreparable cultural losses, the establishment of a peaceful long-term dialogue with the country, where Ukrainian cultural values are mainly located, was an important step.

The talks between the delegations of Ukraine and Germany in Munich on November 3-4, 1994 demonstrated the desire of both parties to reach an agreement and establish long-term intergovernmental contacts. According to the report of the negotiations, “the Ukrainian delegation offered the German side an option of parity exchange of displaced cultural values. In the absence of such an opportunity – the creation of appropriate value criteria for the gradual... implementation of the program with the mandatory requirement of compensation to Ukraine for the destroyed cultural property. ... The German side ... is ready to cooperate at the level of specific pilot programs” (TsDAVO Ukrainy, 2012a, p. 4). These included, first of all, the preparation and holding of joint exhibitions, the signing of bilateral agreements on cooperation between the cultural institutions of the two countries, the restoration and renovation of Ukrainian architectural structures at the expense of the German side, and so on.

However, the meetings of the intergovernmental delegations of Ukraine and Germany on February 27-29, 1996 in Berlin demonstrated a number of existing problems in relations between the two countries on the issue of search and restitution of cultural property: “The German side has

consistently sought the return of its own cultural property located in the vaults of Ukraine, without taking into account that Ukraine during the war suffered ... a total theft of cultural property” (TsDAVO Ukrainy, 2012a, p. 1).

Pursuant to the terms of the signed bilateral agreement and arrangements, following the meetings of the Ukrainian-German delegations, the German side returned, among other things, documentary documents – 173 books from the Kyiv Historical Library (including books from the former library of Metropolitan Flavian in Kyiv Pechersk Lavra), which were discovered by Ukrainian experts in Munich, documents of the Central State Film, Photo and Sound Archives of Ukraine (about 2,000 negatives). The positive act concerning Ukraine was the transfer of 200,000 German marks (DEM) to the government of Ukraine for the restoration of the Dormition Cathedral of the Kyiv Pechersk Lavra, restoration of some decorative and applied art objects from the funds of the National Art Museum of Ukraine, which were returned after the war from Germany in a crushed form (Malezhyk & Khomenko, 2014, p. 349).

Agreement on the return of the cultural property, signed in February 1992 with the Russian Federation, Azerbaijan, Belarus, Armenia, Kazakhstan, Kyrgyzstan, Moldova, Tajikistan, Turkmenistan, Uzbekistan (Verkhovna Rada of Ukraine, 1992b), provided for the establishment of an Intergovernmental Committee to establish a mechanism and practical work on the return of cultural and historical values, to determine the categories of cultural and historical values to be returned. Thanks to the painstaking and hard work of the members of these commissions, documentary archival documents (correspondence, manuscripts) belonging to the famous Ukrainian artist O. Dovzhenko were transferred to the Central State Archives Museum of Literature and Arts of Ukraine (hereinafter – the CSAMLA Ukraine) from Moscow (TsDAVO Ukrainy, 2012j). Negotiations on this lasted during 1993–1997.

Thanks to the agreements and negotiations of Ukrainian diplomats, members of the Committee with representatives of Great Britain, the archival documents of the poetess H. Mazurenko were returned and transferred to the National Museum of Literature of Ukraine in 1993 (TsDAVO Ukrainy, 2012k). Although she was born in St. Petersburg, she was educated in Katerynoslav and in 1919 joined the army of the Ukrainian National Republic, where she became a communication agent. Later she emigrated to Great Britain and already there she created a number of collections of poetry, some of which she illustrated herself. The return of these archival documents is extremely important for Ukraine because their study complements and deepens the previously unknown pages of culture, history, and art.

Despite the fact that the bilateral Agreement on Cooperation in the Return of Cultural Property between Ukraine and Poland was signed in June 1996 (Verkhovna Rada of Ukraine, 1996b), a whole set of documents of the Prosvita Society (Enlightenment society) was returned from Poland to the Central State Historical Archive of Lviv in July 1993 (TsDAVO Ukrainy, 2012l). It should be noted that the Prosvita Society, founded in the western Ukrainian lands in the second half of the 19th century, was the organization that united the most famous figures of culture and science. Gradually expanding its publishing and educational activities, the Society opened branches throughout Europe.

In the summer of 1994, documentary documents related to the life and work of Ukrainian poetess Lesia Ukrainka were returned from the United States to the Museum of Eminent Ukrainian Culture Personalities (TsDAVO Ukrainy, 2012d). Also, in the fall of 1994, negotiations continued on the return from the United States of the editions of works by Ukrainian art critic, public and cultural figure V. Sichinsky (TsDAVO Ukrainy, 2012e) to the Khmelnytsky Universal Library named after M. Ostrovsky. His works on the history of Ukrainian art, as well as heraldic, iconographic, and bibliographical studies, are written in Spanish, Italian, Polish, English, and other languages. Owing to the fruitful work of the Committee’s representatives, the documents and

personal archive of the Ukrainian archaeologist, scientist Yu. Shumovsky (TsDAVO Ukrainy, 2012f) were returned from the USA.

During 1994–1999, negotiations continued on the Movement of documentary archival documents of the writer V. Barka from the USA to the Institute of Literature of the National Academy of Sciences of Ukraine (TsDAVO Ukrainy, 2012g). At the same time, during 1995–1998, intergovernmental negotiations took place on the Movement of archival documents of the famous Ukrainian filmmaker, choreographer V. Avramenko (TsDAVO Ukrainy, 2012i) from the United States to the Korsun-Shevchenkivsky State Historical and Cultural Reserve.

The return to Ukraine of such a large number of the library collection and archival documents from the United States was the result of an agreement signed in March 1994 between the Government of Ukraine and the United States Government on the protection and preservation of cultural heritage (Verkhovna Rada of Ukraine, 1994). The document provided for the establishment of a Joint Commission on Cultural Heritage. Each party was to appoint one or more members to the Commission. The decisions of the Commission required the consent of the members of both parties. The parties were required to cooperate in ensuring that the Commission would have access to the property and information necessary for the performance of its functions. Under the Resolution of the Cabinet of Ministers of Ukraine (Verkhovna Rada of Ukraine, 1997), adopted later, the Ukrainian part of the commission was represented by: L. Novokhatko, V. Bondarenko, T. Izhevskaya, O. Fedoruk, V. Cherniavsky, Yu. Shcherbak.

The Czech Republic was also an important partner of Ukraine in the return of documentary archival documents. Article 15 of the Treaty of Friendship signed in 1995 (Verkhovna Rada of Ukraine, 1995) stated that the Contracting Parties shall assist each other in preserving and recognizing the cultural and artistic heritage of the peoples of the other Contracting Party, including the protection of historical and cultural monuments, research and study of archival documents, related to the history of both countries. Accordingly, in the period from 1994 to 1997, negotiations were held on the Movement of the documents from the private archives of the famous Ukrainian teacher S. Siropolko (TsDAVO Ukrainy, 2012b) from the Czech Republic to the Central State Archives of Supreme Bodies of Power and Government of Ukraine. During 1994–1998, negotiations continued on the Movement of documentary archival documents by O. Olzhych and O. Oles from the Czech Republic to Shevchenko Institute of Literature of the National Academy of Sciences of Ukraine (TsDAVO Ukrainy, 2012c).

During 1995–1996, the possibilities of moving archival documents and part of the private archive of the writer, and researcher L. Kraskovska to the Central State Archive-Museum of Literature and Arts of Ukraine from the Czech Republic were discussed at the official level (TsDAVO Ukrainy, 2012h).

The fruitful activity of the Commission in the search and return of documentary archival documents from the life and activity of famous Ukrainians was also embodied in a number of projects, state programs, national seminars, and round tables developed by its staff. Thus, the generalized “Cultural values of Ukraine: Losses. Ways of Return” National program, developed in 1999, aimed to coordinate the search, study, and description of cultural values found in other countries, lost by Ukraine (TsDAZU, n.d.b, pp. 1–14).

This range of issues was also discussed at scientific and practical seminars and conferences: “Cultural values displaced during the war – the cultural heritage of World War II: documents. Search for the Lost”, 1993; “Problems of the return of national and cultural monuments lost or relocated during the Second World War”, 1994; “Legal aspects of restitution of cultural values: theory and practice”, 1996. The problems of return of cultural values also became the subject of a number of organized round tables and research projects, international symposia:

“Return of lost library values to Ukraine: problems, prospects”, 1994; “Non-coercive options for restitution: the sharing of controversial cultural values (legal, scientific and moral aspects)”, 1997.

Despite the active and productive work of the Commission in the search and return of cultural values, establishing fruitful intergovernmental dialogues with different countries, replenishment of Ukrainian archival institutions, museums, and libraries with important archival documents, we may observe a gradual narrowing of its powers since 1996. Thus, the Decree of the President of Ukraine “On Changes in the System of Central Executive Bodies of Ukraine” signed on July 26, 1996, lowered the status of the Commission – from now on it was subordinated to the Ministry of Culture and Arts of Ukraine (Verkhovna Rada of Ukraine, 1996c). This meant a certain narrowing of its powers, the ability to organize and coordinate the process of identifying and returning cultural property.

Subsequently, in December 1999, by a Decree of the President of Ukraine “in order to improve the structure of executive bodies and increase the efficiency of public administration”, the National Commission for the Return of Cultural Property to Ukraine was abolished and its functions were transferred to the Ministry of Culture and Arts of Ukraine (Verkhovna Rada of Ukraine, 1999). As far back as February 2000, the State Service for Control of the Movement of Cultural Treasures across the State Border (hereinafter – the Service) (Verkhovna Rada of Ukraine, 2000b), continued to carry out the tasks of the Commission. However, according to S. Kot, a well-known Ukrainian scientist and researcher, the liquidation of the National Commission for the Return of Cultural Property to Ukraine and the combination of its functions with the State Service for Control of the Movement of Cultural Treasures across the State Border of Ukraine was a wrong decision. Only a few people could be engaged in returning Ukrainian cultural values, while the work of the previous institution and the activities of the entire staff of its employees were aimed precisely at fulfilling the above tasks (Kot, 2010, p. 369).

The newly established Service, in accordance with the Regulation (Verkhovna Rada of Ukraine, 2000a), approved by the Cabinet of Ministers of Ukraine in June 2000, operated within the Ministry of Culture and Arts of Ukraine and was subordinated to it. The analysis of the document showed a certain change in the vector of the institution’s activity: from now on more attention should be paid not to the search and identification of cultural values, but to generalization of the practice of application of legislation on export, import, and return of cultural values, development of proposals for its improvement (Article 3, Paragraph 4), performance in accordance with the legislation of control and supervisory functions for the export, import and return of cultural property (Article 3, Paragraph 3), as well as the implementation of necessary measures for the return of stolen, illegally exported and evacuated and unreturned cultural property, compiling their registers and catalogs (Article 3, Paragraph 18).

Oleksandr Fedoruk was appointed the head of the Service (until 2004), then he was superseded by the Honored Artist of Ukraine, Candidate of Art History V. Kornienko (2004–2005, 2007), later by the Candidate of Historical Sciences, Senior Researcher Yu. Savchuk (2008–2011). However, in March 2011, in order to optimize the system of central executive bodies, the Service was liquidated by a Resolution of the Cabinet of Ministers of Ukraine (Verkhovna Rada of Ukraine, 2011).

During its existence, the Service has developed priority areas of state policy on the return, import, and export of cultural property. First of all, it is a legislative activity: for the period of 2000–2007, 2 draft laws were developed and submitted to the Verkhovna Rada, 9 resolutions of the Cabinet of Ministers, 6 orders of the Ministry of Culture and Tourism, and 10 orders of the Service itself. The reason for active legislation was the actualization of Ukraine’s approximation in the adaptation of national legislation on national values to generally accepted international practice (TsDAZU, n.d.a, p. 9).

We can observe that the coordination of the Service's activities with the State Border Guard Service of Ukraine, the Security Service of Ukraine, and the State Customs Service was constantly deepening. State expertise was conducted on cultural property seized by law enforcement agencies and customs. 64,252 units of cultural values were accounted for in the amount of UAH 5,977,421 by the year 2008. They were deposited in more than 500 museums, libraries, and archives. Thus, in addition to objects of religious worship and works of art, in 2007 rare documents related to the life of the Ukrainian poet Taras Shevchenko were returned to Kyiv from New York (TsDAZU, n.d.a, p. 23–24).

Just as information is being added and previously unknown pages of the lives and activities of unjustly forgotten Ukrainians, especially foreign ones (Sverdlyk & Klynina, 2020), are being opened, the National Treasury of library collection and archival documents on the works of Ukrainian artists is also being constantly replenished. Owing to the fruitful work of the Service staff, the creative heritage of L. Morozova, V. Vynnychenko, M. Butovych, M. and V. Krychevsky, M. Morgun, P. Hansky, V. Hrozny, part of the legacy of Serge Lifar, V. Lutsiv, archives of Yu. Kosach, U. Samchuk, P. Kurinny, V. Korotych, was returned to the archives of the Ukrainian Free University in Munich.

In 2005, the “Personal Archive (Mission of the Ukrainian Insurgent Army Abroad)” from Canada was moved to the Central State Archive of the Supreme Bodies of Power and Government of Ukraine. The work of the Ukrainian sculptor from the USA P. Kapshuchenko was returned to the Museum of Hetmanship.

In 2006, the Ukrainian Institute of America donated to Ukraine the works by the artist O. Hryshchenko, which were deposited in the National Art Museum. At the same time, 25 boxes of archival documents of Hetman P. Skoropadsky and his family were transported from Lypynsky East European Research Institute (USA) with further storage in the funds of the Central State Historical Archive of Ukraine.

In 2007, the famous artist P. Ossovsky donated 52 of his works to Kirovograd Regional Art Museum, which became the basis of the gallery “World and Fatherland” (TsDAZU, n.d.a, p.25). In the same year, the Kyiv-Mohyla Academy received a book collection and archival documents of Harvard University professor Omelian Prytsak; works, archival documents, books by Academician of the Royal Canadian Academy of Arts Leo Mol (Leonid Molodozhanin) to the Kharkiv Art Museum and the National Museum of Taras Shevchenko; more than 220 valuable publications on art history were returned from the Federal Republic of Germany to Ukrainian libraries and museums (TsDAZU, n.d.a, p. 37).

In 2009, T. Skrypka, the curator of the archives-museum of the Ukrainian Free Academy of Sciences in the USA, returned archival documents and personal belongings of the Kosach family to the funds of the Lesia Ukrainka Research Institute.

The collection of Academician Omeljan Pritsak, which, according to his wish, was donated by his heirs to the National University “Kyiv-Mohyla Academy” (hereinafter – NaUKMA) may serve as a perfect example of a unique library collection and archival fund of personal origin. Omeljan Pritsak's collection was initially donated by his wife L. Pritsak on October 10, 2006 to the public organization “Kyiv-Mohyla Foundation of America”, and then by its president I. Vyslotsky on October 11, 2006 transferred to NaUKMA. The collection was systematized and scientifically described by T. Sydoruk (Sydoruk, 2011; Sydoruk, 2019). She also arranged Omeljan Pritsak Memorial Library as a structural subdivision of the Scientific Library of the National Academy of Sciences. The scientific and artistic heritage of the scientist includes a library fund (over 20 thousand copies of scientific literature and periodicals), an archival fund (over 20 thousand items of documents), and an art fund (about 300 items of paintings, graphics, decorative and applied arts).

The scientist's personal library fund consists of manuscripts, old prints, encyclopedic reference publications, scientific monographs, collections, convolutes, scientific periodicals in all European languages, and more than twenty Eastern languages, chronologically covering the 16th-20th centuries. The collection contains 26 books of the 16th- 17th centuries, and 370 books of the 18th- 19th centuries. The basis of library collection is the largest and most complete collection of oriental sources in Ukraine today. The oldest printed book in the collection is an oriental monument – the first Arabic edition of the work by the famous Arab geographer, cartographer, and traveler Al-Idrisi “The Book of the Traveler Tired of Wandering ...”, which was published in Rome in 1592. One of the oldest books also includes the first grammar of the Turkish language, published in 1612 in Leipzig. The collection includes 42 copies of handwritten books in Arabic, Persian, and Ottoman-Turkish languages dating from the 16th-18th centuries. These are poetic collections, theological treatises, dictionaries, grammars, prayer books, treatises on astronomy, a collection of samples of refined style in correspondence, a historical and genealogical collection with lists and genealogies of sultans, viziers, and Crimean khans, etc. The collection of convolutes, which were systematized by the scientist, is valuable.

Due to its unique characteristics, O. Pritsak's personal library collection should be included in the State Register of National Cultural Heritage. The same applies to his fund of personal origin, on the condition that the norm of entering collections of archival documents into this register is adopted.

In 2010, the concept was developed and the first stage of the “Cultural Values of Ukraine” new information system was implemented, which consisted of 8 registers of cultural values: lost during and as a result of World War II (libraries); lost during and as a result of the Second World War (museums); returned to Ukraine; related to the history of the Ukrainian people outside Ukraine; which are on the national wanted list; which are wanted at the request of other states; confiscated cultural values; for which a certificate for the right to export (temporary) cultural values from the territory of Ukraine has been issued (Tykhenko, 2020, p. 179).

Throughout the existence of the Service, exhibition, scientific and journalistic work continued, cultural projects and presentations were implemented, celebrations and public discussions of various aspects of the return of Ukrainian cultural values, including documentary archival documents, took place.

In 2011, after the liquidation of the State Service for Control of the Movement of Cultural Property Across the State Border, the Department for Control of Movement of Cultural Property across the State Border of Ukraine (hereinafter – the Department) was established in the Ministry of Culture of Ukraine. According to I. Tatiivska, who headed the newly formed department, cooperation with the Ukrainian diaspora was suspended with the liquidation of the State Service for Control of the Movement of Cultural Property across the State border of Ukraine. Due to the economic crisis, expenditures on financing the activities of the Ministry of Culture of Ukraine to establish contacts with the Ukrainian diaspora in order to find cultural values, and create conditions for their return to Ukraine, were limited, which did not allow them to continue constructive cooperation and foreign missions with the aim of searching for cultural values and conducting professional research (Tatiivska, 2016, p. 220).

Herewith, the Department continued to be involved in the search and return of cultural property to Ukraine, as well as in monitoring the import and export of cultural property. Thus, in 2014, the Ministry of Culture received information from the Ukrbureau of INTERPOL about its joint activities with the law enforcement agencies of Italy to establish the location of the painting by the artist J. Hormens. According to the Italian side, this work of art was moved from Ukraine by Nazi troops during World War II and could be located in Italy. According to the Khanenko Museum, the work mentioned by Italian law enforcement officers is highly likely to be the same

painting that was lost by the museum during the Nazi occupation of Kyiv in 1943. Therefore, the Ministry of Culture officially provided Ukrbureau of INTERPOL with relevant documents that could identify the “Italian” work of art (Tatiivska, 2014, p. 327).

Another important, long-lasting, and difficult action was the so-called “issue of the return of Scythian gold.” The fact is that the collection of Scythian gold jewelry from the exhibition “Crimea – the golden island in the Black Sea” was on display at the Allard Pierson Museum (Amsterdam) under the agreements between the museum and a number of Ukrainian museums, some of which are located in the Autonomous Republic of Crimea. The completion of its exhibition coincided with the implementation of the Russian Federation’s illegal occupation of the peninsula in 2014. The Netherlands did not recognize the annexation and naturally, the question arose as to whom to return the exhibits of the collection. The order of the Ministry of Culture of Ukraine determined that for the period of illegal occupation of Crimea, the collection should be returned for temporary storage on the mainland of Ukraine. The main custodian of all museum objects of the exhibition was the National Museum of History of Ukraine. In December 2016, the District Administrative Court of Amsterdam ruled that the exhibits of the Crimean museums from the “Crimea – the golden island in the Black Sea” collection should be returned to Ukraine. However, already in March, this court began to consider the appeal of the museums of the Russian-annexed Crimea to the decision to return the collection of “Scythian gold” to Ukraine (Ukrinform, 2020). From this moment, long-term litigation on the resolution of the issue began. At the end of 2020, there was no final decision on the case of “Scythian gold”.

Herewith, methodological work continued on the elaboration of clear and specific standards for the implementation of inspections of cultural property. As early as 15 November 2019, the Ministry of Culture of Ukraine approved by order of the Ministry of Culture the Guidelines for the State Examination of Cultural Property (Verkhovna Rada of Ukraine, 2019), which were the result of long scientific and organizational, analytical work of specialists of departments of the Ministry. As stated in Paragraph 1 of the General Provisions, Guidelines “... developed to ensure the implementation of the Law of Ukraine “On export, import and return of cultural property” the Procedure for State Expertise of Cultural Property, equal treatment of the procedure for the State examination of cultural property and presentation of the results”.

At present, we see a number of pressing unresolved issues facing the Department for the Control of the Movement of Cultural Property. First of all, it is a revision of the Ukrainian legislation in the field of museum activity in order to prevent a recurrence of the situation with the “Scythian gold” and to speed up the process of resolving it. It is also important to address the issue of providing funding for the Department, necessary for the fruitful and effective work to find and conduct the necessary examinations of cultural property. Quantitative expansion of the employees of the Department is also on the agenda and is a necessary condition for full-fledged activity in the matter of finding and preserving the Ukrainian national cultural heritage.

In this vein, we would like to highlight that the issue of training highly qualified specialists in this field, who would have the appropriate educational level to ensure a professional search and a legally justified opportunity to return the displaced cultural values, is being simultaneously actualized. To do this, it is necessary to improve the system of higher education in Ukraine and adapt it to European standards.

The solution of the pending problems should begin as soon as possible, because, as recent events have shown, the topic of the return of cultural property, legally correct and definitively established by Ukrainian legislation, is not only still relevant, but it is also exacerbating. And this, in turn, has a negative impact on both the international image of our state and the preservation of the historical memory of the Ukrainian people.

Conclusions

Analysis of the longstanding activities of the National Commission for the Return of Cultural Values to Ukraine, the State Service for the Control of the Movement of Cultural Values across the State Border of Ukraine, the Department for the Control of the Movement of Cultural Values regarding the search and return of cultural values from the territories of other countries gives us the conviction that their existence was not in vain. Despite a certain curtailment of state initiatives in searching and returning the cultural values in recent years, these state institutions have done a wide range of multi-vector work.

First of all, the foundations have been laid for long-term intergovernmental cooperation in the field of search, record-keeping, and the return of library collection and documentary archive collection. The documents were returned to the National Archives Foundation; they gave impetus to scientific research on previously unknown pages of Ukrainian history; and they deepened intergovernmental cooperation among the ministries, departments, and scientific and cultural institutions concerned; helped disseminate knowledge about Ukraine worldwide; became one of the factors in the restoration of forgotten names in the historical memory of the Ukrainian people.

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Діяльність державних інституцій України у справі повернення культурних цінностей та документальних архівних колекцій

Мета. Метою цієї публікації є дослідження діяльності державних інституцій України щодо виявлення та повернення в Україну історичних, культурних цінностей, бібліотечних фондів та архівних документів. **Методика.** В основу дослідження покладено метод системного аналізу та синтезу, історичний метод, структурно-функціональний аналіз, проблемний метод. **Результати.** На основі архівних документів, законодавчих і нормативно-правових актів, опублікованих досліджень проаналізовано діяльність державних інституцій України у процесі повернення в Україну культурних та історичних цінностей, архівних і бібліотечних фондів. Хронологічні рамки дослідження зумовлені створенням Національної комісії з питань повернення культурних цінностей в Україну після здобуття Україною незалежності та значним звуженням на початку 2000-х років державної політики щодо повернення історико-культурної спадщини. **Висновки.** Результати дослідження показали, що за час існування Національної комісії з питань повернення в Україну культурних цінностей та Державної служби контролю за переміщенням культурних цінностей через державний кордон України, Департаменту контролю за переміщенням культурних цінностей був проведений широкий обсяг багатовекторної роботи, закладені підвалини для майбутньої довготривалої міждержавної співпраці у сфері пошуку, обліку, повернення історико-культурних цінностей, бібліотечних фондів, архівних документів та колекцій.

Ключові слова: пам'ять; історична власність; архівний фонд; бібліотека; бібліотечний фонд; архівна установа; архівний документ; історико-культурна спадщина

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