

SPAIN AND THE LOOTING OF EUROPEAN ART COLLECTIONS DURING WORLD WAR II

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0. Introduction

This report was entirely written by Miguel Martorell Linares, with the purpose of analysing the implication that the Spanish had in distributing artistic heritage looted by the Nazis during the World War II. The preparation of this paper required two sources to be used: the reports made by the North American secret services and the Archive of the Spanish Ministry of Foreign Affairs (AMAE). The facts are set in the context of World War II and the immediate post-war. This paper's objectives do not encompass a detailed study of stolen art pieces that went through Spain, nor do they include an analysis of Spanish collections, with the aim of ascertaining whether or not they contained artworks stolen by the Nazis.

The text is divided into three major sections, followed by two appendixes. The first section contains a global vision of the problems generated by the looting and the dispersion of art collections in Europe. The second section, discusses the Franco regime's stance towards this issue. Lastly, the third section, analyses various cases of citizens involved in the plundering and dispersion of artworks, or of those accused by the Allies of having participated in said operations. The first appendix contains details about the twenty-four paintings introduced in Spain by Alois Miedl. The list includes the title of the paintings, its authors, Miedl's observations on how he acquired every painting, and a photograph of each one. The second reflects the vicissitudes suffered by the exposition of German engravings from the 19th and 20th centuries.

This investigation would not have been possible without the enthusiastic collaboration of the AMAE's staff, and especially, of its director Cristina González.

1. The Second World War: Looting and the dispersion of European artistic collections

A meaningful portion of Europe's artistic works changed owners during WWII. Before the war started, Nazi leaders confiscated most of the collections owned by German Jews. From 1938 onwards, the looting extended to all of the countries Germany occupied. According to historian Héctor Feliciano, in France alone, 203 collections fell under German control, a number that represented a third of France's private art collections before the war. Overall, close to 200,000 artworks were stolen. Nazi leaders enlarged their own collections with a considerable number of looted artworks. Another part, however, left the Reich through the neutral countries from 1944 onwards, when the Nazi defeat was already evident.

Traffickers and smugglers encountered the opportunity to perform lucrative business transactions during the war and the years that followed. However, collectors and museums of many countries were the most fortunate, as they enlarged their collections with art pieces that they could not have acquired otherwise. At the end of the war, a new factor made this problem even more complex. The Soviet Army, as they were advancing on the Germans, took the collections that they encountered to Russia, regardless of whether they belonged to Nazi leaders or to the State. Hence, many art pieces that belonged to the German State or to Nazi elite members, ended up in museums behind the iron curtain, where they remain to this day. Likewise, during the

post-war, numerous paintings and other artworks recuperated by the governments of formerly occupied countries went on to expand their national museum's collections. Some of these works of art are claimed by the heirs of the previous owners. This is, in essence, the content of the following sections.

1.1 The Third Reich and the looting of European art collections

During WWII, the Third Reich looted numerous libraries, archives and art collections which belonged to the states of occupied countries, as well as from the private artistic estates of citizens from those same nations, or from those who were persecuted German citizens. The methods through which the Germans seized the collections varied from simple confiscations to coerced purchases at much lower prices than the actual value. In Western Europe, these operations were performed more with private collections rather than with state-owned ones. The citizens of France and the region of Benelux, especially those of Jewish roots, were the major victims.

The Nazi sacking policy was partially directed by Alfred Rosenberg, who also led the *Einsatzstab Reichsleiter Rosenberg* (ERR) – Reichsleiter Rosenberg's Brigade – in the late 1930s. This party was in charge of capturing libraries, archives and artworks. Rosenberg also was a high profile member of the Nazi party, and was in charge of the ideological and spiritual shaping of the party. Since 1937, he led the depuration of German art collections: paintings made by Jewish or communist artists, as well as avant-garde works (called "Degenerate Art") were removed from German State collections. Private collections, especially those that belonged to Jewish Germans, were plundered and became state property. During the war, Rosenberg led the plundering of French private collections. Since 1941, as the minister of Eastern Territories, he supervised the looting of art collections in the Eastern countries. A July 1944 report, written by the staff under Rosenberg's command, estimated that the ERR had seized 21,903 art pieces in France: 10,890 paintings, 583 sculptures, 2,477 pieces of furniture, 583 tapestries, 5,825 varied art pieces of small size (porcelain and crystal figures, coins, jewellery, etc.) and 1,545 pieces of classical or eastern antiquity. By August 1945, the French Commission for the recovery of artworks calculated the value of looted collections to be close to 110 billion francs.

Nazi-supporting authorities in occupied countries, as well as puppet states, also participated in this operation. In Vichy's France, the Commission for Jewish Affairs contributed in confiscating private Jewish collections. Petain's government wanted to give a nationalist tone to this decision, and promoted the acquisition of expropriated artworks by French state museums. In addition, in June of 1941, a decree by the Secretariat-General of Fine Arts prohibited the exportation of artistic treasures. Germany's influence, however, nullified the decree, and Vichy France continued to be one of the main European regions of art looting and smuggling. In the Netherlands, German traffickers found unconditional support from the government of Seyss-Inquart and from the National-Socialist Dutch Party's authorities. In France, as well as in other occupied territories, the Germans also found an inestimable help in the guild of gallery owners and merchants. Russian immigrants in Paris, especially Prince Yusupov, played a very important role in art trafficking to Switzerland and Germany. The transactions

carried out in Holland were made by Alois Miedl – a merchant who bought artworks for Göring, and to whom a few pages are dedicated – received the support from a sector of the Dutch Merchant Society.

The majority of looted artworks were intended to enrich great collections within the Reich, in Germany and Austria. Nazi art collectors normally preferred the works of classic German painters, as well as Dutch, French, Flemish and Italian artists. The two most notorious buyers were Hitler and Göring. Hitler was also interested in German art of the 19th century. Even since the 1930s, he invested part of the royalties obtained from his *Mein Kampf* in buying art pieces. As of 1938, he started planning the construction of a giant museum in the Austrian city of Linz, where he spent his childhood. Between 1944 and 1945, looted artworks which were supposed to be part of that museum's collection were hidden in an abandoned salt mine to safeguard them from Allied bombings. When the war ended, the Allies found 6,755 paintings, 230 watercolour paintings, 1,039 engravings, 95 tapestries, 68 sculptures, 43 containers of small art pieces and 358 books of different precedence.

Hermann Göring was the other Nazi leader who collected art *en masse*. He allocated his acquisitions to his residence in Carinhall, a building halfway between a hunting villa and a feudal palace. Like Hitler, he liked the art of the Dutch, German and Italian masters. Hitler and Göring were not the only collectors, but they did set the guidelines and, according to J. Petropoulos, their attitude had a great influence on the Nazi elite to compulsively amass large art collections. During this process, a plethora of merchants and art specialists played an important role in the selection of works that were destined to the Reich's heritage. In more than one occasion, Nazi leaders made an effort to give legal appearance to transactions that took place by coercion. Because of this, when negotiations took place in occupied territories, merchants and specialists often acted as intermediaries between the owners and the Nazi elite. Alois Miedl, for example was Göring's intermediary.

1.2 Neutral countries and the dispersion of looted collections

Not all of looted artworks ended up in the Reich's collections; a considerable fraction of artworks, ended up being exported away from the occupied territories where they came from. Most of them were pieces in which the Nazi elite were not interested, such as the late 19th, early 20th century avant-garde movement. These works had a double function. Some were used in exchange for Renaissance and Baroque paintings. Others, were sold to finance the war. These avant-garde pieces, however, were not the only ones to exit Germany's sphere of influence. As the Reich's defeat became more and more imminent, some Nazi leaders tried to safeguard their collections; to some, their collections weren't difficult to transport, which meant that they could sell them in neutral countries. Hence, a considerable amount of looted works ended up in neutral countries. The problem, however, as stated by an American report, is that although "all signs point in this direction", the clandestine nature of smuggling activities, prevented the Allies from finding "concrete evidence" about many of the artworks.

Dutch Historian Gerard Aalders considers Switzerland as the main redistribution point for the Reich's art collections. On the other hand, Héctor Feliciano has also drawn attention to Vichy and its role on the subject. From Switzerland and Southern France, many of the pieces were transported to Spain and Portugal, and from there, they made their way towards Latin America. South America turned into a giant art market, to which museums and collectors from all over the world attended. The main buyers who benefitted from this second looting were North American collectors, especially before the USA entered the war. To highlight, a concrete example, in December of 1941, USS Excalibur parted from Lisbon with 500 looted paintings towards the USA.

Aalders argues that there were two main ways for artworks to find their way from the Reich towards neutral countries. First, during the war, smuggling networks flourished between Reich-controlled territories and neutral soil. Second, the German diplomatic body resorted to its diplomatic branches to transport looted artworks destined to Latin America. The works were easy to transport, and diplomatic privileges provided them with immunity to customs controls. This is how, according to Aalders, many stolen pieces dodged the naval blockade that the Allies had around Europe. However, this is very difficult to prove, as no State would recognize that they had used their diplomatic institutions for smuggling purposes.

It is virtually impossible to estimate the amount of artworks held in neutral countries. By definition, smuggling is a clandestine activity, and is therefore very difficult to measure its consequences or transaction volumes as it produces no direct documentation. It can be appreciated through juridical sources as well as the police or secret services, but in these cases, the information provided is incomplete and cannot cover the entire scope of this phenomenon. In addition, art traffickers would appeal to fake identities and make art pieces undergo different transactions to "cleanse" their provenance. For this very reason, the value of the artworks which entered neutral countries could only be measured with a great margin of error. Nevertheless, an Allied report written in December 1945 stated that the value of sacked art pieces that entered Switzerland during the war, stood between \$29 and \$46 million US Dollars.

1.3 The Spanish case as seen by the Allies; the North American reports.

"Very little plundered art has been discovered in Spain to date, and there is concrete evidence in only one case". This is how a report written for the Foreign Economic Administration of the United States, dated August 1945, starts its section on the Spanish case. The case at hand was the one on Alois Miedl's operations. Spain was not a priority for the Art Looting Investigation Unit's (ALIU), a body which was integrated with the SSO (Strategic Service Office), a central organization for North American intelligence operations. It was created in November 1944, with the purpose of investigating art transactions carried out by the Nazis. James S. Plaut was its director since its creation, until April 1946. The following month, the ALIU prepared a report in which they stated the names of the 2,000 people who were involved in purchasing artworks looted by the Third Reich. The report states that despite Spain being a transit country, the State was not involved in the smuggling of such objects, and Spanish citizens' involvement in art trafficking was relatively scarce and unimportant.

Of all the people who appeared associated with Spain in Allied reports, the most relevant is Alois Miedl, a merchant and friend of Hermann Göring, who came to Spain from Holland with a collection of twenty-two paintings of dubious origin. The rest of the people mentioned in the report were smugglers, antique dealers, and gallery owners who benefited from trafficking the artworks, or agents associated with the German Secret Service (GIS), whose mission was to safeguard the goods sacked by the Nazis. Most of them were European citizens who sought refuge in Spain. Some of them have a singular trajectory, in which art trafficking was just another of the various illegal activities they participated in. Others were connected to the GIS, or were involved in projects for collaborationist France; such is the case for Heinrich Bauer, the Raymond brothers and Jean Duval, André Gabison, Adrien Otlet, Gerhard Fritze, Alfred Zantop, Werner Walther or Thomas, alias “Manfred Katz”. Erich Schiffman was a German double agent, under the orders of the Gestapo and De Gaulle’s France. Among the foreign gallery owners and antique dealers who took advantage of the sheer volume of cheap art for sale, Pierre Lottier should be highlighted. Other characters, such as the Belgian, Charles Koninckx, and German, Pedro Hardt, also performed transactions in Spain with plundered artworks. Lastly, there were European merchants and smugglers who, without establishing themselves in Spain, made scarce visits to the country and established contacts with Spanish citizens, with the aim of distributing sacked material. An example is the Swiss citizen known as “Cemin”.

Various Spanish citizens were also mentioned. Four gallery owners and antique dealers appear as intermediaries for the sale of objects looted by the Germans, or by the Spanish Division Azul in Russia. These are Ángel *el saldistá*, Arturo Linares, Apolinar Sánchez, and Martín *de Bilbao*. Others, such as Antonio Puigdellivol, Hugo Barcas and Gregorio Moreno Bravo appear to be involved in art trafficking; Puigdellivol was an intermediary for a Rembrandt painting; Barcas was suspicious of “illicit trafficking of artworks”; and Moreno Bravo was known to be a frontman for Germans in Spain. In addition, there are references of two Spanish customs agencies: *Aduanas Pujol* which, allegedly intervened as an intermediary in the sale of a Rembrandt that Puigdellivol was involved in; and Baquera, Kusche and Martín Inc., which appears to have collaborated with Miedl with respect to the import of the 22 paintings to Bilbao. Lastly, in the North American reports, there is evidence of other Spanish merchants established elsewhere in Europe, who also participated in art smuggling for the Nazis. In the Côte d’Azur was Aguilar-Lemmonier, a Spanish merchant who had contacts with some of the main German traffickers. In Belgium, Francisco Jordá and Francisco Solá participated in smuggling art in the black market, as well as collaborating with the Germans occupation.

Of all the names listed by the Allies, this investigation, which focuses on the Archive of the Spanish Ministry of Foreign Affairs (AMAE), has only been able to dig deeper into cases related to some of the foreign citizens. Given its nature, this Archive barely contains any information on national individuals, and because of this, information regarding Spanish citizens appearing in the ALIU’s reports is scarce.

1.4 Allied pressure on the neutral countries

As the war progressed, the Allies progressively put measures in place to prevent the communication between the Axis and neutral countries. These actions were englobed in the *safehaven programmes*, developed by Americans. The aim of the safehaven programmes was to stop Germany from transferring anything to neutral territory; to guarantee that Germany's wealth was going to be used for the reconstruction of Europe; to restore stolen artworks and return them to their rightful owners; to prevent key personalities from fleeing Germany; and, above all, to prevent Germany from placing enough resources on neutral grounds to start another war.

Declaration 18 of the United Nations, written in January 1943, was made in this context. It set the basis for posterior Allied actions against art smuggling which was proposed by the USA, Great Britain, the USSR, the French Committee and the governments of fourteen additional Allied countries. It warned "citizens who reside in neutral countries (...) about their purpose to restore both public treasures and private goods to their rightful owners, which were stolen from during the occupation of their countries". Therefore, they declared "void all kinds of transfers and operations of goods, properties, rights and interests of any sort (...) carried out in those territories that suffer or have suffered occupation or direct or indirect control by the countries with which they are at war". The warning also affected "goods of all sorts acquired from open sackings and lootings" and those "operations that, under legal appearance", pretended to "cover up those which were falsely carried out voluntarily". This last point is important as numerous transactions between Germans and Allied citizens were performed legally, but under coercion.

Resolution VI of the Bretton Woods Conference, signed in July 1944, ratified the content of the Inter-Allied Declaration from January 5, 1943¹. This resolution set the fundamentals for the Allies' later actions regarding looted art. Again, the Allies reserved themselves the "right to invalidate any transfer of goods belonging to people from occupied territories", and called for actions to "prevent the liquidation of looted goods by the enemy, and to adopt the adequate measures so as to return them to their original owners". The resolution exhorted Allied governments represented in the Conference to compel neutral states, with the triple aim of (1) preventing the sale or transfer of State or private goods of any country occupied by the Axis, (2) when the armistice is signed, return the State and private properties of the Axis countries to the Allies; and (3) to forbid that said properties be passed on to a third party's control, as part of the strategy to deviate them to the Allies. Among the looted goods, the declaration explicitly mentioned "gold, coins, art objects and valuable goods" and "other titles of property of financial or commercial enterprises". Each one of the contributing nations compelled the governments of Ireland, Portugal, Spain, Sweden, Switzerland and Turkey, as well as the Argentinian Republic, to cooperate with the United Nations in the safeguarding of looted goods by the enemy, including the artworks.

Before the war ended, the majority of the neutral European countries had begun to show their support, in one way or another, for Resolution VI of the Bretton Woods Conference. Spain did so on the 5th of May 1945. The unconditional surrender of the

¹ Inter-Allied Declaration against Acts of Dispossession committed in Territories under Enemy Occupation and Control. London, January 5. 1943

Reich was made official on the 5th of June of the same year, through a declaration made by the governments of Great Britain, the USA, the USSR and France, in Berlin. These four governments created the Allied Control Council (ACC), an institution which gathered all the executive power in German territory. With the Reich being occupied, and its properties in neutral countries blocked, the ACC commenced the procedure to restore the artistic heritage plundered by the Nazis.

1.5 From the post-war to the present day: the restitution policy

The legal bases for restitution processes are Declaration 18 of the UN and Resolution VI of the Bretton Woods Conference. “The question of the restitution of goods plundered by the Germans in UN territory must be examined under the provisions of Inter-Allied Declaration of January 5 1943”, expressed an order issued by the ACC in 1946. In a rigorous interpretation of said declaration, all transactions performed with the enemy during the occupation were considered void. The text made it possible to invalidate “all operations that, under legal appearance”, which covered acts of pillaging or looting. Two arguments justified this policy. Firstly, although they were operations which seemed legal, they were performed under a coercive atmosphere. Secondly, the German Mark had lost its value after the war. Therefore, every operation financed with Marks implied the exchange of goods from occupied territories for a valueless currency and could therefore be considered plundering.

In the last stages of the war, all the Allied countries created commissions to tackle the issue of Nazi looted art. In the USA the issue was dealt with by different branches of the public administration. We have already mentioned how the SSO created the ALIU in November of 1944. In addition, there was also the “American Commission for the Protection and Safeguarding of Historical and Artistic Monuments in War Zones” – mostly known as the Roberts Commission. Given that art had a stable financial value, this issue also drew the attention of the Foreign Economic Administration. In the United Kingdom, the “British Commission for the preservation and restitution of artworks, archives and other materials under control of the enemy” was created. Other national commissions appeared after the liberation of occupied countries. They all had direct contact with the Allies.

The Allied policy on restoring stolen art had several guidelines. Firstly, Germany had the obligation to restore all artworks, books and historical or artistic archives which were involved in the plundering. Secondly, all artistic or historical objects transferred to Germany during the occupation period were considered looted goods. Thirdly, the claims for stolen artworks should be formalized by governments, and not by the affected citizens. Every affected citizen should therefore resort to their governments. In addition, all European countries should block the flux of artworks, books and other historical or artistic objects between countries, so as to prevent their disappearance. Lastly, it demanded a special control on flights to America, as well as on the import of art in the USA.

Holland’s case depicts the complexity of the restitution process of looted art. The Dutch government transposed the principles of Declaration 18 of the UN as well as Resolution

VI of the Bretton Woods Conference, into their national legislation. All transactions made with the enemy during the occupation were considered illegal. This was the argument they used against the Spanish government in retrieving the 22 paintings which Alois Miedl imported into Spain, and his repatriation to Dutch territory. The restitution process planned by the Dutch authorities began with the elaboration of a list of the artworks which had disappeared, and the traces which hinted their possible locations. A decree signed by the Dutch military authorities in July 1945 ordered all citizens to provide investigators with any information on lootings carried out by Dutch citizens, in collaboration with the Nazis, whether they were voluntarily or under coercion. This information, together with the evidence provided by the former art owners, was collected by the Foundation for Dutch Cultural Property, and was the starting point for the operations aimed towards retrieving the lost Dutch artistic estate.

A year after the operation commenced, twenty-four cargoes arrived in Holland, containing more than 4,700 artworks and antiques of different sorts. During the 1950s, however, the process slowed down, and even ceased. The easiest part of the operation consisted in retrieving Dutch art located in German territory. The other claims were more difficult to solve for two main reasons. Firstly, many pieces had been sold in the black market and were hard to trace. In other cases, although the artworks had been traced, they weren't as easy to retrieve due to long judicial procedures. Secondly, some looted collections were confiscated by Soviet troops in Reich territory, and transported to Russian museums. This is the case, for example, of a substantial part of Koenig's collection, which was purchased by Alois Miedl for the museum Hitler planned to build in Linz. To date, more than 6,000 paintings sacked by the Germans have still not returned to Germany.

Towards the end of the 1980s and early 1990s, the fall of the iron curtain rebooted the restitution process that started in the immediate post-war. The end of the Cold War had triggered a global revision of the strategies adopted by belligerent and neutral countries, during the late stages of the war, and the post-war. In this context, there are many claims for the restitution of looted art against many countries. Firstly, towards Russia, as the heir of the USSR state. In these cases, given that German collections (regardless of their previous state or private ownership) in USSR-controlled zone were transported to Russian museums, Germany is the main victim. Looted collections from other European countries are also currently in Russia.

Secondly, another set of restitution claims is directed against state museums of formerly occupied countries. In many cases, the Allied governments, after retrieving the artworks from the Third Reich, did not return them to their previous owners. Many of these collections are now found in public museums, and are now claimed by the heirs of the previous legitimate owners. In other occasions, the governments reached agreements with the owners, which were later contested by their heirs. Such was the case of the Goudstikker collection, associated with Alois Miedl. In 1952, the Dutch state reached an agreement with Desi Goudstikker, widow of the owner of the collection that was purchased by Alois Miedl for Göring, for the acquisition of 150 paintings that the Dutch government had found in Germany. The heirs currently call for the voidance of the agreement and the restitution of Goudstikker's paintings.

Lastly, the museums and private collectors that bought looted objects, are subjects of the claims presented by former owners, or by organizations that act in their names, such as the World Jewish Congress (WJC). The claims were directed towards museums that allegedly possess looted artworks, regardless of the date in which they acquired the paintings or other artworks. This is the case of André Masson's *The Family in a State of Metamorphosis*, which is located in Reina Sofía Museum, in Madrid. The painting, which once belonged to the Pierre David-Weill collection, a Jewish-French banker, was confiscated by the Nazis in 1940. After the war, it disappeared from the market, until it was found again in 1985. Reina Sofía bought it that same year for \$1 million. The WJC has volunteered to represent the Weill family, should they decide to sue the museum.

2. The Franco regime's stance towards the problem of plundered art: legislation and political practices

2.1. The Spanish Legislation.

During World War II, the Franco regime did not pass on any legislation that explicitly addressed the entry of illegal artworks from other countries. This activity was qualified within the generic crime of smuggling. The Spanish Criminal and Procedural Law of November 24, 1938, created the Court of Monetary Crimes and listed the acts constituting such offenses. The Decree on Smuggling and Fraud, of February 22, 1942, listed "the act of importing or exporting goods without the necessary license or official permission, and tenure, or the circulation of such goods", among the financial crimes. According to this precept, every work of art or antiquity that entered the country without a license of import could be requisitioned by: (1) at the moment of entering Spanish territory, (2) in any transaction within national territory, or (3) in possession of the buyer. The perpetrators of a smuggling crime faced the punishment of a fine between double to more than five times the defrauded amount. The goods, which were seized, were sold at a public auction by the Court of Monetary Crimes. Under this Decree, Pierre Lottier's case was judged in 1945. The case is further discussed in section 3.2. of this report.

There were no legislative modifications regarding the traffic of Nazi-looted artworks during the war. The first change came on May 5 1945, when the Government issued the Decree of May 5, 1945, in which it *expressed its support* "for the principles of Resolution VI of the Bretton Woods Conference". The Decree made no explicit reference to the trafficking of art pieces, but this was already implicit, given the provisions of Resolution VI, which aimed to pursue the trafficking of all goods looted by the Nazis in occupied territories. The first article of the Decree imposed a block on the "goods belonging to individuals subjected to the Axis or from countries which had been dominated by it". The second article considered the aforementioned goods to be "all goods and property rights of any class that belong wholly or partially to the individuals stated in Article 1... either directly or through intermediaries."

After the entry into force of the Decree, any act that involved the transmission of blocked goods required a special administrative authorization. In legal terms, the

measure applied to all assets and property rights, privately or stated owned, which belonged, wholly or partially, directly or through intermediaries, to the countries of the Axis or which had been occupied by the Axis. If a foreign individual affected by the decree requested the release of their property, the Spanish Government had full discretion over the decision. In practice, however, most of the releases of assets were adopted after mutual agreements with the Allies. Although the Decree did not mention any particular works of art, it served as the legal basis that the Spanish government used to freeze Alois Miedl's collection in the port of Bilbao. One of the chapters of this report further elaborates on Miedl's collection.

2.2. The subject of plundered art in the negotiations between the Allies and the Franco regime in the post-war period.

Between May 5, 1945 and May 10, 1948, the Spanish Government negotiated with ACC representatives about the fate of state and private property from the Axis or from countries that were occupied by the Axis. However, from October 1946 onwards, the talks focused almost exclusively on the future of German goods. The problem regarding artworks plundered by the Third Reich in Europe was not addressed in the negotiations. The negotiations mainly focused on the expropriation and liquidation of German assets in Spain. Plundered art took a secondary role in the relations between the Spanish government and the ACC. Interesting enough, it was the Allied governments who decided against plundered being part of the ACC's agenda, and that the efforts made in this regard should remain a subject for the embassies of each country to address.

During those years, there was only one Allied allusion to the issue of plundered art being a widespread post-war problem. A verbal note from the Embassy of the United States, from July 8 1946, informed the Ministry of Foreign Affairs about the signing of a tripartite agreement on the 8th of July of that same year, between the governments of Great Britain, France and the United States. The note read as follows: "During the Axis occupation of countries now freed by the Allies, many valuable works of art disappeared and have not yet been recovered". In order to find the looted artworks, the Allies were "preparing lists of cultural property... which had not yet been recovered". Copies of these lists would be provided to neutral countries. Once these lists were received by the Spanish government, it was expected to adopt all necessary measures "to give notice of the lists to art dealers, authorities, museums and customs employees; to publish the lists in the national press; and to advertise the lists". The Spanish government should also adopt appropriate measures "to prohibit the sale, transfer or export of cultural objects suspicious of having been unduly acquired". Another note from the 4th of December of 1947, reported that the USSR, Italy, Finland, Bulgaria, Hungary and Romania had been invited to adhere themselves to the agreement. In the end, very few lists arrived to the Ministry of Foreign Affairs. In fact, there is only one reference to a list of looted paintings, which was sent by the Museum of Krakow.

All of the other Allied references regarding the flow of art in Spain was limited to only three cases: Alois Miedl's paintings collection, the sacking of artworks from the German Embassy by Hans Lazar, and the pieces from the exhibition of German engravings from the 19th and 20th centuries. All three cases are detailed in paragraphs

3.1., 3.3. and in Appendix 2. In Alois Miedl's case, the ACC supported the claims from the Dutch government. Regarding the accusation against Hans Lazar (the head of the German embassy's press section), it was withdrawn by the Allies in 1949. Shortly after, the Allies consented to releasing the goods. The issue with respect to the exhibition of German engravings from the 19th and 20th centuries directly affected ACC representatives in Spain. After an exchange of letters from October 28 1946, the Spanish Government recognized the ACC as the *de facto* government of Germany. The Allies had to take charge of the exhibition objects, which were property of the German state. As with other German goods, the ACC suggested selling the engravings in 1946, but such recommendation was rejected by the Spanish government. Except for these three cases, since the end of War World II, the AMAE has not found any other Allied reference to Nazi plundered art in Spain.

2.3. The Franco regime, smuggling and smugglers.

Throughout the war and the post-war period, the only time when the Spanish government took an official stance regarding a case, was for Alois Miedl's collection of twenty-two paintings in the port of Bilbao. The case raised a conflict between the Spanish and Dutch governments, who disagreed about the way Resolution VI of the Bretton Woods Conference should be interpreted. The dispute reveals that the Spanish Government expressed its approval for the Resolution reluctantly, and only because of the changes in the international community after Germany's defeat. Therefore, it did not share the Allies' criteria in the implementation of its content. The Allies interpreted that the Inter-Allied Declaration of January 5, 1943 and the Resolution VI of the Bretton Woods Conference to permit the voidance of any transaction between Dutch and German citizens. A US report was especially clarifying in this respect by declaring that: "All artistic or historical property which was transferred to Germany during the German occupation... should be treated as looted property". The Spanish Government, however, followed a more restrictive interpretation. Referring to the Inter-Allied Declaration of January 5, 1943, the Spanish government held that it was necessary to provide evidence of the existence of a coercive force at the moment the goods were transferred. In the absence of such evidence, the Ministry of Foreign Affairs refused to repatriate Miedl and the paintings. The Spanish government could not share the Allies' criteria that any transaction with the Germans should be invalid, because of the beneficial trade relations held by the Franco regime and the Third Reich throughout the war period.

The Spanish government's stance regarding European citizens who the Allies suspected to be involved in art trafficking or plundering, is significant. The Allies, to a greater or lesser extent, considered almost all of them as collaborators of the Third Reich. In contrast to this view, Miedl, Lazar, Otlet, Zantop and Lottier, all found refuge in Spain. The first two were part of the Allies' lists requesting repatriation to Germany. In the end, the Spanish government eventually managed to waive the Allies' demands. It must be noted that Lazar was a war correspondent who was decorated for his support of the Nationalist faction during the Spanish civil war. Lottier was sentenced to a fine for smuggling antiquities, but this did not prevent the Spanish government from engaging in business with him several years later. Some French collaborators in art trafficking

also found temporary refuge in Spain. This is the case of Darquier Pellepoix, commissioner for Jewish affairs of the Vichy government between 1942 and 1944, and one of those chiefly responsible for the confiscation of property during the Petain Government. Furthermore, Pellepoix was directly involved in the seizure of French-Jew citizen, Mr. Schloss' paintings collection. Ally reports outline that Pellepoix flew towards Madrid in 1945. Several of those who were involved in smuggling, such as Gabison, disappeared during the second half of the 1940s. Schiffman was deported, but his expulsion was most certainly due to his role as a Gestapo double agent, rather than his participation in the smuggling of works of art. Bauer was in the Carabanchel prison in 1945, but nothing else is known about him afterwards. There is barely any data on the rest of suspects in the AMAE records.

In summation, the Spanish Government took on its new role in the post-war international context with reluctance. On May 2, 1945, three days before it expressed conformity with Resolution VI of the Conference of Bretton Woods, an advisor of the Ministry of Foreign Affairs stated that the Anglo-American pressure for Spain to subscribe Resolution VI was contrary to International Law. According to the advisor, such pressure amounted to “compelling a neutral country to participate in a series of measures of *particular belligerence*”. The Franco government did not share the Allies' convictions that impelled the Inter-Allied Declaration of January 5, 1943, Resolution VI of the Bretton Woods Conference, measures concerning the issue of looted art in Europe, or any other issue debated in the post-war. For this same reason, Francoist Spain served as refuge for those considered as enemies by the Allies. German agents, Belgian and Dutch collaborators, prominent men of the Vichy Government, found in Spain safe territory where they were secure from the justice systems of their respective countries.

3. Case studies

3.1. Alois Miedl and twenty-two paintings of the Port of Bilbao.

On July 5, 1944, Alois Miedl arrived in Spain, through the Irún border via Amsterdam. He was born in Munich in 1903. Banker by profession, he diversified part of his assets towards the art trade business. Married to a German Jewish woman, he moved to Holland in 1932, just when the Nazi invasion was imminent. An American report described as “a merchant, business man and adventurer”. For many years, Miedl took ambiguous positions, from which he took advantage of during and after the war. Through his marriage, he maintained a good relationship with the Jewish community, but at the same time, he was also an old friend of Nazi leader Hermann Göring and Heinrich Hoffmann, Hitler's official photographer.

As the war advanced, Miedl created one of the main German networks of art smuggling, with ramifications in Germany, Spain, France, Switzerland, Belgium, Portugal and, of course, the Netherlands, his operations headquarters. His strategy consisted of buying art collections from Jewish citizens, who, coerced by the oppressive atmosphere of the occupation days, sold their property at prices well below real values. However, Miedl also bought artworks from Dutch and Belgian citizens without any Jewish roots.

Herman Göring was the principal recipient of Miedl's purchases. These ended up mainly at Carinhall Castle. It is worth noting that Miedl also collaborated for the museum that Hitler considered building in Linz, and acquired art works for other Nazi collectors. Among the main collections acquired by Miedl was Franz Koenigs', a German resident in the Netherlands and who later obtained Dutch citizenship. This collection consisted of around 2,000 drawings, some of which ended up to the art collections which were to be projected to be part of the Museum of Linz. In Belgium, Miedl bought Emile Renders' collection, who specialized in Flemish Primitives. Miedl paid 12 million Belgian Francs for the collection, an amount lower than its real value. Ally reports indicate that Renders sold under coercion.

Miedl's most important acquisition, the Goudstikker collection, came in 1940. The collection belonged to Jacques Goudstikker, a Jewish millionaire, dealer and collector of art. The collection encompassed more than a thousand paintings, most of them from medieval and renaissance renowned Dutch, Flemish and Italian artists. The paintings were located in the Castle of Nyenrode of the Vecht, near Utrecht. Goudstikker died when he fled the Netherlands with his family to New York, shortly before the Nazi invasion. Miedl bought the Goudstikker Gallery (which held possession of the works of art) from Goudstikker's widow. He paid for the collection in Dutch Guilders. In a later statement to the Spanish authorities, Miedl claimed that he had paid a total of 2,500,000 Dutch Guilders and that he was later "forced by Marshal Göring" to sell most of the paintings for 2,000,000 Dutch Guilders". In any case, the activities of Miedl in The Netherlands were very profitable to him. As he stated, in July 1947 he had eight million Dutch Guilders deposited in Dutch bank accounts, which by then were blocked by the Dutch authorities. In addition, in Spain he brought about four million Pesetas worth of shares, company securities, and national public debt securities from various countries, a Ford, and twenty-two paintings (see Appendix 1), which included one Van Dyck, two Corots, one Franz Hals and one David. An important part of Miedl's assets were debt securities and stock shares because these were his preferred "currencies" in the purchase of art collections.

Allied reports indicate that Miedl had a dense network of links in France and Spain that facilitated the transfer of his paintings. To begin with, he received help from senior staff from the German Embassy. Eckart Kramer, Major General and Air Attaché of the Embassy, and Herbert Wollhardt, Lieutenant Colonel and Air Attaché, were the contacts Miedl resorted to, in order to reach Spain. The former was also was a faithful friend of his. Kramer appeared in the lists of German citizens whose extradition from Spain was requested by the Allies in March 1946. Miedl's arrival to Spain was facilitated by a German secret service agent known as *Thomas* by the Allies, whose pen name was "Manfred Katz". Katz is also included in the list of German citizens whose repatriation to Germany was required by the Allies.

Miedl also had important connections of smugglers to assist him in the French-Spanish border. Amongst them were brothers Raymond & Jean Duval. Raymond, who resided in Geneva, worked with individuals who were interested in smuggling from France to Spain. Jean, who operated on the land border, found refuge in Spain, according to the Allies' reports.

The collaborators in the Heinrich Bauer operation (which we will further elaborate later in this report) were Frenchman Graebener (a smuggler arrested by the French authorities on August 1944), and driver Jaime Gil (who transported Miedl to Hendaye). After being detained by the Provisional Government of the French Republic, Gil was released soon after, and by 1946 he lived in Paris. Last of all, the Allies' sources name three traffickers who helped to Miedl in Spain: Belgians Georges Koninckx and Adrien Otlet, and the German Alfred Zantop.

While Miedl was processing his residence permit in Spain, his paintings, securities and stocks were retained in the port of Bilbao deposit. On the 9th of November 1944, the Spanish government received a verbal note from the Dutch Embassy in Madrid. The note's content accused Miedl of having plundered several collections of art in Dutch territory, citing in particular the Goudstikker Collection. The note requested that the Ministry of Foreign Affairs performed a "thorough investigation of the provenance of the paintings" that were being held in Bilbao. Another verbal note, from December 7, referred the case to Resolution VI of the Bretton Woods Conference, whose purpose was to "prevent the liquidation of the assets looted by the enemy". The Ministry of Foreign Affairs asked Miedl for a detailed account of the paintings, and preventively left the paintings retained, together with his other assets, in Bilbao. On early 1945, the United States took action on the matter. A memorandum and a verbal note sent from the American Embassy, dated January 31 and March 17, 1945, respectively, further supported the Dutch claim. On the 5th of May, the Spanish government, through a Decree, expressed its support for Resolution VI of the Bretton Woods Conference, and proceeded to seize the assets of all Axis citizens and those citizens' whose countries were occupied by the Axis. Among those assets were the Miedl's paintings and valuables, which were indefinitely confiscated.

During this time, the Spanish government continued asking Miedl to clarify the origin of his collection of paintings. A new declaration, delivered to the Ministry of Foreign Affairs on January 26, 1946, gave details of the provenance of each painting ([Appendix 1](#)). Miedl claimed that only eight paintings belonged to the Goudstikker Collection and that the rest were previously sold. However, he barely specified any dates, and, in any case, merely limited himself to stating that he did not remember who had bought the paintings. In addition, he insisted on the fact that the purchase of the Goudstikker collection was legal, and that by no means did he coerce the heirs. "I've never bought any painting through suspicious means", he claimed. He continued taking advantage of the ambiguous stance he had taken during the war. Along with his statement, he sent the Ministry a typed copy of a letter sent to Goudstikker's widow in 1945, from Spain, in which it claimed to have taken care of her family in Holland, as well as of other Jewish citizens during the occupation.

On the 1st of March 1946, the Spanish Ministry of Affairs Foreign telegraphed the Spanish Embassy in The Hague. The Allies' pressures began to re-intensify, and the Spanish government wanted to have more information on the matter. After updating the ambassador on the entire case, the Undersecretary of the Ministry asked for information to see if Miedl had purchased his assets under duress, under what conditions he had performed the sale of the paintings, apart from any other "useful data" about his "personality". On the 15th of March, the Embassies of United States and Great Britain

requested Miedl's extradition to Germany, along with two hundred other German nationals. That same day, Dutch authorities also requested Miedl's presence back in the Netherlands. Dutch authorities claimed that both the paintings and valuables could be considered as looted property, and warned that the Dutch Government reserved itself the right to such assets. Seeing how the situation had escalated, Martin Artajo, the head of Foreign Affairs, took the matter into his own hands and sent two telegrams to the ambassador in The Hague on March 23 and April 10, urging him for a reply on the requested information. The ambassador replied on April 14, saying there was "confusion" among the Dutch authorities "in regard to the legal appearance of the Miedl case". The "official Commission on the recovery of artistic works which were acquired abroad by Germany" was still debating the case, yet without any clear stance.

On April 27 1946, Emilio de Navasqués, a highly ranked official of the Ministry of Foreign Affairs told the Dutch ambassador in Madrid that, so far, the Spanish authorities had been unable to "find any proof" that Miedl's assets had been obtained from plundering. Hence, he requested that the Dutch provided more "a more solid basis" to substantiate their allegations. In the end, the modified Dutch allegations came on the 17th of July. Judicial authorities considered the sale of the Goudstikker Collection as illegal. At the very least, it was contrary to the Inter-Allied Declaration of January 5th 1943 and Resolution VI of the Bretton Woods Conference. On top, post-war Dutch legislation declared as void those "transactions carried out with means of payment that the enemy had established through the occupation". This argument was also shared by Great Britain and the United States. Miedl had bought the Goudstikker Collection with money supplied by the Germans. "Property acquired in such manner"- explained a joint GB-USA memorandum- "can be defined as plundered property comprehended in Resolution VI of the Bretton Woods Conference, since it reduced the wealth of an Allied country through the process of carrying out a transaction using a currency issued by the occupying forces of the Axis". Summing up, the Spanish and Dutch governments defended two irreconcilable positions. The Dutch considered the whole transaction as illegal, but the Spanish authorities required proof that the Goudstikker Collection had been transferred under duress.

Apart from negotiating with Dutch authorities, the Spanish Government started to examine the possibility of finding a new destination to safeguard the paintings. On July 5, 1946, Miedl gave his approval for the collection to be transferred from the port of Bilbao to Madrid. Once they arrived in the Spanish capital, and after signing a receipt, the Ministry could deposit them wherever they chose, until the "issue of controversy" was settled with the Netherlands. A typed note, which was included in the Ministry of Foreign Affairs' record on Miedl, revealed which was to be their future destination: once the collection arrived to Madrid it had to be transported to the *Museo del Prado*, "but they ought not to be shown to anyone without prior written authorization from the Ministry". The note clarified that the operation received the approval of Sánchez Canton, director of the Prado Museum. The operation was frustrated twice. First, because Miedl and the Ministry disagreed about who had to bear the transportation costs to Madrid. Since by the end of October 1946 the collection still remained in the Puerto Franco of Bilbao, Navasqués urged Miedl to do so, through José María de Areilza (his "protector" from to the Ministry). Miedl finally agreed to pay the transfer. After it had been decided that the collection would be transported to Madrid in early December, a new obstacle

arose. The Directorate-General of Customs forwarded a letter to the Ministry, explaining that Renfe (the national railways company) personnel had prevented the transport, because consignments over 100 kilos required a special permission from the Directorate-General of the company. While Navasqués sorted out the authorization, the year ended without the paintings being shipped.

For the next six months there was no record in the Ministry about Miedl. On June 27 1947, a handwritten note pointed out that since December 1946 there had been “no other document” attached to his record. It was therefore necessary to contact the Customs to see if the paintings were still in Bilbao. The note also included a reminder of the route to be followed, and that the operation had been approved by Sánchez Canton. However, Miedl changed his plans. In a meeting held with the Ministry in July, Miedl exposed that he was now not interested in moving the paintings to Madrid because he feared that “when the officers of the Allied Control Council saw the paintings” their “desire of keeping them” would increase. He further claimed that he was negotiating with the Dutch authorities, who had offered him “a sketchy way” (sic) to “recognize him as the owner of 90%” of the collection. Hence, he preferred them to remain in the port of Bilbao, where they were being “well-kept”.

The truth is, Miedl not only feared Allies’ intentions. He also distrusted the Spanish authorities. Once the paintings were in the Prado Museum, what guarantees did he have of recovering his paintings? This issue came up in another meeting on November 11, 1947, when he expressed its willingness to take them to Madrid, “as long as he received guarantees” that they “would still be considered his property”. The Prado Museum wanted to “buy two paintings for a very low price”, something that he was always willing to accept under the condition that “in the future” he was allowed to “take others out of Spain in order to sell them in Switzerland or another country”. There is no record of the two parties finally reaching an agreement.

On May 4, 1948, Miedl requested authorisation from the Spanish government to release his assets. In October 1945, the paintings had been transferred from the Port of Bilbao to the offices of the Spanish Institute of Foreign Currency (IEME). In July 1948, the collection was deposited in the Banco Exterior of Spain, under the name of Alois Miedl. As it was typical for requests of release of goods, the Spanish Government consulted with the Allies. Through a memorandum received on August 19, 1948, the ACC delegation in Spain exposed its objection to the release of goods. However, the Allied memorandum only referred to Miedl’s funds and securities, failing to make any reference to the paintings. On August 24, the Ministry unblocked all of his belongings, including the paintings.

Nevertheless, before definitively releasing the paintings, the Ministry had some matters to resolve in the Netherlands. On January 19, 1949 Martin Artajo forwarded a telegram to the Spanish Embassy in The Hague. He explained that the Dutch government had not yet “presented evidence of their complaint against Mr. Miedl” and asked the Ambassador to conduct “discrete diligences to see if such evidence” could “be presented shortly”. Given that there were no subsequent updates, on February 9 the Ministry sent a verbal note to the Dutch Embassy, in which it communicated that, given the lack of evidence regarding the allegations, the Spanish government had proceeded

“to unblocking Mr. Miedl’s assets, authorizing to remove the three boxes which were deposited in the port of Bilbao. The Dutch Government was free to take any legal actions it deemed appropriate. That same day, Miedl received the permission to release the paintings and valuables.

The Dutch reply came through a verbal note on February 18. The Dutch claimed that Spain’s request for evidence, did not comply with “the post-war principles applied on the field of art restitution”. The note further added that these kinds of claims, “were to be examined by the Allied authorities on the basis of Resolution VI of the Bretton Woods Conference, under the principle that restitution should be admitted even if the element of force had not been proven”, since the objective was for each country to recover “the cultural patrimony” that they had “before the enemy occupation... regardless of the conditions under which the objects” had “been exported”. From this perspective, the possibility pointed out by the Spanish verbal note of recurring to the judicial system for a verdict, could not be considered “in harmony with the overall implementation of Resolution VI of the Bretton Woods Conference”. These arguments were indifferent to the Ministry. A verbal note sent to the Dutch authorities explained that the Spanish legislation did not allow them to “indefinitely block a foreign citizen’s assets without just cause or evidence which supported their accusations”. In addition, the Spanish Government further justified itself by claiming that Miedl had also been “released by representatives of the ACC in Spain”.

This verbal note is the last document contained in the Alois Miedl file. The AMAE has no information about the whereabouts of the paintings, and there is only one more entry about Miedl: on December 10, 1952, a Court of Lausanne asked for permission to send a Rogatory Commission to Madrid, in order to question Miedl about a civil case launched by Hildegarde Frutiger and Edna Reber. The verbal note accompanying the request did not specify any data for the process. The issue may be related to another verbal note submitted by the Swiss Embassy in Madrid, dated from August 5, 1947, which attached an “order and reply” to be delivered to Miedl, from the Swiss Federal Tribunal in Lausanne, “related to goods exported from territories occupied by the Germans during WWII”.

3.2. Antiquarian Pierre Lottier and Erich Schiffman, the double agent.

The ALIU report from 1946, which analysed the issue of plundered art, devotes a section to Pierre Lottier and Erich Schiffman in its chapter about Spain. The pair, according to the document, were business partners in a furniture company which was established in Barcelona. They also traded with works of art from Spain and French antiques, especially with Chinese porcelain. However, the AMAE documentation does not have any record about the two being trade partners. There is, however, sufficient documentation about their involvement in art and antiques trading.

On November 19 1945, the Spanish Delegation of the Provisional Government of the French Republic informed the Ministry of Foreign Affairs that the Customs Administration of Barcelona had seized a car belonging to Pierre Lottier, “a Frenchman suspected of exercising acts of smuggling”. Lottier had crossed the French-Spanish

border, hiding art objects and antiques in his vehicle. The French note, detailed the objects in a generic way by mentioning: “pictures, mirrors, porcelain and tapestries”. The French authorities thought the objects to be stolen, and had launched an investigation to corroborate this. The Delegation of the French Government asked the Ministry of Foreign Affairs to collaborate with the Customs Administration and the Court of Monetary Crimes, “in order to avoid that these objects of art and antiques” could “be dispersed, for sale or for any other reason”.

On the 26th of November, the Directorate-General of Foreign Policy of the Ministry of Foreign Affairs sent three letters to the Directorate-General of Customs, the Monetary Crimes Court and the Directorate-General of security, with the aim of collecting information on the topic. The answers came quickly. Lottier, a French citizen living in Barcelona, had been arrested on July 27, 1944 with “certain objects of art” imported into Spain, in an allegedly clandestine fashion. The seized objects had been valued by the Customs experts in 24,050 Pesetas. The Administrative Board of the Barcelona Tax Office condemned Lottier on February 22, 1945, to pay a fine on the charges of fraud, for 16,092 Pesetas. Furthermore, as the Decree-Law on Smuggling and Fraud of February 20, 1942 stipulated, if the value of the seized goods exceeded 5,000 Pesetas and it did not constitute an administrative offence, the case was to be referred to the Court of Monetary Crimes. The confiscated goods were held in the Barcelona Customs facilities.

On January 21, the Ministry of Foreign Affairs informed the Spanish government delegation in the Provisional Republic of France that works of art and antiquities were safe in the Barcelona Customs facilities, and that there was still no ruling on the case. On May 6, French authorities notified the Spanish government that the Correctional Court of Nice had sentenced Lottier on the charges of absentia, for a year of prison, and 1,200 Francs of fine “for the theft of art objects and furniture belonging to M. Nacache, who resided in Nice”. Shortly after, on July 21, came the ruling from the Court of Monetary Crimes. Lottier was convicted in Spain to pay a fine of 120,050 Pesetas, five times the amount of the fraud, and the maximum amount allowed by the Decree on Smuggling and Fraud of 1942. The Court seized the art objects and antiques, and, pursuant to Article 9 of the Decree-Law on Smuggling and Fraud, prepared the auctioning of the goods. Before executing the ruling, however, the Court requested authorization from Ministry, which found “no obstacle or legal barriers” to proceed with “the sale at public auction of the aforementioned art objects and antiques”.

Despite the sentence, Lottier remained Spain. During the 1950’s he managed a buoyant business of “decoration, restoration, antiques and reproductions” in Barcelona. His background did not prevent him from signing major contracts with the Spanish state. An example, is one which was agreed in early 1952 to decorate “rooms leading to the noble part” of the new building of the Institute of Hispanic Culture in the *Ciudad Universitaria*. For furnishing the offices of the director and the secretary general, he received 200,000 Pesetas.

Eric Schiffman was not as lucky. Schiffman was an Austrian citizen, born in Vienna in 1920. Most of his data in the AMAE came from a report by the Directorate-General of Security. Schiffman arrived to Spain in 1942 from Marseille. There, he had established

contact with the local Gestapo director, described in the report as “a man without scruples”, who contracted Schiffman for the Nazi organisation and proposed him to enter the business of “car and currency smuggling in Spain”. For some time, Schiffman lived in Madrid and Barcelona, with a German passport and a German ID, while engaging in smuggling activities. In 1944, he returned to France. “Being an intelligent and cautious man”, as the report mentions, in France he kept in touch with the French secret service of General DeGaulle. When he returned to Spain, after the Allied disembark in Normandy, he did so as already having been identified as being part of the French secret services. Summing up, for the Spanish police, Schiffman was a “person without scruples”, who provided “his services” to whoever paid best. In addition, there were no known legal occupations that he had carried out and his “lavish life of ostentations” was financed from what he earned from his “information services”.

In regards to the object of this report, the police document also stated that there were “sources” pointing that, together with other foreigners, Schiffman had smuggled “furniture and other goods” obtained in illegal ways, from France to Spain. The police report did not specify what type of objects it meant, but given the nature of his other activities, this claim may be related to the smuggling of antiquities and art works that appears in the ALIU report of 1946, in association with Pierre Lottier, who could be another alluded foreign citizen.

Seeing Schiffman’s trajectory, the Directorate-General of the Police recommended his deportation from the country. Rather than his smuggling operations, the main reason for his deportation were his possible links with the intelligence services of DeGaulle’s France. Schiffman was detained in the spa of Caldes de Malavella. The Ministry of Foreign Affairs did not issue any objection to his deportation. On the 15th of March of 1946 his name was not included in the lists of German citizens yet to be repatriated, from which it is reasonable to conclude that he was already in Germany. The last information about Schiffman in the AMAE dates from 1949, saying that he had been “*un-Nazified* in Stuttgart”.

3.3. Hans Lazar and the artworks of the German embassy.

Hans Lazarich Lazar was born in Constantinople, on October 5, 1895, in a family of Austrian origin. When he came to Spain, in July 1938, he served as a writer and journalist for the Nationalist faction. At around that time, he benefitted from the use of an Austrian diplomatic passport. His first residence in Spain was in San Sebastian, but after the “liberation of Madrid” by the Nationalist faction, he moved to the Spanish capital. Shortly before the beginning of World War II, he started serving as head of the press section for the German Embassy. In November of 1943 he received, along with other ten German journalists, the War Merit Cross 2nd Class without swords “for the services rendered in the liberation war” as a correspondent of war. He kept an Austrian diplomatic passport until March 23, 1945, when he changed it to a German diplomatic passport. When the war ended, he resided in the press section of the German embassy on Avenida del Generalissimo 43.

The Third Reich surrendered on the 8th of May, 1945. That same day, the German embassy staff returned all official buildings back to the representatives of the Spanish Ministries of Foreign Affairs and of Interior. However, one month passed until the *Declaration regarding the defeat of Germany* was signed by the Allies, on the 5th of June 1945 and public German property could be seized by the Allies. Despite the Spanish government decreeing on May 8 that buildings used by the Germans were to be sealed, there was nothing the Allies could do, to prevent the looting of the buildings. When they finally took possession of the properties, these were close to being completely empty. On June 25, the Embassy of the United States referred a verbal note to the Ministry of Foreign Affairs reflecting the Allies' outrage. There were barely any documents. File cabinets were open and empty. Any item that could be sold in secondary or black markets had disappeared. There was no stationary, radios, furniture, steel cabinets, vehicles or tanks of gasoline. Some buildings had even been dismantled. The press section of the embassy, to highlight a concrete example, had been completely dismantled, to the point where the exterior light and drainpipes had been removed.

It is in this context that Lazar raises becomes a focus point for the Allies. Through a verbal note dated from the 16th of May, the Americans spoke to the Spanish Government complaining that the head of the press section still "kept his residence in the building". The note also expressed their frustration at the fact that other members of the German personnel, as well as other people, also had access to the building. Lazar argued that he lived in the premises of press section. However, the Americans insisted that no one should be granted access to the buildings, and by no means should they be able to retrieve any objects from them, regardless of their nature and belonging. In the copy of the verbal note which is deposited in the AMAE, there's a handwritten note which literally says: "That's it. He'll leave the house". This was not the only complaint about Lazar. In the aforementioned note, it was also claimed that Lazar had held clandestine meetings in the house and destroyed files from the ambassador's private office. It was also requested that that the building was "effectively and immediately" sealed. A marginal note says: "closed".

The accusations against Lazar escalated when the Allies took control of buildings. The German embassy building, located in the Hermanos Becquer Street had been almost completely looted. The perpetrators had taken "valuable paintings, other art objects, and items of silver and gold". Lazar appeared to be the coordinator of the lootings. Moreover, he had remained in his residence inside the press section under the consent of the Spanish authorities until June 11, despite the insistence shown by the American authorities in their notes that no one should remove any objects or materials from the German buildings. Lazar, the former head of the press section, had transported "a very large number of *personal* items" to his new domicile. "There are reasons to believe", the Allies held, "that a part or all of those items which were owned by the German Press Office, comprise objects obtained from the sacking of areas that had been occupied by the Germans". The Spanish government ignored the Allies' criticism. In an interview with the delegates of the American and British embassies, Walter Ackerman claimed that it was impossible to determine the date on which the lootings had been carried out, and that "before the German surrender, the Spanish government had no means of action to monitor what happened inside foreign embassies".

On October 20, Lazar gave the Ministry of Foreign Affairs his declaration of assets, in order with the legislation in force regarding the blocking of assets of citizens of countries from the Axis or which had been occupied by the Axis. Around those dates, he lived in Madrid, in the Colonia del Viso. He made a vague description of his properties, which he had brought from Austria under a “diplomatic franchise”, which consisted in “furniture, carpets, paintings, carvings, porcelain, silver, etc.”, a sedan car and two insurance policies. Around those dates, the Allies requested his repatriation to Germany. The Spanish government issued an arrest warrant, which Lazar managed to evade because of a coincidental appendectomy. In the meantime, the former head of the press section counteracted. On the February 12 1946, he issued a letter to the Minister of Foreign Affairs, expressing the “deeply bitter and painful sentiment” he felt after it came to his knowledge that the Spanish authorities had decreed his arrest despite having spent eight years in the country and having “very effectively, served the interests of Spain in many cases”. With this, he was referring to his support for the Nationalist faction during the civil war. For this reason, he requested Spanish authorities to be “hospitable” to him.

On the 30th of July 1946, the Allies submitted a memorandum to the Ministry of Foreign Affairs in which they requested a full inventory of Lazar’s goods. They insisted that, according to several reports, he possessed “numerous looted objects, including works of art”, and that he had been actively working to “camouflage German assets through several companies”. The Spanish government then asked Lazar for a detailed inventory of his “furniture, art pieces, etc., while providing the value of the goods, and specifying the date and price at which he acquired them”. This inventory was never submitted to the Ministry, or it has not been kept.

There were no more records on Lazar until 1949. On December 5 1949, the Allies recognised his Austrian nationality. On the 12th of December, the Spanish government sent a memorandum to the ACC representatives in Spain, claiming that since Lazar was Austrian, his goods should be released immediately, given that by 1949, the only assets that remained frozen were those belonging to German citizens. The Allies replied that before authorizing the release of his assets, they would greatly “appreciate” that the Ministry “conducted investigations on the allegedly expropriated goods which were under the possession of Mr. Lazar, and which also included works of art”. However, on February 25, 1950, the Allies submitted a new note, on which they declared that the case had been solved, and withdrew all objections to Lazar releasing his assets. They did not clarify the reasons behind this sudden change of mind. On March 6, the Ministry closed the file regarding the alleged looting of artworks from the German official buildings.

3.4. The kidnapping of Heinrich Bauer.

In the ALIU’s report on plundered art in Europe, *Heinrich Bauer* appears as the pseudonym used by George Henri Delfanne, also known under the pseudonyms *Henri Masuy* and *Kranenbaum*. Henri Delfanne was listed in the Allies’ files as a German spy who operated in Spain, Belgium and France, from 1939 to 1945. He worked under the alibi of being a commercial agent, but was also the head of an organisation which

smuggled art objects between the French-German border. He is also accused of smuggling works of art into Spain. Despite sharing the same activity field as Alois Miedl, the AMAE files show no association to Miedl. All entries of his activities in the AMAE files are listed under the name of *Heinrich Bauer*. In the AMAE files, he shows no direct connection with the trafficking of art pieces, but through other sources of information, we can confirm his participation in at least, jewellery smuggling.

On the 23rd of December 1944, Saint Sebastian police prevented the attempted kidnapping of Heinrich Bauer. He identified himself as a German citizen, born in the city of Biesbaden, of 31 years of age, and domiciled in San Sebastian. The failed kidnappers were three French policemen from the city of Hendaya: inspector Antonio López, and agents André Latxague and André Bec. They tried to push Bauer into a vehicle. Inside the vehicle, the Spanish authorities found all the necessary materials to perform the kidnapping: a baseball bat, pistols, morphine, chloroform, rope and cotton.

Bauer declared that he had befriended Lopez in Irún. He had told Lopez that his secretary, Paul Humbert, had been arrested in France, accused of being a collaborationist. Bauer then offered Lopez an assignment in which he would have to arrange his secretary's liberation and work as a messenger for him. Lopez's mission was to go to Paris and pick up nine and a half million Francs from various locations. One million would be assigned to liberate Bauer's secretary, two hundred fifty thousand would be Lopez's salary, and the rest would be given back to Bauer in Spain. The attempted kidnapping happened in the context of López and Bauer still discussing some details of the operation.

When interrogated by the police, López declared that the kidnapping was part of a political operation, whose main objective was to bring Bauer to France, "where his arrest was of much interest, because of his alleged involvement in the murdering of two hundred French citizens during the German occupation". For this reason, Lopez had been assigned to contact Bauer, fake his friendship and support Bauer's plans. It is at this point where Lopez's declaration on the facts diverges from Bauer's. The French inspector claimed that his mission consisted in him going to Paris, where he would be given the sum of 1,250,000 Francs. A million Francs would be destined to buying jewellery, which Lopez would smuggle through customs. The rest would be Lopez's his salary. He would also accompany "some men who possessed a great fortune" to the border, where Bauer would meet all of them, and get the men into Spain. Bauer had indeed told him about the arrest of his secretary, but he had not assigned any money for his ransom. In the other two French policemen's declarations, they did not add anything new to the investigation. All three Frenchmen ended up in the provincial prison of San Sebastian, and Bauer was sentenced to domiciliary arrest. The assumptions one can make from Bauer's version of the story, was that he could not enter French territory after the fall of the Vichy regime, and tried, through Lopez, to safeguard his fortune. This case caused a serious diplomatic incident with France, which we shall not go into, because it goes beyond the objectives of this work.

On July 7 1945, the Ministry of Affairs Foreign sent Bauer a note of the sort that were being sent out to all German citizens whose assets had been frozen. These notes requested the affected German citizens to declare all the goods that they possessed in

Spain. In the file, there was a handwritten note which stated the following: "Arrested. Directorate-general of security". On March 15, 1946, the Allies solicited Bauer to be repatriated to Germany, along with two hundred other Germans. In the Allies' list, Bauer appeared to be interned in the Carabanchel prison. There is no information in the AMAE as to why Bauer had been imprisoned, or for how long he remained there.

3.5. Wilhelm Gessmann, a.k.a. "Guillermo da Silva ", and the Goya miniature.

On February 2, 1947, Juan Barri Massip, a Spanish citizen, resident in Barcelona, presented a formal complaint to the Ministry of Foreign Affairs. Barri Massip requested the restitution of a miniature portrait of Fernando VII, allegedly painted by Francisco de Goya, and which was being retained in Lisbon by the representation of the ACC in Portugal. The Allies had seized the portrait from a Brazilian civil engineer who resided in Portugal. In the Spanish diplomatic files, this man was known as William da Silva. In the US documents, however, he is known as Wilhelm Gessmann, an Austrian citizen who was also known under the aliases *Jean Charles Alexander*, and *Wilhelm Alendorf*. Gessmann was known to be an international spy and a representative of the Buchholz library.

Mr. Buchholz was a bookseller who worked for Goebbels and Von Ribbentrop. In 1938, Buchholz trafficked with works of art which had been confiscated by the Nazis. By 1943, his headquarters were located in Berlin and New York, and he also opened a branch in Lisbon to facilitate the trafficking of European artworks.

Barri claimed that in August 1946, he had given the miniature portrait to Gessmann/da Silva, since he had offered himself as a broker for its sale. At that time, Gessmann/da Silva was residing in Barcelona. Shortly after gaining possession of the painting, da Silva disappeared without a trace. Until early 1947, Barri did not know that Gessmann had been arrested in Lisbon, and that the painting was in possession of the Allies. On February 26, 1947, the Spanish government made a formal restitution request to the Allies. The Allies replied that Gessmann had been repatriated to Austria. According to the Allies, while Gessmann was being interrogated, he claimed that Barri had given him the painting as a commission for the sale of several paintings, and that therefore, the miniature portrait was righteously his. While the real owner of the miniature was being determined, it remained retained by the ACC in Berlin.

For one year, the Spanish authorities and the Allies maintained active communications regarding the portrait. The Allies argued that without any evidence to endorse his claim, they could not restore the miniature back to Barri Massip. On the other hand, the Ministry of Foreign Affairs claimed that Gessmann's claims had no validity, especially given his activities as a spy and a smuggler. In the meantime, Barri filed a lawsuit against Gessmann in the Barcelona court of first instance number 16. The court requested the custody of the miniature, which the Ministry of Foreign Affairs conveyed to the Allies. The Allies responded that until there was a condemnatory sentence, they would not return the Goya miniature portrait. Nevertheless, they were willing to aid Barri Massip and the Spanish government by facilitating them some crucial information: Gessmann had been repatriated to Salzburg, in Austria, but after living in the city for

some time, he had fled to Italy, and then moved to Madrid, where he lived with his sister. With Gessmann in Madrid, the Spanish authorities had jurisdiction to determine who was the real owner.

Back in Spain, Gessmann retracted the statements he previously made to the Allies, and acknowledged that the miniature portrait was owned by Barri Massip. It is presumed that he did this in order to avoid a new deportation. Subsequently, the court ruled in favour of the Catalan. On the 26th of January, 1951, Jorge Spottorno, the Spanish consul in Frankfurt, finally received the miniature from the Allied authorities.

3.6. The Pujol-Rubio and Antonio Puigdellivol customs agencies and the Neufville and Bauer typographical companies.

Antonio Puigdellivol appears in the ALIU report because on July 9, 1945, he requested assistance from the German-American company *The Bauer Type Foundry Inc.* to sell a self-portrait of Rembrandt, which had most likely been stolen. *Pujol-Rubio Customs S.A.* would be the intermediary in the transaction, which would also include Typographic Foundry Company Neufville S.A. The AMAE documents do not establish any relation between these companies and the smuggling of works of art.

On behalf of Neufville, between April and November 1941, Pujol-Rubio Customs made five shipments of typographical materials to The Bauer Type Foundry Inc., which was located in New York. The total cost of these shipments amounted to \$10,181, of which Pujol-Rubio Customs only received \$2,882 on September 8, 1943. When the Pujol-Rubio Customs asked for the rest of the amount, its request was met with a refusal on behalf of the US government: Bauer Type's assets had been frozen, because it was a German company and Neufville also had German capital. For this reason, the American government was not willing to cover the companies' debt. Neufville S.A. had its headquarters in Barcelona and a branch in Madrid. At the beginning of 1946, almost 98% of the company's shares were owned by Carlos Hartman, a German citizen residing in Spain. The company's assets, which were frozen in May 1945, were not unblocked until January 25, 1949.

The AMAE does not have any registry of the relationship between Antonio Puigdellivol and typographical Neufville S.A. In the Allied Report of July 1945, Puigdellivol appeared to be in Lisbon, but he had apparently gone missing since March. His family wrote to the Ministry of Foreign Affairs with the hope of receiving news from him. He was arrested by the German Army forces in the French-Spanish border, on July 23, 1944. Through the information that has been gathered, it is known that the Germans reallocated him to the citadel of Perpignan, from there to the fortress of Carcassonne, and then to the internment camp of Compiègne. The internment camp of Compiègne is his last known location.

3.7. Baquera, Kusche & Martin, S.A.

In the ALIU reports, customs agency Baquera, Kusche & Martin S.A. (Bakumar) appears to be associated with the import of the twenty-two Alois Miedl paintings.

However, in the AMAE's records on Alois Miedl, there is no reference to Bakumar. The only customs agency which is referenced in this case is Ramon Talasac, which is domiciled in Calle de la Lotería 2, Bilbao. Talasac was responsible for sending the Ministry of Foreign Affairs the first detailed list of the paintings, in December 1944. Talasac was also responsible for managing the failed attempt to transfer Miedl's twenty-two paintings to Madrid. The Ministry of Foreign Affairs labels Talasac as Miedl's "forwarding agent". Maybe a more careful review of the ALIU's documents could help establish a link between Bakumar and Miedl. It could also be possible that Bakumar was mistakenly included in the ALIU's report. Bakumar was responsible for the import of the twenty boxes that contained the engravings from the "exposition of German graphic arts" (appendix 2). However, these boxes which were retained in the port of Bilbao at the same time as Miedl's paintings.

Bakumar came into scrutiny by the Allies because of its past collaboration with Schenker & Co., a German transports and customs company, which participated actively in the transport of looted artworks throughout Europe. In Spain, Bakumar was the customs company with whom the German embassy usually worked. In the AMAE there are numerous files on goods which were retained in customs offices, which had been imported by Bakumar. Amongst these goods, we can list the objects from exposition of German engravings from the 19th and 20th centuries.

Bakumar was founded in 1847, and to its administrator's judgement, it was the biggest terrestrial and maritime transport, and customs company in Spain. In addition, Bakumar also had other service branches in tourism and insurances. It had offices in Alicante, Barcelona, Ceuta, Madrid, Malaga, Palma de Mallorca, Portbou, Sevilla and Valencia. Its headquarters were located in Malaga, although part of its business was also managed in its Madrid offices of the Plaza de las Cortes and Calle Jordan 11. Bakumar's 1010 shares were distributed among its shareholders in the following way: the Baquera brothers, Fernando and Rafael had around a 60% of the shares; José Kusche, a Spanish citizen of German origins had a 12%; the rest were owned by R. Sloman, of Hamburg.

The Allies accused Bakumar of the concealment and destruction of documents belonging to the German Embassy, after the German surrender. An American verbal note points out that "large amounts of printing paper and other items belonging to the press and information sections of the German embassy were removed from Bakumas's warehouses in Jordan 11 street, by individuals who came on behalf of the German embassy". The material which were removed included "at least 237 bales and 842 packages of paper from the information section of the embassy. Directives at Bakumar were also targeted by the Allies. Its managing director, Ricardo Classen, had been the German consul in Cadiz since 1923. He was among the list of German citizens whom the ACC representatives in Spain requested extradition for. Classen lived in Spain since 1916, and had joined Bakumar in 1919. In the end, he was granted asylum by the Spanish government, on the basis that he had been married to a Spanish citizen since 1921.

Given that around 30% of the company's shares were owned by the German company Rb. M. Sloman Jr., from Hamburg, the company was listed in the Anglo-American government's -Proclaimed and Statutory Lists- "black lists". Additionally, Sloman's

shares had also been frozen under Spanish legislation. In March 1946, the company was in “an activity crisis and was completely paralysed”, due to the fact that its activity was completely dependent on the international trade. For this reason, Sloman’s shares were transferred to a Spanish citizen, Emilio Colom. The Allies approved the operation and Bakumar was deleted from the black lists.

3.8. Spanish antique dealers and smugglers who trafficked in Spain with looted art.

The AMAE barely has any records on the Spanish merchants who trafficked with looted art in Europe. The Allies’ files, however, name four antique dealers and gallery owners, together with three other traffickers, and the aforementioned Antonio Puigdemívil.

Two of the gallery owners had their businesses in the Basque Country, and the two others in Madrid. The Basques were Angel *el saldistá*, whose shop was on Oquendo street in San Sebastian, and Martin *de Bilbao*. In July and August 1944, Angel’s store was full of looted objects which were later sent to Barcelona and the Canary Islands. He had two supply sources; the German looters, and the Spanish volunteers of the Division Azul in Russia and Poland. Regarding Martin *of Bilbao*, the Allies left a record of his dealings with the triptychs that had been stolen from the Cathedral of Smolensk, by soldiers of the Division Azul.

The other two gallery owners were from Madrid: Apolinar Sanchez had his gallery in Santa Catalina Street, and Arturo Linares. By 1946, Linares was identified by the Allies as a “preeminent dealer of Spanish paintings, antiques and art objects”. To date, his business remains open in the Plaza de las Cortes. Apolinar Sanchez, who dealt with antiques, raised Allied suspicions because of his frequent contacts with the German and the Japanese embassies. The ALIU reports state that Linares sold objects which had been looted by the Germans in occupied territories. Much like Martin *de Bilbao* and Angel *el saldistá*, Linares also trafficked with objects plundered by the Division Azul volunteers in Russia and Poland.

Lastly, the US documents had records of three other Spanish citizens who trafficked with looted art. Andres Lazaro was active in the Basque area of the Spanish-French border. He moved jewels and artworks from France to Spain on behalf of German subordinates. Hugo Barca’s businesses were of a much larger scale. He was a rich Catalan Falangist, who was the representative in Spain for the German chemical emporium *I.G. Farben*. He was also an associate of Semo Frères, a company which was domiciled in Sofia, Bulgaria. Barca, who travelled frequently between France, Spain, Chile and Argentina, was accused by the Allies of trafficking looted artworks during his travels. The last of the Spanish citizens accused of trafficking with plundered objects of art is Gregorio Moreno Bravo. In the Allied reports, he is listed as a member of the GIS, the German secret service. Those same sources also accuse him of hiding plundered artworks and securities in Spain, in order to favour the interests of Nazi exiles.

3.9. European smugglers and German agents in Spain.

American secret service reports inform about the existence of a large group of European smugglers and German agents who trafficked with looted art in Spain. For some of these cases, such as those of Lottier, Schiffman or Bauer, the AMAE contains interesting information. In regards to others, there are barely any references at all.

It is worth mentioning that many of the European smugglers who trafficked in Spain, had their headquarters in other European countries. The most important of them was Paul Lindpaintner, who on behalf of Fritz Possenbacher, made important transactions with plundered works of art. He also kept close contact with Dagobert Frey, a German art historian who led the artistic plundering in Poland, and was a partner of Johannes Hinrichsen, one of the dealers buying art for Göring. Lindpaintner was a former German cavalry officer, his aristocratic background allowed him to establish important contacts among the European high society. In addition, he was also related to the head of the Portuguese Government Oliveira Salazar, through his wife. During the war, Lindpaintner travelled frequently through Germany, France, Switzerland, Spain and Portugal. It is assumed that during his trips he performed numerous transactions. The Allies, however, do not have any records of the transactions he might have carried out in Spain.

There are two looted art traffickers who operated in Spain, but had their headquarters in Switzerland. Only their nicknames are known. *Cemin* lived in Montreux and was an active Nazi propagandist. He received numerous paintings from Germany, which he subsequently smuggled into Spain and Portugal. *Mattas*' nationality is unknown, but Allied reports affirm that he lived in Geneva. *Mattas* trafficked with looted art in Switzerland, France and Spain. Another smuggler is Hans Bernard Rohrback, who lived in Belgium and was the director of the Cosmos jewellery boutique. Through this jewellery shop, he frequently smuggled jewellery in Belgium, Spain and Portugal.

Lindpaintner, *Cemin*, *Mattas*, Rohrback, Miedl and others' transactions were possible thanks to numerous smugglers who operated in Franco-Spanish border. In previous sections, we have already highlighted the high smuggling activity which used to take place in the border. Among those who carried out their activities in the area were Heinrich Bauer, the Duval Brothers, Andrés Lazaro, Pierre Lottier, and in France, subordinate Graebener. The complicity between the Franco Regime and Petain clearly facilitated smuggling between France and Spain. After the liberation of the south of France, most of those smuggling networks were dismantled. According to Allied sources, Jean Duval found refuge in Spain. Bauer ended up in prison, and Lottier, despite having been condemned, remained an antiques dealer in Barcelona. Graebener was detained by the Liberated France's authorities.

There is another group of French and German citizens, who lived in Spain and were accused of being part of the GIS (the German secret service). According to North American files, their mission was to safeguard former Nazi leaders' assets. They would import artworks into Spain, with the objective of hiding them or sending them to South America. There is very little information regarding Werner Walther and Tomas, also known as "Manfred Katz". The former lived in Zurbano Street in Madrid. Walther sold artworks in Spain on behalf of the GIS. The latter, a German agent, collaborated with Alois Miedl in Spain. The Allies requested his repatriation to Germany in 1946. As

stated earlier, Heinrich Bauer and Gregorio Moreno Bravo were also believed to be part of the GIS.

André Gabison appears in the Allied documents as a French citizen who was part of the GIS. During his service, he travelled numerous times between Paris and Hendaye. An Allied document identified him as a suspect of “keeping goods in Spain for German post-war use”, and the trafficking of looted art from France. If the data that he provided in his statement of assets of August 6, 1945 is correct, Gabison entered Spain in 1942. Between that date and August 1945, he lived in Madrid, San Sebastian and Sitges. In his statement of assets, he barely has any patrimony, except for a small amount of Pesetas in various bank accounts. Gabison is listed among the German citizens who were to be interned at the Caldes de Malavella health resort. His name also appears in a list from March 15, 1946, of individuals whose repatriation was urgent. In July 1948, officers of the Ministry of Foreign Affairs tried to get in touch with him, but their correspondence was returned: Gibson’s whereabouts were unknown.

The AMAE’s evidence on Alfred Zant is much more limited. In fact, the AMAE even doubted if he was German. Zant is believed to have been part of the GIS, together with being part of a network whose aim was to hide German agents and goods in Spain. On March 24, 1949, Alfred Zantop sent the Ministry of Foreign Affairs a request to unblock his assets. He claimed to have been born in Wildungen, Germany, on the 12 of November, 1900. He had lived in Barcelona since 1925, but spent two years in Madrid between 1931 and 1933. He owned several shares of the company Grafos S.A., of which he was also the director manager. In his statement, he maintained that his main source of income was the salary that he was paid for this work. Shortly after his request, his assets were released.

There were also other European citizens who were in one way or another involved in the smuggling of looted works of art. The Lottier and Schiffmann cases have already been presented. There is very little information on Gerhard Fritze and Charles Georges Koninckx. The former was a Dutch nationalised German, who was Miedl’s middleman in Spain. By 1946, it is believed that he lived in the United States. The latter was Belgian. He lived in San Sebastian and had also worked for Miedl. Nor is there any information on Peter Hardt, a German resident in Bilbao to which the Allies attribute the possession of “a large number of valuable paintings of suspicious origin”, which he was “trying to sell” in August 1945.

Adrien Otlet Linden is mentioned in the Allied reports as a Belgian smuggler who operated in the black market and was a well-known seller of Nazi plundered artworks in France. He maintained a close relationship with Bauer and the Duval brothers, and collaborated in Miedl’s arrival to Spain. Otlet Linden’s assets were frozen on the 5th of May, 1945. In the 4th of December, 1946, Otlet sent the Foreign Affairs Ministry a statement of assets, together with an unblocking request. Otlet claimed to be a Belgian citizen, domiciled in the Avenida del Generalísimo 32, San Sebastian since 1937. In the past, he had made long trips in Spain in order to “attend certain obligations inherent to his position” as a consultant for the Belgian Society of the Soria Train, and the Moncayo Mining Society. In 1945, apart from owning shares from several companies and having numerous bank accounts, Otlet was the founder and managing director of

Ximex, of which had had 385.000 Pesetas worth of shares. The Spanish authorities did not grant his request for the unblocking of his assets because the Allies had expressed their reservations in the *Joint Memorandum* number 77, in which they asked the Spanish government for more information on Otlet. On May 1947, Otlet made a new request. On the 6th of May, the Ministry of Foreign Affairs forwarded this request to the Allies. There is no record of the final answer to his request. We can presume that his assets were unblocked somewhere between 1947 and 1950, because in the AMAE record, there is information concerning a dispute over the ownership of some of his shares, dated from 1965.

3.10. Spanish traffickers of plundered art, who operated outside of Spain.

There is a small group of Spanish citizens who operated in France and Belgium, who also trafficked with looted works of art. Aguilar-Lemonnier was a Spanish merchant who lived in Cannes, France. Aguilar worked for Bueschwiller, a personal friend of Hitler, and Heinrich Hoffmann, who was one of the main fundraisers for the museum that Hitler planned to build in Linz. Aguilar was also an intermediary for Lohse, one of the heads of the ERR in Paris, and Josef Muehlmann, one of the main culprits for the art looting in Poland.

Francisco Solá lived in Brussels, but towards the end of the War, the Allies believed that he moved to Switzerland. He was a professional veterinarian, but he also operated as a smuggler and a dealer in the black markets during the occupation. Solá was a collaborationist, and kept a close relation with the Nazi. In his passport he appeared to have the rank of *Obersturmführer* (senior assault leader). Solá was in charge of a network of smugglers which also included Francisco Jordá. Jordá lived in Brussels during the War, but in all likelihood, also took refuge in Switzerland once peace arrived. In the company of an expert historian of art, Jordá travelled numerous times to Monaco, between May and July 1944. The Allies believed that the aim behind those trips was to negotiate the sale of a looted art collection belonging to a resident of Principality. Solá's network also involved other Belgian dealers, such as Marcel Cheruy and Pierre Sweertes, both of which nothing else is known.

4. Conclusions

During World War II, neutral countries were an outlet for collections of Nazi-looted artworks. Spain was no exception. Smuggling networks which operated on the border with France imported works of Nazi plundered art. The majority of these networks were integrated by German or French citizens, who were linked to the secret services of the Third Reich and the Vichy regime. The Allies' documents also left record that Spaniards were also involved in the smuggling of works of art. These Spanish citizens trafficked artworks that were previously looted by the Nazis, and by volunteers of the Spanish Division Azul in Russia. However, despite the fact that Spain was involved in art-smuggling networks, according to Allied reports, it played a relatively modest role in the wider European context.

Not many plundered art pieces have been discovered up to date in Spain. There is only conclusive evidence in one case, as exposed by an Allied report of August 1945. The case to which it refers is Alois Miedl's. Between 1944 and 1949 Miedl's paintings were deposited in the facilities of the port of Bilbao. The Netherlands requested Miedl's extradition and the restitution of the paintings, but the Spanish government refused to comply. The conflict arose from the different interpretations that Spanish and Dutch governments made of Declaration 18 of the United Nations, of January 5th 1943, and Resolution VI of the Bretton Woods Conference. In the end, Miedl remained in Spain. The AMAE lost track of his paintings after 1949. The fact that the smuggling of art pieces was barely a subject of discussion in the negotiations between the Allies and the Franco regime during the war, reveals that the Spanish participation in these activities was of little entity. That is not to say that Spain was not a place of transit in the trafficking of artworks, but there is no evidence that it was a final destination for such works. Apart from the Alois Miedl case, most cases which are detailed in this report are of minor entity. All individuals involved in them were accused by the Allies of smuggling works of plundered art. The veracity of some of these allegations have been contrasted with documents from the Foreign Ministry. Other allegations, however, even though not proven true, are at least feasible, as they refer to individuals involved in various criminal activities. There are still some accusations which we have not yet been able to investigate.

5. Appendixes

Appendix 1. Alois Miedl's paintings.

On the 20th of January 1946, Alois Miedl gave a complete list of the twenty paintings which he sought to import into Spain. These paintings were retained in the port of Bilbao, and they were stored in three boxes. In the list, Miedl specified the alleged provenance of each painting. This appendix shows the author, title, and alleged provenance that Miedl declared. According to him, only paintings 6, 7, 11, 12, 13, 16, 17 and 21 belonged to the Goudstikker collection. The appendix also includes a reproduction of pictures that Miedl provided to the Ministry of Foreign Affairs, at the request of the Spanish authorities.

1. Lucas van Uden. Landscape after the storm. "Exchanged by WA Hofer, Berlin, Augsburgerstr. 68."

2. Adriaen van der Velde. Rhin Landscape.

3. Jean Porcellis. Marine.

- Paintings number 2 and 3 were personally bought from Mr. M.M. van Valkenburg, Laren in Gelderland (the Netherlands). I paid the purchase price in the Laren. Mr. A.A. ten Broek, whom Mr. van Valkenburg had informed of his willingness to sell the paintings, was present".

4. Perroneau. Portrait of a woman. "As I recall, from Frederik Muller, Amsterdam".

5. Hoppner. Portrait of a lady. “Bought through D. Joseph Schneller, in Amsterdam. Probably in the D. Frederik Muller auction in Amsterdam”.

6. Lawrence. Three heads of children. “Part of the stock which I acquired from the old J. Goudstikker house, in June 1940”.

7. Van Dyck. Monk contemplating a skull. “The same as number 6”.

8. Gerrit Dou (Gerard Douw). Rembrandt's mother in her room. “Mr. Jan Dik was present when I bought it from a man whom I cannot recall.”

9. Cornelius Buys. Eleazar and Rebecca at the fountain

- “Bought from Herr Dr. van Wynmalen, in Amsterdam. Mr van W. had already previously offered me this painting for sale, but we were not able to agree on the price. One year later I saw the painting in an art trade establishment, listed at a lower price. I got in touch with Mr. van Wynmalen, who told me he had commissioned the sale of the painting. This painting, which was loaned by the heirs of the Schöffers family, had been exposed for 40 years in the Rijksmuseum in Amsterdam. This is why it is listed in the museum catalogue, and this is why it was reported that I had taken a painting from the Rijksmuseum to Spain. In the Rijksmuseum it is listed as a loan. Witnesses: Her van Wynmalen and Herr Jan Dik Sr.”.

10. Ferdinand Bol. Portrait of man. “Bought, as I recall, from Mr. Nathan Cats, in Dieren (the Netherlands)”.

11. Unknown Artist. Knight (Ritter). “The same as number 6”.

12. El Greco. Gentleman. “The same as number 6”.

13. Frans Hals, Nicolaes Maes. Van Haseveldt portrait. “The same as number 6”.

14. Palma di Vecchio. Holy Family. “The same as number 6”.

15. Thomas Creswick. Landscape of a river.

- “Bought through D. Joseph Schneller, probably from the D. Frederik Muller auction.”

16. David. Lady in red suit. “The same as number 6”.

17. Aert de Gelder. Jesus preaching. “Acquired in the art trade establishment Cats, in Dieren (the Netherlands) or the same as number 6”.

18. Judith Leyster. Young man with fur hat.

19. Judith Leyster. Young woman holding a wine glass.

- “Numbers 18 and 19 were personally bought from Mr. Nathan Cats in Dieren, the Netherlands. They were kept for many years in my home”.

20. Corot. Magdalene

- “Bought from Mr. Brack, who previously worked at the Hoogendyk art boutique. Amsterdam.”

21. Mainardi. Virgin adoring the child with two angels

- “Same as number 6. It was re-bought at the HWLange 1940/41 auction in Berlin”.

22. Corot. Christ on the Mount of Olives. “Bought from Mr. Brack. The same as number 20”.

Appendix 2. The exposition of German engravings from the 19th and 20th centuries.

On February 18, 1944, the German embassy in Madrid sent a verbal note to the Ministry of Foreign Affairs. It requested the authorization to exhibit an exposition of German engravings from the 19th and 20th, in Madrid and Barcelona. At that time, the exposition was in Lisbon. On March 3, 1944, the Ministry ordered the Directorate-General of Customs to issue a temporary import permit for the exposition material. The art pieces entered Spain on the 26th April, 1944. The re-export guarantee was managed by customs agency Baquera, Kusche and Martin, S.A. The exhibition, sponsored by the Museum of Modern Art, opened on Saturday, May 14 in the Exhibitions Palace of the Retiro park. It encompassed 313 engravings, etchings, woodcuts, watercolours, drawings and pastels, from several German museums, which dated from the Romanticism, until the first third of the twentieth century. The opening ceremony was attended by undersecretary of the Ministry of Education, the German Ambassador, the general director of fine arts, the director of the Nuremberg museum and the Nazi party leader in Spain (Appendix 2).

Six months after the exhibition ended, the artworks were still in Spain. On December 21, 1944, the German embassy requested the Ministry of Foreign Affairs for an extension of the temporary import permit until June 1945, so that the exhibition could also be brought to Sevilla. On the 26th of January, the Ministry authorised the extension. When the War finished, the exposition was being stored in Madrid, packed in 23 boxes. After the German surrender, the Directorate-General of fine arts took over the custody of the artworks, which were then sent to the US embassy in Madrid. The Americans reorganised the collection in 20 boxes, and then sent them to their consulate in Bilbao. On June 1946, they were moved to the port of Bilbao.

Between 1946 and 1948, the ACC representatives in Spain sold most of the assets belonging to Third Reich in Spain. The earnings were used to cover war compensations. In this context, they probably made some arrangements to sell some pieces from the exhibition. This would explain why in one of the records of the Ministry of Foreign Affairs, there is a note from September 1946, presumably from Navasqués, where it is ordered to prevent the Allies from selling any exposition pieces. “The art pieces are not to be sold in Spain. They should take them back to where they belong, given that it is a temporary import”.

The boxes which contained the engravings remained in the port of Bilbao for four years. In 1950, after the Federal Republic of Germany had already been established, the Allies started planning how to take the art pieces back to Germany. However, it was the

Spanish authorities who ultimately took on the repatriation. On July 2, 1950 the Directorate-General of customs entrusted two German citizens with the twenty boxes. One of them was Gottfried von Waldheim, former counsellor of the Third Reich's embassy in Madrid, who was authorised for this mission by the Bonn government. On the 5th of July, the Ministry of Foreign Affairs informed the Allies that the Spanish government had carried out due diligences for the exhibition to be returned to Germany. The shipment containing the exhibition left Spanish ground at the end of the year. On January 7, 1952, the Allies wrote to the Ministry, transmitting their regrets about not having taken part in the operation. "The collection was released and shipped to Germany without having been checked by the ACC representatives, who, therefore, cannot accept any responsibility for claims which may arise regarding this issue". The Ministry of Foreign Affairs did not receive any further news on the matter.