

# United States Department of State

## The JUST Act Report



### Justice for Uncompensated Survivors Today (JUST) Act Report

*Submitted pursuant to section 2(b) of the Justice for Uncompensated Survivors Today (JUST) Act (PL 115-171), signed into law by President Trump on May 9, 2018.*

**Office of the Special Envoy for Holocaust Issues  
Bureau of European and Eurasian Affairs  
March 2020**

## FOREWORD – A Message from the Secretary of State

The Holocaust was one of the most horrific atrocities in world history. The Nazi regime murdered six million Jews – including one and a half million children – and millions of other individuals, motivated by its twisted ideology and ethnic hatred. The Holocaust was also one of the largest organized thefts in human history. The Nazi regime’s confiscation, seizure, and wrongful transfer of the Jewish people’s property were designed not only to enrich the Nazi regime at the expense of European Jewry but also to permanently eliminate all aspects of Jewish cultural life.

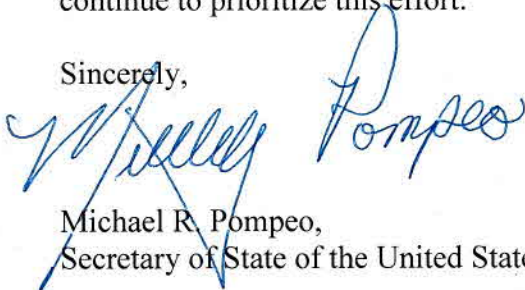
As World War II ended in Europe, the United States led the effort to seek a measure of justice in the form of restitution or compensation for individuals whose assets were stolen during the Holocaust. The effort began while Allied troops were liberating Europe and continues to this day. In 2009, the United States and 46 other countries committed to rectify the consequences of these wrongful asset seizures and to promote the welfare of Holocaust survivors around the world by endorsing the Terezin Declaration.

I applaud the Congress for adopting with broad, bipartisan support the Justice for Uncompensated Survivors Today (JUST) Act of 2017, P.L. 115-171, which was signed into law by President Trump in May 2018. The Act requires me to submit a report to Congress on countries’ progress in implementing the goals of the Terezin Declaration. The *JUST Act Report* is an essential tool to highlight the important actions countries have taken to provide restitution or compensation for property confiscated during the Holocaust or subsequently nationalized during the Communist era. It will also expose Terezin implementation gaps, detail the vital work which remains to be done, and serve as a model of best practices to fulfill commitments countries took upon themselves by endorsing the Terezin Declaration.

Much time has passed, and the need for action is urgent. As we mark the 75th anniversary of the end of the Holocaust, the legacy of the Nazis’ mass looting remains in too many places and largely unaddressed. Given the advanced age of Holocaust survivors, many of whom live in poverty, the findings of this report serve as a reminder that countries must act with a greater sense of urgency to provide restitution or compensation for the property wrongfully seized from victims of the Holocaust and other victims of Nazi persecution. All victims of the Nazi regime should be able to live out their remaining days in dignity.

When President Trump signed a landmark executive order on combatting anti-Semitism in December 2019, he also stressed the importance of “strengthening restitution efforts,” which lie at the core of the Terezin Declaration. I am proud of the State Department’s ongoing efforts to encourage countries to meet the goals and commitments they undertook when they endorsed the Terezin Declaration and to provide a belated measure of justice to Holocaust survivors and their families and to Jewish communities destroyed by the Holocaust. As Secretary of State, I will continue to prioritize this effort.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael R. Pompeo", is written over a printed name and title. The signature is fluid and cursive, with the first name "Michael" being particularly prominent.

Michael R. Pompeo,  
Secretary of State of the United States of America

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## **EXECUTIVE SUMMARY**

### **Introduction**

The Holocaust was one of the most horrific atrocities in world history, resulting in the genocide of six million Jews – including one and a half million children – and the targeted killing of millions of other Europeans by the Nazis and their collaborators for ethnic and political reasons. The systematic Nazi attempt to exterminate Europe’s Jews is unconscionable, and the cruelty inflicted on millions in Auschwitz-Birkenau, Belzec, Sobibor, Treblinka, and other camps and killing sites in the name of the anti-Semitic ideology of Aryan racial superiority will never be forgotten.

The Holocaust was also one of the greatest organized thefts in history, providing a source of revenue to the Third Reich and the Axis Powers while attempting to wipe out all vestiges of Jewish life and culture in Europe. The efficiency, brutality, and scale of the looting remains unprecedented, encompassing businesses, land, residences, and cultural/religious properties such as synagogues, sacred religious items, cemeteries, schools, and community centers. When one adds the estimated 600,000 looted paintings – some 100,000 of which are still missing – the scale of the theft becomes clear.

Holocaust survivor and Nobel laureate Elie Wiesel put this shameful history into perspective at the June 2009 Prague Holocaust Era Assets Conference that produced the Terezin Declaration:

Just measure the added ugliness of their hideous crimes: they stole not only the wealth of the wealthy but also the poverty of the poor. . . Only later did I realize that what we so poorly call the Holocaust deals not only with political dictatorship, racist ideology and military conquest; but also with... financial gain, state-organized robbery. . .

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This report is submitted pursuant to section 2(b) of the Justice for Uncompensated Survivors Today (JUST) Act (PL 115-171), signed into law by President Trump on May 9, 2018. It reviews the national laws and enforceable policies of 46 of the 47 countries that endorsed the Terezin Declaration issued at the conclusion of the June 2009 Prague Holocaust Era Assets Conference. (The United States endorsed the Declaration but is not covered in this report, as explained below.) One of the conference’s primary goals was to enable the identification, return of, or restitution for assets wrongfully seized or transferred during the Holocaust era. Section 1(a) of the JUST Act defines “wrongfully seized or transferred” as including confiscations, expropriations, nationalizations, forced sales or transfers, and sales or transfers under duress during the Holocaust era or the period of Communist rule of a covered country.

The Terezin Declaration emphasized the importance of private property restitution and/or compensation and called upon countries that had not yet done so to implement national programs to address immovable “real” property, including private, communal, and heirless, confiscated by

Nazis, fascists, and their collaborators. The 2009 Declaration, along with its 2010 companion guidelines and best practices, called for fair and comprehensive claims processes that do not discriminate based on citizenship or residency and that are “expeditious, simple, accessible, transparent, and neither burdensome nor costly to the individual claimant.”

At the request of the Special Envoy for Holocaust Issues, U.S. embassies prepared the initial drafts of country chapters based on information from foreign government officials, community organizations, nongovernmental organizations, academics, and others. The Office of the Special Envoy, based in Washington, DC, then collected and analyzed additional information and consulted to the extent possible with domestic and international restitution experts and organizations including academics, community leaders, and relevant U.S. government and nongovernmental institutions.

This assessment covers all major areas addressed in the Terezin Declaration. Each of the 46 reports begins with a short historical overview of the country’s experience during the Holocaust to provide needed context. Reports then briefly summarize and assess each country’s laws and enforceable policies related to the categories for return of or compensation for immovable and movable private, communal/religious, and heirless property. The primary focus for most country reports is on Holocaust-era property; when possible, subsequent Communist-era nationalization of such property is also addressed. Finally, each report provides a description of the country’s record on other Terezin Declaration commitments related to Holocaust remembrance, commemoration, access to archival documents necessary for the identification and restitution of property, and Holocaust education. The country reports, listed in alphabetical order, vary in length and detail depending on the complexity of the situation and the information available, covering key developments through December 5, 2019.

The report reflects the importance the U.S. government places on finding a measure of justice for Holocaust victims, survivors, and their heirs and is intended to encourage reflection on best practices that might be employed to fulfill commitments countries took upon themselves by endorsing the Terezin Declaration. We hope that Congress finds this report useful in determining how it can engage on unresolved issues that can directly benefit Holocaust survivors and their families, many of whom live in the United States.

Overall, the report is descriptive rather than prescriptive. It provides an objective account of what countries that endorsed the Declaration have done to implement their commitments in the ensuing decade. Indeed, while it provides indications that some countries have done better than others in living up to their commitments, it also underscores that all can do more to deliver a measure of justice nearly 75 years after the end of the Holocaust.

Although Congress did not mandate a review of U.S. laws and policies, the research sheds light on our nation’s own challenges in living up to its Terezin Declaration commitments. In 2000, the United States played a crucial role, working with Sweden and other countries, in creating what later became the 34-member International Holocaust Remembrance Alliance (IHRA). That leadership role highlights the United States’ responsibility to continue to educate the American public on the history and lessons of the Holocaust. To wit, a survey conducted in 2018 by the Conference on Jewish Material Claims Against Germany (the Claims Conference) showed that 41 percent of American adults do not know what Auschwitz is; for those between the ages of

18 and 34, the figure is 66 percent. Currently, only 12 U.S. states require Holocaust education at the secondary level.

After a promising start on provenance research, art restitution, and the creation of a portal to facilitate claims, American museums later began asserting affirmative defenses to block restitution of looted artwork, in contravention of the Washington Principles on Nazi-Confiscated Art and the Terezin principles. This led Congress in 2016 to enact the HEAR Act (Holocaust Expropriated Art Recovery Act). American museums also trail behind some of their European counterparts, such as Germany, Austria, and the Netherlands, in conducting art provenance research. One factor contributing to this difference is that most U.S. museums are not government-run (in contrast to most museums in Europe), and many of their directors have not made provenance research a priority. The use of antiquated software in some cases also complicates the identification of potential Nazi-looted art by claimants.

These factors notwithstanding, the United States remains a recognized world leader on Holocaust-era restitution. Strong U.S. government leadership and advocacy were decisive in the conclusion of many of the major restitution agreements to date. These include, for example, agreements with Switzerland (dormant bank accounts), Germany (slave and forced labor, insurance, property), Austria (slave and forced labor, insurance, private property), France (bank accounts and deportations on the French railway), and restitution agreements and settlements in a number of Central and Eastern European countries.

In reviewing the positive steps that have been taken, as well as the deficiencies in compliance, nations may be encouraged to do more to meet their commitments under the Terezin Declaration. This report offers a window into options and innovative approaches that can help guide all nations in fulfilling their share of responsibility in righting economic and other wrongs committed against European Jews and other victims of Nazi persecution during the Holocaust.

In 2009, the Terezin Declaration recognized the urgency of aiding needy Holocaust survivors. Ten years later, the imperative to ensure that survivors can live their final days with dignity is greater than ever. According to the Claims Conference, an estimated 415,000 Holocaust survivors worldwide were alive in 2018. The estimated rates of poverty and near-poverty for Holocaust survivors range from 32 percent for the 174,000 who live in Israel; 35 percent for the nearly 80,000 who live in the United States; and nearly 90 percent for the estimated 56,000 Holocaust survivors who live in the states that were part of the former Soviet Union.

The appeal that Elie Wiesel made at the 2009 Prague Conference remains a call to action:

They suffered enough. And enough people benefitted from their suffering. Why not do everything possible, and draw from all available funds, to help them live their last years with a sense of security, in dignity and serenity?

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## **Key Findings of the JUST Act Report**

United States citizens are directly impacted by the efforts of the countries covered in this report with respect to their Terezin Declaration commitments. The United States is home to the second-largest population of Holocaust survivors in the world and to many heirs of Holocaust victims.

Nearly 75 years after the end of World War II (WWII), and 10 years after the Terezin Declaration, much work remains to be done to provide a modicum of economic justice to Holocaust survivors and heirs for property wrongfully confiscated by the Nazis and their collaborators or nationalized by the Communists in the period after World War II.

The report notes that a handful of the countries that endorsed the Terezin Declaration have yet to pass laws that facilitate the restitution of immovable property. In countries that have adopted such legislation, too many claimants face discrimination based on citizenship and residency or are otherwise unable to benefit due to overly complicated administrative barriers. The restitution story of each country, in terms of its historical experience and legislative track record, is unique. Most countries in Western Europe were able to launch restitution measures almost immediately after WWII. Countries in Eastern and Central Europe, however, had a much different experience. As noted in a 2017 report by the European Shoah Legacy Institute:

[T]here was little time to create successful restitution schemes before Communist regimes came to power in each country and collectivized and nationalized private property. As a consequence, for Eastern European countries, legislation of the 1990s and 2000s *necessitated* a more comprehensive approach – covering greater time periods and more property. Often, Holocaust era confiscated property is specifically excluded from post-Communist restitution legislation.

Bureaucratic inertia has delayed the resolution of too many restitution claims; in the case of some countries, this inertia continues decades after submission of those claims. Bosnia and Herzegovina, Belarus, and Ukraine, for example, have yet to pass legislation that provides for the restitution of private real property. Poland, which had the largest European Jewish community before the outbreak of World War II (approximately 3.3 million), also has not yet enacted comprehensive legislation on national property restitution or compensation covering Holocaust confiscations. This makes Poland the only European Union member state with significant Holocaust-era property issues not to have done so. In Romania, Holocaust-era private property legislation exists, but the claims process has been difficult for U.S. and foreign citizen survivors and, in practice, has made it nearly impossible for people outside the country to qualify. Jewish communities throughout Europe continue to face challenges in recovering or receiving compensation for communal and religious properties confiscated, destroyed, or nationalized in the Holocaust or Communist eras. In Croatia, for instance, restitution efforts for such properties have been complicated by the fact that many buildings were used for communal rather than religious purposes or were owned by a legal entity that was separate from the official Jewish community. Most Holocaust survivors and heirs have not been able to file private property claims under Croatia's restitution law because of citizenship restrictions and other procedural hurdles, and there is a general lack of political will to address the issue. Bureaucracy, weak



political will, and related issues have hindered resolution of Jewish communal property claims in many countries. In Poland, for example, approximately half of the 5,500 Jewish communal property claims filed under a 1997 restitution law remain unresolved, and approximately half of the adjudicated claims were rejected.

Political resistance was one of the factors that caused the Latvian government in mid-2019 to withdraw draft legislation that would have provided minimal restitution for more than 200 communal properties identified by the country's small remaining Jewish community. In this and other cases, both political considerations and concerns about the financial costs associated with restitution have delayed action. Political factors were also in play in Poland in 2017 and Croatia in 2011, with draft legislation or amendments put forward by governments and then withdrawn. In some countries, efforts to secure fulfillment of Terezin Declaration commitments have been met with overtly anti-Semitic statements from political figures.

Over the last 75 years, the inability of many Jewish communities to regain ownership of the synagogues, schools, and community centers that once sustained religious and communal life has had far-reaching, negative effects, likely exacerbating the shrinking of Jewish communities in several European countries in the years after the devastation of the Holocaust. The Terezin Declaration had foreseen this possibility when it highlighted "the importance of recovering communal and religious immovable property in reviving and enhancing Jewish life, ensuring its future, assisting the welfare needs of Holocaust (Shoah) survivors, and fostering the preservation of Jewish cultural heritage." As this report lays out, many countries continue to work toward the goals of the Terezin Declaration. For example, although the government of Lithuania resolved its communal property responsibilities by enacting the 2011 "Good Will Compensation Law," it has more work to do regarding private property restitution, especially with regard to American citizens and others who did not maintain their Lithuanian citizenship. The foundation created by the 2011 law assists Lithuanian Holocaust survivors and supports the overall well-being of the country's Jewish community.

In a key determination, the Terezin Declaration recognized that the vast majority of Holocaust victims died heirless, with entire families wiped out, and highlighted the potential for Holocaust-era property to provide a basis for addressing the material necessities for needy survivors and to ensure ongoing education about the causes and consequences of the Holocaust. Participating countries in the 2009 Prague Conference considered that, given the unique circumstances of the Holocaust, it would be inappropriate for property rendered heirless by the extermination of Jews to revert to the state. Unfortunately, restitution or compensation for immovable private property with no living heirs has moved more slowly than any other aspect of Holocaust-era restitution over the last 10 years.

One reason some countries have held back is concern about the magnitude of property left heirless by the Nazi extermination of Jews in their countries and the potential cost of a compensation settlement. In that regard, individual reports show the variety of mechanisms countries have taken in partnership with local Jewish communities. This includes in some cases settling for a fraction of the value of heirless and certain other remaining property and applying those funds toward endowments and foundations that assist needy survivors and reinvigorate the small Jewish communities left in their countries. Many survivors and heirs of Holocaust victims

are at pains to point out that restitution is more of a moral than a financial issue, related to securing a measure of justice for their loved ones. For others, the goal is to obtain resources for survivors so that they may live out their lives in dignity.

In 2016, Serbia became the first, and thus far the only, country to enact legislation on heirless and unclaimed property following the 2009 Terezin Declaration. Several other countries in Europe had earlier adopted legislation that either addresses or partially addresses heirless and unclaimed property from the Holocaust era. These include Austria, Belgium, France, Germany, Greece, Hungary, Italy, the Netherlands, North Macedonia, Norway, Romania, and Slovakia. Some of these countries have yet to put these laws into practice. Nations which have yet to adopt heirless property legislation include Belarus, Bosnia and Herzegovina, Bulgaria, Croatia, the Czech Republic, Estonia, Latvia, Lithuania, Luxembourg, Moldova, Montenegro, Poland, Russia, Slovenia, and Ukraine. (It should be noted that countries not occupied by the Nazis or without significant heirless property issues have also not adopted specific legislation.)

In the realm of movable property, there is much left to do to identify looted art and facilitate a fair solution for its return to rightful owners or their heirs. In most European countries, too many public and private art museums still do not conduct provenance research on their art collections, research that is essential to providing information about potential claims for Nazi-confiscated art. A handful of countries have only recently begun working on the necessary legislation and mechanisms for restituting artwork, and many others have yet to do so. France, which originally had been slow in doing provenance research, is now the only country where the effort to identify, return or compensate Nazi-confiscated artworks and cultural objects rests in the office of the head of government, the prime minister. The country, however, has not revised the law that stipulates that artworks that have been incorporated into public collections cannot be removed from public museums, even if they were confiscated by the Nazis from private collections. The Netherlands, which had done exemplary provenance research and restitution, recently adopted a “balancing test” that gives its museums the right to retain Nazi-confiscated artworks if their interests outweigh those of representatives of families from whom the Nazis confiscated the art. Hungary has conducted some research on its holdings of major looted art but has not provided restitution, nor has it made its research public.

Russia, meanwhile, has essentially nationalized most art and cultural property taken by the Soviet Trophy Brigades, which sent valuables back to Russia from occupied territories (including Germany) in 1945. Despite having enacted a law based upon the 1998 Washington Principles on Nazi-Confiscated Art, Russia has done little to conduct provenance research or to retribute or compensate for art recovered at the end of WWII that had been confiscated by the Nazis from Jewish and non-Jewish victims.

There are also positive trends worth highlighting. Five countries – Austria, France, Germany, the Netherlands, and the United Kingdom – have established dispute resolution panels to resolve art claims, as envisioned by the Washington Principles and the Terezin Declaration. Moreover, in January 2019, the European Parliament passed legislation recognizing the Washington Principles on Nazi-Confiscated Art. It urged the European Commission to support the cataloguing of all data on looted cultural goods and to establish principles for dealing with cultural property in future conflicts.

Based on a November 2018 Joint Declaration with the Expert Adviser to the State Department on Holocaust-Era Issues and the Department's Special Envoy for Holocaust Issues, Germany allocated significant funds to both public and private museums for provenance research and has informed its public museums that they cannot continue to obtain federal funds unless they participate in the claims process. Germany also reaffirmed that the precepts it committed to in endorsing the Washington Principles and the Terezin Declaration apply to private museums and collections, as well as to public museums.

Another area examined in this report is the progress in identifying, cataloguing, and preserving Judaica that may be found in libraries, museums, and other repositories; their return to their original owners and other appropriate individuals and institutions; and in particular, the restoration of sacred scrolls and ceremonial objects to their original sacred use in synagogues. Return of confiscated Judaica and Jewish cultural property has generally not received as much focus as confiscated and looted art. In the case of certain countries, such as Belarus, progress in this area has stalled. After World War II, the Soviet Trophy Brigades brought hundreds of thousands of books from France to Minsk that had been stolen by the *Einsatzstab Reichsleiter Rosenberg* – a Nazi organization tasked with expropriating Jewish cultural property. Most of these books, experts agree, are located in Minsk.

In addition, the report provides snapshots of progress made in meeting each country's commitment to make relevant archives available to the public and researchers to the fullest extent possible and to provide for the return of archives that had been stolen or removed for safekeeping as a consequence of the Holocaust. Positive developments abound: an exception for Holocaust-related archives was helpfully included in the European Union's General Data Protection Regulation; there is cooperation between New York's YIVO Institute for Jewish Research and partners in Lithuania to preserve, digitize, and virtually reunite YIVO's pre-war archival collections and to digitally reconstruct the historic Strashun Library of Vilna; and military archives will be made accessible through a new arrangement between Greece and the U.S. Holocaust Memorial Museum, expected in 2020.

Finally, progress in maintaining memorial sites and promoting historically accurate Holocaust remembrance, commemoration, research, and education – undertakings made even more vital by the aging of the survivor generation – are highlighted in the country reports. One positive development in this area worth noting was the release of new *Recommendations for Teaching and Learning about the Holocaust*, which were unanimously adopted by the members of the International Holocaust Remembrance Alliance on December 5, 2019. The recommendations are available at: <https://www.ushmm.org/teach/fundamentals/guidelines-for-teaching-the-holocaust>.

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## **Acknowledgements**

Sincere thanks are due to all who contributed to this report. We particularly wish to acknowledge the research and tireless outreach carried out by U.S. embassy personnel in the covered countries to provide the initial elements of each report, the review of which was coordinated by the Department's Special Envoy for Holocaust Issues Cherrie Daniels and her professional staff. A significant portion of the report's historical material was drawn from the U.S. Holocaust Memorial Museum, while restitution-related research and expertise were drawn from studies conducted by the World Jewish Restitution Organization, the Conference on Jewish Material Claims Against Germany, the European Shoah Legacy Institute, and others. The Office of the Special Envoy for Holocaust Issues is deeply indebted to the Department's Expert Advisor on Holocaust Issues, Ambassador Stuart E. Eizenstat, whose support and wealth of knowledge on the subject were invaluable.

## **ALBANIA**

On April 7, 1939, before the outbreak of World War II, Fascist Italy invaded and occupied Albania. Nazi Germany occupied Albania after Italy surrendered to the Allies in 1943. Albania was one of only a few countries in Europe that provided visas to Jews through its embassy in Berlin on the eve of World War II. Muslim and Christian Albanians provided European Jews with false identity papers, enabling them to avoid arrest by the Gestapo. As a result, Albanian sources assess that the country was one of the few countries in Europe whose Jewish population at the end of World War II was greater than at the beginning. Estimates consistently report 200 Jews prior to the war, with 600 to 2,000 or more post-war survivors. Yad Vashem has recognized 75 Albanians as “Righteous Among the Nations,” non-Jews who acted along with their families to try to rescue Jews from the Holocaust.

Albanians attribute their protection of Jews during the Holocaust to *besa*, a cultural code in Albania binding them to help those in need. As of mid-2019, there were only 40 to 50 Jews living in the country.

### **Immovable Private, Communal/Religious, and Heirless Property**

Albania endorsed the Terezin Declaration in 2009 and the Guidelines and Best Practices in 2010. The country does not have any restitution or compensation laws relating specifically to Holocaust-era confiscations of private property. Under the law, religious communities have the same restitution and compensation rights as natural or legal persons.

The Albanian government reported no records of property claims submitted by victims of the Holocaust, and the Department is not aware of any claims by the local Jewish community or American citizens regarding real property dating from the Holocaust era. However, the Agency for the Treatment of Property faces thousands of claims for private and religious property confiscated during the communist era, which would compound any challenges for victims of the Holocaust. The Office of the Ombudsman, an independent, constitutional entity that serves as a watchdog over the government, and NGOs noted claimants in general still struggle to obtain due process from the government for property restitution.

### **Movable Property: Nazi-Confiscated and Looted Art, Judaica, and Jewish Cultural Property**

Albania participated in the 1998 Washington Conference on Holocaust Era Assets and in the 2009 Holocaust Era Assets Conference in Prague, but the country does not have restitution laws in place to cover movable property, nor do its institutions conduct provenance research. The Department of State has not been made aware of issues regarding movable property.

### **Access to Archival Documents**

The Albanian Archive reported having no property documents for Holocaust victims or their heirs in archival records. Overall availability and integrity of archival documents are inconsistent. In 2009, the United States Holocaust Memorial Museum concluded a small

archival preservation and copying project, which was supported by and made possible thanks to the cooperation of the Albanian government.

There are no reported immovable, movable, or cultural property claims submitted, though if there were, acquiring supporting archival documents would be difficult. The fear prevalent in Albania during the Communist era caused people to avoid being linked to the ‘wrong’ resistance group, including any groups that might have sheltered Jews, even after the Communist regime collapsed in 1991. The residual culture of silence from the Communist past partly explains why the rescue of Albanian Jews remained relatively unknown for many decades. Some survivors could not overcome the difficulty of grappling with a painful past and did not tell their stories. Albania’s Jewish community is small, and Jewish organizations and their activities are not well known to the general public. Albanian archives and records contain many inaccuracies, inconsistencies, or gaps, making collection of facts difficult.

### **Education, Remembrance, Research, and Memorial Sites**

Education on the Holocaust is taught within the context of European history.

The Solomon Museum, Albania’s only Jewish history museum, opened in the city of Berat in 2018 and has a dozen framed panels on the walls bearing photos and stories from 500 years of Jewish life in the country. There is an exhibit devoted to Albanian Jewish history in Tirana’s national museum. Additionally, Albania’s current Minister of Culture has discussed establishing a National Museum of Jews in Vlora.

Albania commemorates International Holocaust Remembrance Day on January 27 and is an observer country of the International Holocaust Remembrance Alliance. In January 2018, the Albanian Ministry for Europe and Foreign Affairs hosted a conference in Tirana titled “We Remember: Promoting Human Rights through the Lens of Holocaust Education and Remembrance.” During the remembrance event in January 2017, then-President Bujar Nishani awarded medals to 35 families and individuals who sheltered Jews during World War II. On January 29 of the same year, the Anti-Defamation League presented the Jan Karski “Courage to Care” award to the Albanian people.

## **ARGENTINA**

The Jewish diaspora has had a significant presence in Argentina since the middle of the nineteenth century. The country received an influx of Jewish immigrants from Europe during World War II (WWII). Argentina has one of the largest Jewish communities in the world and the largest in Latin America with a population of about 200,000, according to the World Jewish Congress. Although estimates differ, informed sources report that there are approximately 200 Holocaust survivors remaining in Argentina. Argentina's Museum of the Holocaust recorded 900 confirmed Argentine citizen victims of the Holocaust, and their investigation continues.

Many Nazi war criminals and sympathizers also emigrated to Argentina after WWII to escape prosecution, including Josef Mengele, the SS doctor who performed experiments on prisoners at Auschwitz-Birkenau, and Adolf Eichmann, one of the organizing minds behind the Holocaust.

Argentina was one of the few non-European countries to endorse the Terezin Declaration. While Argentina does not have any known immovable or movable property issues dating from the Holocaust era, the Declaration's section on "The Welfare of Holocaust (Shoah) Survivors and Other Victims of Nazi Persecution" does apply, particularly in terms of social welfare and monetary restitution.

Several Argentine NGOs spearhead work in social welfare and monetary restitution for Holocaust survivors. With the support of Jewish welfare NGO *Fundación Tzedaká*, several survivors have applied for specific restitution programs from European governments, such as pensions for those who were forced laborers or survived internment in concentration camps or ghettos. *Fundación Tzedaká* (a Hebrew word that roughly translates as "justice," "righteousness," or "charity") also runs its own initiatives such as medical assistance drives, food security assistance, social events, and educational workshops. Most funding for Holocaust survivor programs comes via the Conference on Jewish Material Claims Against Germany (Claims Conference), based on allocations from several sources, including the German government, Swiss Banks Settlement, and the International Commission on Holocaust Era Insurance Claims. The *Delegación de Asociaciones Israelitas Argentinas* (DAIA), the umbrella organization of Argentina's Jewish community, is a member of the World Jewish Congress and is affiliated with the Claims Conference, both of which are involved in Holocaust-era settlements. DAIA and the country's Holocaust Museum concur that in 10 to 15 years, most social welfare and monetary restitution claims will cease, as remaining Holocaust survivors are advanced in age and these programs are not transferable to family members.

The Argentine government and NGOs present a wide array of programs on Holocaust-related archival access and remembrance. Most of their commitments in this area relate to Argentina's membership in the International Holocaust Remembrance Alliance (IHRA).

### **Immovable Private, Communal/Religious, and Heirless Property**

The government and local NGOs are unaware of any Holocaust-related immovable property claims in Argentina. According to a 2017 European Shoah Legacy Institute report, Argentina

does not appear to be “a party to any treaties or agreements with other countries that address restitution and/or compensation for immovable property confiscated or wrongfully taken during the Holocaust.” The country’s Secretariat for Worship specified that it does not have any records of restitution claims that Holocaust survivors pursued through the Government of Argentina; it noted that such cases would have to be handled through international agreements given the lack of relevant domestic legislation. NGOs in Argentina are pivotal when it comes to assisting victims attempting to navigate such claims.

*Fundación Tzedaká* reported that although the Polish government in 2018 permitted claims on immovable property from overseas residents, to its knowledge no Argentine resident has made a claim. The NGO suggested that most Jewish Argentines are of Polish descent, and the lack of claims by Argentine Jews could be related to the complicated restitution process in Poland. *Fundación Tzedaká* has assisted clients in applying for monetary restitution from other governments, such as Germany, Romania, and Serbia.

### **Movable Property: Nazi-Confiscated and Looted Art**

Most government and civil society sources voiced doubts that there was any Holocaust-related movable property in Argentina. All agreed that some of the Nazis who came to Argentina after WWII used false names in an attempt to immigrate as refugees; therefore, they rarely arrived with large amounts of belongings. Both *Fundación Tzedaká* and a law firm that had been involved in assisting Holocaust survivors with restitution claims stated that they have not processed claims for any movable property.

The existence of smuggled Nazi-looted and confiscated art in Argentina is possible, however, given that other items from the period have surfaced in recent years. For example, the Argentine Federal Police confiscated what was thought to be the largest cache of Nazi memorabilia outside of Europe in a raid on a local antiques store in June 2017. These objects are believed to have been either smuggled into Argentina by Nazi escapees or forged. Through DAIA, the Jewish community became a party in the case against the antiques shop owner, asserting that their sale allegedly violated either the antidiscrimination law (if they were forgeries) or the patrimony law concerning import controls of cultural artifacts (if found to be genuine). These pieces were donated to Argentina’s Holocaust museum. This case suggests other items might have been smuggled out of Europe in the aftermath of the war, but to this day none have surfaced that involve Nazi-confiscated or looted art. None of the items confiscated in June 2017 were reported to be property stolen from survivors.

Argentine museums do not do provenance research on their collections, and there have been difficulties researching the activities of Argentina’s art market during the Holocaust. The Argentine Commission of Inquiry into the Activities of Nazism in Argentina, created in 1997, concluded that no looted art was or is held by the *Museo Nacional de Bellas Artes*. The Commission admitted that it had not checked any other state-run museum and that it faced difficulties researching the activities of Argentina’s art market during the Holocaust, particularly those of the Witcomb, Wildenstein, and Muller art galleries.



## **Judaica and Jewish Cultural Property**

As with other movable property, sources neither in civil society nor in the government had any reports of restitution claims regarding Judaica or Jewish cultural property in Argentina. Argentina received 5,053 books and 150 museum and synagogue pieces from Jewish Cultural Reconstruction after WWII. So far as is known, no provenance research has been conducted on these holdings or on other Judaica that may have reached Argentina during or after the war.

## **Access to Archival Documents**

In 1992, the government announced that it would open the archives related to Nazi arrivals in Argentina, extradition requests for Nazi war criminals, and laws that prevented Jewish immigration during the same period. In 2017, the government initiated the digitalization of the archives for convenient access and further study. It has shared copies of these digitized archives with DAIA and the U.S. Holocaust Memorial Museum, and researchers can access the documents through these organizations.

The government created the Truth Commission for Nazi Activities in Argentina in 1997 to investigate Nazi immigration to Argentina and possible government acquiescence at the time. A study published by the commission found 180 cases of confirmed Nazi war criminals who entered Argentina. The government did not repeal a 1948 law barring Jewish immigration to Argentina until 2005.

## **Education, Remembrance, Research, and Memorial Sites**

Argentina's active civil society organizations take a multifaceted approach to Holocaust remembrance. Concerning Holocaust primary source education, Argentina's Museum of the Holocaust is at the forefront of compiling oral testimony from survivors. Through the institution's "Apprentice Project," these survivors entrust their stories to new generations that in turn are expected to further disseminate them to their younger peers to keep the memory of the Shoah alive. NGOs also remember the Holocaust in ceremonies they sponsor, sometimes with the Israeli embassy or connected to events commemorating the 1994 bombing of the Argentine Israelite Mutual Association (AMIA).

In 2006, Argentina became the only Latin American country to be a full member of IHRA. In keeping with that membership, the government hosts a yearly Shoah memorial event on January 27, International Holocaust Remembrance Day, which is organized on a rotating basis by the Ministry of Education, Culture, Science, and Technology; the Ministry of Justice and Human Rights; and the Ministry of Foreign Affairs and Worship. The latter ministry hosted the 2018 event at the Shoah Memorial Plaza in Buenos Aires at which President Mauricio Macri became the first sitting president to attend as a speaker, along with the DAIA president and a Holocaust survivor. Other provincial capitals hosted the event in prior years, illustrating a commitment to encourage all levels of government to participate in Holocaust remembrance.

Argentina also established a Permanent Advisory Council in 2002 that functions as the local chapter of the IHRA. The presidency of this council rotates among the aforementioned three

government ministries and includes the National Institute against Discrimination, Xenophobia, and Racism, as well as many civil society organizations. Chief among these NGOs are DAIA, AMIA, B'nai B'rith Argentina, the Anne Frank Center (*Centro Ana Frank*), the Simon Wiesenthal Center, *Plural Jai*, the Holocaust Museum Foundation, the Center for Holocaust Studies, the Argentine Judeo-Christian Confraternity, and many more. The Council convenes monthly to exchange information and discuss initiatives such as remembrance events, workshops, seminars, production of documentary material, and academic curricula.

## **AUSTRALIA**

Australia declared war on Nazi Germany on September 3, 1939, and almost one million Australians served in World War II (WWII). Australia's Jewish population grew significantly during the 20th century. The community numbered an estimated 23,000 in 1933. Between 1933 and 1939, Australia absorbed between 7,000 and 8,000 Jewish refugees from Europe, including from Germany, Austria, and Czechoslovakia. A further 2,000 were deported to Australia by the British government in 1940. An estimated 127,000 Jewish refugees migrated to Australia between 1946 and 1961, the majority of whom were Holocaust survivors. The 2016 census reported 91,022 people identifying as Jewish in Australia. The Executive Council of Australian Jewry, an affiliate of the World Jewish Congress, describes itself as the officially elected representative organization and voice of the country's Jewish community. A number of other Jewish organizations are also present in Australia.

The Department of State does not know of any cases of Holocaust-era confiscated property in Australia or of laws specifically addressing the restitution of Holocaust-era property. There has been one reported case of a prominent Australian art gallery voluntarily returning a painting believed to have been sold under duress. The most tangible aspects of the Terezin Declaration for Australia are therefore the country's commitment to supporting Holocaust survivors and promoting Holocaust remembrance.

Certain private social welfare organizations provide assistance to Holocaust survivors resident in Australia, with support from the Australian government and significant financial support from the Conference on Jewish Material Claims Against Germany (Claims Conference). Australia joined the International Holocaust Remembrance Alliance (IHRA) in June 2019.

### **Immovable Private, Communal/Religious, and Heirless Property**

The Department of State does not know of any Holocaust-era immovable property claims in Australia. As Oxford Scholarship Online's publication, "Searching for Justice After the Holocaust: Fulfilling the Terezin Declaration and Immovable Property Restitution" notes, "[no] immovable property was confiscated from Jews or other targeted groups in Australia during the war. As a result, no immovable property restitution laws were required."

### **Movable Property: Nazi-Confiscated and Looted Art**

Australia is a signatory to the 1998 Washington Conference Principles on Nazi-Confiscated Art. The Australian Department of Communications and the Arts reported that it was not aware of a legal framework in the country that specifically relates to the restitution of Holocaust-era property, a view shared by the Executive Council of Australian Jewry.

However, the country's Department of Communications and the Arts notes that the Protection of Cultural Objects on Loan Act (2013) provides legal protection for cultural objects on loan from overseas lenders for temporary public exhibition in Australia. Institutions such as museums, galleries, libraries, and archives seeking accreditation under the scheme must demonstrate robust due diligence and provenance policies and practices. The Australian Federal Police reported that

it was not aware of any examples of a law enforcement investigation in Australia resulting in the return of Holocaust-era property, but it was aware of an example of voluntary restitution. In early 2014, the National Gallery of Victoria agreed to return a painting, “Head of a Man,” believed to have been sold under duress. The gallery’s decision to return the painting followed a request made on behalf of two South African women deemed to be the legal heirs of a Jewish industrialist who auctioned the painting at a reduced price in Amsterdam in 1933 after fleeing Berlin. The portrait had been sold to the National Gallery of Victoria in 1940.

In 2015, the government published a best practice guide to collecting cultural material that also refers to provenance research and due diligence and provides guidance to cultural institutions considering a request for restitution, among other topics. Australia’s most prominent art galleries, Canberra’s National Gallery of Australia and Melbourne’s National Gallery of Victoria, have their own due diligence and provenance policies that require thorough research regarding the provenance of art works prior to acquisition.

### **Judaica and Jewish Cultural Property**

Australia is party to the 1970 UNESCO Convention on the Means of Prohibiting and Preventing Illicit Import, Export and Transfer of Ownership of Cultural Property. The convention requires parties to ensure that no collecting institution accepts illegally exported cultural property. According to one commentator, Australia’s Protection of Movable Cultural Heritage Act of 1986 implemented Australia’s obligations under the UNESCO convention, although its focus on the cultural heritage of foreign countries does not adequately address the issue of Nazi-looted art. Australia has not established any spoliation procedure or advisory body to adjudicate looted art claims.

Australia received 3,307 books from Jewish Cultural Reconstruction after WWII. The Department does not know whether provenance research has been conducted on these holdings or whether other Judaica may have reached Australia during or after WWII.

### **Access to Archival Documents**

The Australian government’s best practice guide to collecting cultural material directs collecting institutions to international databases of stolen art, including the INTERPOL Stolen Works of Art database, Art Loss Register, and national databases within relevant countries. Certain Australian galleries have established their own databases documenting the provenance of their collections. For example, the National Gallery of Australia’s Provenance Research Project, Art in Europe 1933-1945, transparently documents the provenance of all works in its collection presumed to have been in Europe between 1933 and 1945.

### **Education, Remembrance, Research, and Memorial Sites**

In June 2019, Australia became a full member of the International Holocaust Remembrance Alliance (IHRA). In a statement, Australia’s Minister for Foreign Affairs said, “Australia’s IHRA membership demonstrates our continuing commitment to combating anti-Semitism and protecting freedom of religion.” Ceremonies marking International Holocaust Remembrance

Day were held in Sydney and Melbourne on January 27, 2019, and a presentation by Holocaust survivors at the Sydney Jewish Museum was fully subscribed.

The Executive Council of Australian Jewry (ECAJ) reported that learning about the Holocaust is mandated in Australia's national curriculum and in the curricula of every Australian state and territory, which public and private schools are required to follow. For example, students in Year 10 (high school sophomore equivalent) examine "significant events of WWII, including the Holocaust." The inclusion of the Holocaust as part of the mandatory Year 10 curriculum was advocated by the ECAJ and included in the national curriculum beginning in 2008.

At least three institutions in the country have permanent exhibitions dedicated to Holocaust education and remembrance. The Sydney Jewish Museum hosts a permanent Holocaust exhibition tracing the persecution and murder of European Jews and the new lives forged by survivors in Australia. Perth hosts the Holocaust Institute of Western Australia, and Melbourne hosts the Jewish Holocaust Centre, a museum and resource center that exhibits photographs, artifacts, and documents donated by Melbourne Holocaust survivors. The Holocaust is also documented as part of the Second World War Gallery at the Australian War Memorial in Canberra, which welcomes more than one million visitors per year.

### **The Welfare of Holocaust (Shoah) Survivors and Other Victims of Nazi Persecution**

Private social welfare organizations provide support to Holocaust survivors, including JewishCare Victoria and JewishCare New South Wales (NSW), both of which have received grants from the Claims Conference. For example, JewishCare Victoria's Holocaust Survivor Support Program assists eligible Holocaust survivors with tailored services, including in-home and personal care, therapies, and medical assistance. Service providers such as JewishCare receive financial support from the Australian government. According to the Claims Conference, JewishCare NSW serves 1,800 Sydney-based Holocaust survivors, most of whom are from Central Europe, and JewishCare Victoria serves approximately 1,500 Holocaust survivors in the state of Victoria. In 2015, the Claims Conference budgeted 16,646,630 U.S. dollars for programs in Australia, consisting of direct compensation; social welfare services; and Shoah education, documentation, and research.

## AUSTRIA

Austria's Jewish population numbered about 192,000 when Nazi Germany annexed the country in March 1938. Between 1938 and 1940, approximately 117,000 Jews fled Austria to countries across the world, including some that would later be occupied by Nazi Germany or were members of the Axis. By November 1942, only about 7,000 Jews remained in the country. Approximately 65,000 Austrian Jews were killed in the Holocaust. Austria's Documentation Center of Austrian Resistance has identified records pertaining to more than 63,800 Jewish victims.

In 1938, 99.7 percent of Austrians voted in a plebiscite to join the German Reich, but for decades following the war, the national consensus was that Austria, through an "unwanted *Anschluss*" (annexation), had been Hitler's first victim. The country later struggled to come to terms with an ambiguous and dark past. The so-called "victim theory" was a fundamental myth of Austria's post-war society, bolstered by language in the Allied Powers' Joint Four-Nation Declaration from the Moscow Conference of October 1943, which included an explicit declaration on Austria and its annexation by Nazi Germany. The wartime activities of Kurt Waldheim, who served as the president of Austria from 1986 to 1992, sparked a national debate on the country's role in the Holocaust that started during the election campaign in 1985.

While Austria instituted several restitution programs in the immediate post-war era, they were widely acknowledged as insufficient to address the country's wartime responsibility. In 1991, Chancellor Franz Vranitzky gave a speech to the Austrian parliament in which he acknowledged the co-responsibility of Austrians for the suffering inflicted on the country's Jewish community. In July 1993, Vranitzky reiterated this admission in a speech before the Israeli Knesset.

Austria's acknowledgement of its role in the Holocaust triggered a reassessment of the country's post-war restitution programs. An independent commission of historians found in February 2003 that "although the majority of the seized properties were restituted or the subject of settlements, the restitution proceedings of the 1940s, 1950s, and 1960s were considered unsatisfactory by many restitution claimants. The range and complexity of the various restitution acts and deadlines, and the lack of state assistance for the victims of the seizures in their attempts to achieve restitution, were deciding factors in this regard."

Beginning in 1995, the Austrian government set up several programs to address gaps and deficiencies in post-war restitution and compensation programs and made legislative changes that provided social welfare benefits to Austrian victims of the Nazis. These included in 1995 a compensation fund called the National Fund for Victims of National Socialism and in 1998 an art restitution law. Moreover, the October 2000 U.S.-Austrian Agreement on Compensation for Forced and Slave Laborers and the January 2001 U.S.-Austrian Washington Agreement on the Settlement of Questions Concerning Compensation and Restitution for Victims of National Socialism, negotiated by Special Representative of the President and Secretary of State Stuart Eizenstat and an interagency U.S. government team, obligated the Austrian government to set up restitution and/or compensation funds. These agreements also obliged Austria to address the restoration and maintenance of Jewish cemeteries, provide easy access to archival documents,

support and implement projects for Holocaust remembrance, and extend Austrian social benefits to Holocaust survivors living abroad.

When it was discovered that some six tons of Nazi-looted gold were still in the possession of the Tripartite Gold Commission established shortly after World War II, the U.S. government took the lead in encouraging countries to give their share of the looted gold to their Holocaust survivors. Austria was the first state to adopt the recommendation; it also encouraged other countries to do so.

### **Immovable Private, Communal/Religious, and Heirless Property**

Post-war laws provided for the restitution of certain immovable property, but the laws were only partly satisfactory. To address inadequacies, and in accordance with provisions in the January 2001 U.S.-Austrian Washington Agreement referred to above, the Austrian government set up a General Settlement Fund in May 2001. The Fund included an arbitration panel on *in rem* restitution to reconstitute publicly owned property formerly owned by individuals or the Austrian Jewish community. The deadline for filing applications was 2011, and the panel finished processing applications in December 2018. In total, the Fund restituted property in some 140 cases, worth about €48 million (approximately \$52.6 million).

The 2001 General Settlement Fund's Claims Committee also addressed open questions of compensation (as opposed to restitution) for losses of assets that had not been sufficiently resolved by previous measures. In particular, it focused on real property, business assets, bank accounts, stocks, bonds, movable assets, insurance policies, occupational and educational losses, and other losses and damages. The deadline for filing applications was 2003. The Fund was endowed with approximately \$210 million total and was required to make payments on a pro-rata basis. The Fund's Claims Committee received more than 20,000 applications, of which some 18,155 resulted in positive decisions. Overall, the independent Claims Committee recognized claims totaling approximately \$1.5 billion. Since the total claimed amounts determined for all successful applications exceeded the \$210 million provided for by the Washington Agreement, each applicant could receive only a defined fractional share of his or her claim. For insurance policies, successful applicants received about 20 percent of the value and for other claims, between 10 and 17 percent of the value. The panel finished processing applications in December 2018.

In accordance with the 2001 Washington Agreement, the City of Vienna also restituted the formerly Jewish-owned and operated *Hakoah* sports club facilities, expanding those facilities to create a Jewish center that included a school and a home for the elderly. The Austrian government also set up a Fund for Jewish Cemeteries in 2010, in accordance with the same agreement.

Regarding heirless property, the Austrian government provided compensation to Jewish organizations after the re-establishment of Austria's sovereignty through the 1955 Austrian State Treaty.

## **Movable Property: Nazi-Confiscated and Looted Art**

In 1998, pursuant to the Washington Principles on Nazi-Confiscated Art concluded that year, the Austrian government initiated an art restitution program that covered art in museums and institutions owned by the federal government, with provincial and municipal governments enacting their own laws. Austria was one of the few countries that incorporated the Washington Principles into its national legislation. The country has restituted more than 32,000 objects, among them renowned artworks such as the Rothschild family's art collection in the Vienna Museum for Fine Art and several works by Gustav Klimt and Egon Schiele. The art restitution law stipulated that an advisory panel recommend restoration to the rightful owner based on research conducted in federal museums and institutions by the Commission on Provenance Research.

Under the 2001 U.S.-Austrian Washington Agreement, the Austrian government agreed to undertake its best efforts to expand the jurisdiction of the country's 1998 art restitution law, which initially covered only federal institutions, to the provincial and municipal levels. The program is ongoing. Problems remain regarding privately owned collections, which are subject to the principle of good faith acquisition.

Heirless art objects, in accordance with the federal art restitution law, are to be transferred to the National Fund of the Republic of Austria for Victims of National Socialism. In 2006, the National Fund posted an online database of some of these heirless objects to allow additional claimants to come forward; the database now holds more than 9,000 entries. In Vienna, the 1996 Mauerbach auction of unclaimed Jewish-owned art resulted in a fund of \$13.5 million, used primarily to benefit needy Austrian Jewish victims of Nazi persecution.

## **Judaica and Jewish Cultural Property**

Apart from the post-war restitution laws, which were also used for post-war communal property restitution, a 1960 law provided for a one-time payment of approximately \$11.4 million as compensation for damaged synagogues, prayer houses, and other properties owned by the Jewish community, plus an annual allocation of approximately \$846,200 to be paid for an indefinite time period. The 2001 General Settlement Fund's Claims Committee and *in rem* arbitration panel were also used to seek restitution of communal properties.

In 2002, the Austrian federal provinces, along with the Jewish communities of Vienna, Graz, Linz, and Salzburg, concluded an agreement intended to resolve all remaining questions of compensation for destroyed/looted assets that belonged to Jewish communities, associations, and foundations. A payment amount of approximately \$20 million was finalized in 2005, after the Vienna Jewish community withdrew more than 700 pending claims with the General Settlement Fund and withdrew *amicus curiae* support for a pending class action suit in the United States against Austria.

Austria's libraries and museums conduct provenance research on Judaica and carry out restitution thereof.



## **Access to Archival Documents**

The 2001 Washington Agreement stipulated that the Government of Austria would work on providing better access to the files of the Austrian State Archives and make efforts to ensure that requests for information are handled in an expedited and non-bureaucratic manner. That stipulation was implemented in most cases, according to researchers working on Holocaust issues. The United States Holocaust Memorial Museum has enjoyed longstanding cooperation with several Austrian archives.

## **Education, Remembrance, Research, and Memorial Sites**

Holocaust education forms an important part of school curricula, and there are Holocaust remembrance projects throughout Austria. The most prominent memorial site is the former concentration camp Mauthausen in Upper Austria. The government funds Holocaust research projects on a regular basis, including via the “Future Fund.” That mechanism disburses surplus funds from the compensation fund of Nazi-era forced and enslaved laborers to projects commemorating the victims of National Socialism and other totalitarian regimes. Austria is also an active member of the International Holocaust Remembrance Alliance.

The National Fund of Austria for the Victims of National Socialism continues to do educational programming. For example, it recently funded a new Austrian exhibition in Block 17 of the Auschwitz-Birkenau State Museum in Poland with the title “Far removed. Austria in Auschwitz.”

## **The Welfare of Holocaust (Shoah) Survivors and Other Victims of Nazi Persecution**

In accordance with the U.S.-Austria agreements concluded in 2000 and 2001, the Austrian government provided more than €180 million (\$201.2 million) in nursing care payments to Holocaust survivors living abroad, most prominently in Israel and the United States. The agreements also entitled Holocaust survivors living abroad to receive benefits under the Austrian pension system. The National Fund for Victims of National Socialism, set up in 1995, provided lump-sum payments for Holocaust survivors and extra benefits for survivors in need of assistance. The Reconciliation Fund for Compensation of Nazi-Era Forced and Slave Laborers, set up in 2000, issued payments to surviving forced and slave laborers. An organization in Vienna also provides psychological assistance to Holocaust survivors.

The main entity representing former Austrian Jews in negotiations with Austria was the Committee for Jewish Claims on Austria, a sub-committee of the Conference on Jewish Material Claims Against Germany (Claims Conference). It was founded in 1953 after Germany refused to accept the obligations of Austria, arguing that Austria was also responsible for Nazi persecution of Jews. Following negotiations with the Committee for Jewish Claims on Austria, in 1956 Austria enacted the Assistance Fund Act (*Hilfsfondsgesetz*) that established a modest fund to provide one-time payments to victims of National Socialism who lived abroad and did not receive benefits under the Austrian Victims Welfare Act.

Starting in 1961, after negotiations with the Committee for Jewish Claims on Austria, the General Social Insurance Law was amended several times to allow more victims to participate in the pension system by retroactively purchasing pensions at a preferential rate. In 2001, as a result of the U.S.-Austria Washington Agreement of that year, the law was amended yet again so that all persons born prior to the *Anschluss* in March 1938 would be able to “purchase” a social security pension. In 2008, after pressure from the Claims Conference, this was changed again to include those born until the end of WWII.

Former Austrian Jews are entitled to monthly “nursing assistance” based on their level of disability. Prior to the 2001 Washington Agreement, those former Austrian Jews living abroad were only entitled to “Level 2,” irrespective of their level of disability. As a result of the 2001 Washington Agreement, this discriminatory measure was removed, and former Austrian Jews were entitled to receive up to Level 7 of this program. Most of the former Austrian Jews benefiting from these agreements reside in Israel or the United States.

The National Fund for Victims of National Socialism provided lump-sum payments for Holocaust survivors and extra benefits for survivors in need of assistance. Since its establishment, the National Fund has made around 30,000 “gesture payments” of €5,087 (\$5,690) to surviving Austrian victims of National Socialist injustice. The total amount of all payments comes to around €157.3 million (\$175.8 million).

Furthermore, since 2001, the National Fund also disbursed more than €175 million (\$195.6 million) as symbolic compensation for seized tenancy rights, household effects, and personal valuables. These took the form of lump-sum payments of €7,630 or \$7,000 and additional payments of 1,000 euros. The claims deadline ended in June 2004. Additionally, the National Fund has so far approved funding for around 2,100 projects and programs worth approximately €30.8 million (\$34.4 million).

The country’s Reconciliation Fund for Compensation of Nazi-Era Forced and Slave Laborers, set up in 2000, issued payments to surviving forced and slave laborers who had not already received a payment from the German Foundation “Remembrance, Responsibility and Future.” The overwhelming majority of victims of the Nazis who received a payment from the Reconciliation Fund were non-Jewish forced laborers.

For more than a decade, the Claims Conference has received an annual allocation of €1.5 million (approximately \$1.7 million) from the Austrian government for an emergency assistance program to benefit former Austrian Jews, a program administered by Jewish social welfare agencies in countries in which former Austrian Jews reside. Finally, an organization in Vienna called *ESRA*, the Hebrew term for “help,” provides psychological assistance to Holocaust survivors and their descendants.

### **U.S. Citizen Claims**

The General Settlement Fund and the Reconciliation Fund for Nazi-Era Forced and Slave Laborers have now closed. However, U.S. citizens can still apply for certain benefits from the National Fund for Victims of National Socialism, the art restitution program, and the Austrian

government's social welfare benefits (annual pensions and "*Pflegegeld*"- nursing allowances). In addition, needy former Austrian Jews can still apply to Jewish social welfare agencies to access the Austrian Holocaust Survivor Emergency Assistance Program funded by the Austrian Government via the Claims Conference.

## **BELARUS**

The 1939 Byelorussian Soviet Socialist Republic national census registered 375,092 Jewish residents. After the Nazi occupation of Poland in 1939 and the annexation of Polish territory under the Molotov-Ribbentrop Pact, the Jewish population rose to an estimated one million, including 404,500 in what is now eastern Belarus and more than 600,000 in present day western Belarus. The Byelorussian Soviet Socialist Republic government is reported to have evacuated approximately 220,000 Jewish residents, primarily from present day eastern Belarus, to other regions of the USSR in 1941 following the Nazi invasion earlier that year.

An estimated 600,000-800,000 Jews, including those deported from eastern Poland and other European countries, were killed in the Byelorussian Soviet Socialist Republic between July 1941 and October 1943 in more than 500 ghettos, concentration camps, and mass killing sites. Jews deported to the country from Germany and other European countries were taken mainly to the Minsk ghetto and the Maly Trostinec death camp, where they were killed. An estimated 15,000 former prisoners of the Nazis still live in Belarus, including war veterans and former ghetto, concentration camp, and death camp prisoners.

Today, an estimated 40,000 Jews live in Belarus, united in 43 registered Jewish secular communities under the Union of Belarusian Jewish Organizations and Communities. The country's registered Jewish religious communities include Chabad Lubavitch, Progressive Judaism, and Religious Jewish Congregations.

The government provides no compensation or assistance to Holocaust survivors. Reflecting improving relations following a decade of reduced U.S. diplomatic presence, the government has conveyed receptiveness to an expanded dialogue on the issue in response to recent U.S. embassy engagement.

### **Immovable Private, Communal/Religious, and Heirless Property**

There are no laws providing for restitution or compensation for private property confiscated during the Holocaust, in part because Belarus did not recognize private property rights from the time it became a republic of the Soviet Union in 1922 until the collapse of the Soviet Union in 1991. The country also has no legislative regime for the restitution of communal or heirless property. The General Prosecutor's Office reported that it had received no claims in the past decade from citizens, state bodies, public formations, or non-governmental organizations to return illegally confiscated property or make compensation payments to Holocaust survivors. No such investigations were therefore initiated or conducted.

As of 2014, the most recent year for which data is available, approximately 96 nationalized synagogues remained the property of the state. Other former synagogues lost their cultural monument status and were demolished, despite protests from the Jewish community. Representatives of the country's Jewish community estimated that Belarusian authorities had returned at least 10 Jewish religious buildings across the country since 1991.

## **Movable Property: Nazi-Confiscated and Looted Art, Judaica, and Jewish Cultural Property**

Under Belarusian law, cultural items that left the territory of what is now Belarus in violation of legislative acts and international treaties in force in Belarus at the time of their export, or which were temporarily exported from Belarus during armed conflicts or on other grounds and not returned to Belarus, are subject to mandatory return, regardless of time, circumstance, or place of export.

In 2016, the governments of Belarus and the United States signed an agreement on the protection and preservation of certain cultural property. According to the agreement, each of the parties is to take necessary measures to protect and preserve the cultural heritage of all national, religious, or ethnic groups that live or lived on its territory, including “groups that were victims of the Holocaust during World War II.” In a September 2019 press statement, the Ministry of Foreign Affairs announced the revival of the government commission tasked with identifying and returning cultural items removed from Belarus. The commission stated that one of the priorities would be identifying Nazi-looted art and populating a designated database. It also committed to pursue closer cooperation with foreign libraries, archives, and museums.

Among the 1,211 objects on the State List of Historical and Cultural Values are the Yama Holocaust memorial on the site of the Minsk ghetto and a monument to Belarusians killed by Nazi invaders during World War II in the former Jewish ghetto of Mazyr in Homel region. The grounds of the former Maly Trostinec death camp have been accorded the status of historical and cultural value.

Other historical and cultural heritage sites associated with Jewish culture that have been accorded such status include a former ritual immersion bath (*mikvah*) from the second half of the 19th century in Zembin, Borisov district; a former yeshiva dating from 1803 located in the town of Volozhyn; a former yeshiva dating from 1920 in the town of Kletsk; a synagogue in the city of Mahilyou; a former synagogue from the early 17th century in the Bykhov district; and a former synagogue in the city of Mahilyou. At the request of the Jewish community, the Mahilyou city administration granted the ancient part of the city’s Jewish cemetery the status of historical memorial burial site.

Soviet Trophy Brigades, tasked with removing valuables from territory occupied by the Soviet Union at the end of World War II, took library collections of French Jews to Minsk. A scholarly symposium concerning the trophy books was held in Minsk in 2016.

A report by the Conference on Jewish Material Claims Against Germany noted that many of the hundreds of thousands of books seized by the *Einsatzstab Reichsleiter Rosenberg* (ERR) from France were found by a Red Army trophy brigade in 1945 in warehouses near an abandoned ERR research and library center in Silesia. That trophy brigade also found many books in the same place that the ERR had seized from the Byelorussian Soviet Socialist Republic. In the fall of 1945, a Soviet convoy of 54 railroad freight cars carried an estimated 1.2 million books directly to Minsk. The report states that “while perhaps two-thirds of the books were from

libraries in Belorussia and the Soviet Baltic republics, a third or more were books from France and other countries of Europe.” Most of these books, experts agree, are now located in Minsk.

### **Access to Archival Documents**

Belarus’s Department of Archives and Records Management and the United States Holocaust Memorial Museum signed an agreement in 2016 on research and use of archival documents relating to the history of the Holocaust. No similar agreement has yet been concluded with the archives maintained by the national security service.

According to the government of Belarus, the state archives provide full access to archival documents containing information about the Holocaust in the Byelorussian Soviet Socialist Republic, but there are few documents on Nazi atrocities because the Nazis destroyed them, including lists of Jews killed or injured during the occupation. No documents related to the property of Jewish citizens are available in the archives. Documents from the archives are used for educational purposes, media publications, exhibitions, and in various document collections.

### **Education, Remembrance, Research, and Memorial Sites**

The government noted that educational institutions ranging from pre-schools to universities teach about the Holocaust and commemorate it. For example, secondary schools cover the history of the Holocaust and genocide as part of their world history and Belarusian history curricula.

The government recognizes International Holocaust Remembrance Day on January 27 and advises general secondary, vocational, and specialized secondary schools to visit monuments and memorials dedicated to the Holocaust on that day. Meetings are also held in Zelva, Lida, Slonim, Novogrudok, Ivie, and other districts of the Hrodna region on that day in memory of Holocaust victims. As part of these events, educational and cultural institutions organize book presentations, movie screenings, and classes about the Holocaust.

Museums and educational institutions around the country regularly organize conferences, events, movie screenings, and exhibitions dedicated to the Holocaust. For instance, city authorities assist in organizing Hrodna’s annual “March of Memory” each spring, an event dedicated to the prisoners of the Hrodna ghetto, which was liquidated on March 12, 1943. Local residents, representatives of the Jewish community, activists, and local officials march from the site of the former ghetto to the Chabad synagogue for a memorial prayer. In May 2019, Belarus partnered with the Department of State in the latter’s annual Days of Remembrance (Yom HaShoah) commemoration in Washington, DC, to screen a film about the Minsk Ghetto. The country’s deputy foreign minister spoke at the event.

## **BELGIUM**

Belgium officially recognized Judaism as a religion after the country became independent in 1830, with the *Consistoire Israélite de Belgique* as the official interlocutor of the public authorities. At the start of the Nazi occupation in May 1940, there were between 65,000 and 70,000 Jews in Belgium, including many who had recently arrived from Eastern Europe. Within months of the occupation, the Nazis began deporting political refugees and German Jews to internment camps in southern France. Mass deportations of Jews began in 1942, continuing through 1944. Both the Breendonk and Mechelen camps served as collection centers for deportation. About 25,000 Jews were deported from Belgium to the Auschwitz-Birkenau concentration and death camp. In all, approximately 28,000 Jews from Belgium died during the Holocaust, and fewer than 1,500 of Jews who were deported survived. Approximately 50 percent of Belgian Jews were hidden and saved by their countrymen.

There are currently about 40,000 Jews in Belgium, residing mainly in Antwerp and Brussels. The *Consistoire Israélite de Belgique* is the official interlocutor, but there are numerous Jewish organizations active in Belgium. About 40 Jewish organizations are members of the *Comité de Coordination des Organisations Juives de Belgique* (CCOJB), which is affiliated with the European Jewish Congress. The *Forum der Joodse Organisaties* is the key organization in the Flemish part of the country, including Antwerp.

From 1944 to 1997, the Belgian government inconsistently addressed the restitution of confiscated or stolen Jewish property. In 1997, the government formed a special commission to better address the issue. In 2001, the government formed a second commission and allocated €110.6 million (approximately \$124 million) to compensate survivors. By the end of the commission's mandate in 2007, the government had returned €35.2 million (approximately \$39.5 million) in compensation to survivors and their families, representing more than 5,620 claims. The Judaism Foundation keeps the remaining €75.4 million (approximately \$84.6 million) principal in trust and donates the interest generated to care for the needs of the Jewish community in Belgium.

The World Jewish Restitution Organization advocates for research on the role of the Belgian railway in transporting Jews and other victims to concentration camps, and the Belgian House of Representatives passed a resolution calling for the federal government to launch a thorough survey on the subject. As the federal government was in caretaker status as of late 2019, it will be up to the next government to act on this issue.

### **Immovable Private, Communal/Religious, and Heirless Property**

In the immediate aftermath of the war, an indeterminate number of Holocaust survivors received a measure of compensation for lost rental income, or they received flat rate compensation at a small percentage of the estimated value. Despite forming the second commission in 2001, public authorities were unable to trace documents relating to many confiscated properties. The 2001 commission awarded lump sum payments for claims on properties that had adequate documentation of having been plundered. In total, the government disbursed €1.2 million (approximately \$1.3 million) in compensation for 170 immovable property claims.

## **Movable Property: Nazi-Confiscated and Looted Art**

Belgium endorsed the 1998 Washington Principles on Nazi-Looted Art. The Belgian government has identified 331 items of unclear origin, including those on display in local museums. Of these, seven are known to be of Jewish origin and 298 are suspected to be of Jewish origin. Many items require further investigation and research to determine provenance. Through the Federal Science Policy, the government created a steering group, with representatives of the different federal and regional governments.

On January 25, 2014, local media reported that Belgian museums had taken ownership of 639 paintings since the end of World War II and that fewer than 10 percent were returned to the original owner. Media further reported that a federal register of 4,500 items had not been made public. In July 2014, the federal government began sharing responsibility for restitution with the regional and linguistic community governments, in response to increased calls for greater transparency and government coordination. A database of looted art will be made public through a link to the website of the Federal Public Service Economy of Belgium.

## **Judaica and Jewish Cultural Property**

The Ministry of Economic Affairs' Office of Economic Recovery (ORE) was responsible for tracing, recovering, restituting, and liquidating movable goods from 1944 until its dissolution in 1968. In 1948, the Central Jewish *Consistoire* purchased 565 Hebrew books of unknown but possible Jewish origin from the ORE. The 2001 Commission was involved in researching the origin of all immovable property in Belgium.

## **Access to Archival Documents**

ORE's division of the National Archives stored post-World War II files relevant to recovering and registering looted art. These files were transferred to the State Archives upon the dissolution of ORE in 1968, were digitalized in 2012, and are now available online. The Office of War Damage keeps a record of all claims related to war damages, including plundering. Records are searchable by both the property's physical address and the physical address of the property's owner. The 1997 and 2001 Commissions' findings regarding the archival documents are publicly available. Copies of many records are available at the United States Holocaust Memorial Museum, which has had good cooperation with Belgian archives.

## **Education, Remembrance, Research, and Memorial Sites**

The Flemish, French, and German linguistic communities are responsible for education policy, including the development of educational programs on remembrance, tolerance, and citizenship. Education on the Holocaust is a mandatory part of school curricula. In 2014 and 2015, thousands of Belgian youths rode a train from Brussels to Auschwitz-Birkenau to attend the international commemoration of the liberation of Europe. A similar initiative is planned for 2020.



Belgium joined the International Holocaust Remembrance Alliance in 2005 and observes International Holocaust Remembrance Day on January 27. Belgium's Center for Historical Research and Documentation on War and Contemporary Society participates in the European Holocaust Research Infrastructure. The Foundation of Contemporary Memory collects 20th century testimonials from the Jewish community in Belgium.

A monument at the Dossin Barracks in Mechelen solemnly marks the assembly point in Belgium where Jews and Roma were deported to concentration camps during World War II. The monument is one of 40 monuments in Belgium dedicated to the remembrance of victims of the Holocaust. The Jewish Museum of Belgium, which was the site of a terrorist attack on May 24, 2014, has a room dedicated to the victims and survivors of the Shoah.

## **BOSNIA AND HERZEGOVINA**

Restitution is a complex, contentious issue in Bosnia and Herzegovina (BiH), in part due to its history of conflict. After centuries of Ottoman rule, Austro-Hungarian annexation, Nazi occupation, four decades of socialism, and violent conflict in the 1990s, each ethnic and religious group possesses vast registries of potential claims. The situation is complicated further by the protracted debate about which level of government has competency over claims. The lack of progress and follow-up on these matters suggests a lack of political will.

The first Sephardic Jews arrived in what is now BiH in 1492 during the Spanish Inquisition. The community integrated into local multiethnic life and prospered. By 1941, BiH was home to approximately 14,000 Jews. During World War II (WWII), present day BiH fell to Nazi forces and was ceded to the Independent State of Croatia (NDH). NDH sent Serbs, Jews, and Roma to various concentration camps, where approximately 12,000 BiH Jews were killed or perished. Following WWII, many Jewish properties were nationalized or confiscated, as a result of which they are part of a restitution claim by the Jewish community in Sarajevo. The Jewish Community of BiH believes that approximately 10 percent of the overall seized property in BiH, with an unofficial, estimated value of €3 billion (\$3.3 billion), belonged to BiH Jews and should be approved for restitution.

During the breakup of Yugoslavia and the wars that ensued (1991-1995), many members of the Jewish community fled BiH. Of that population, more than 2,000 emigrated to Israel with the help of the American Jewish Joint Distribution Committee (JDC). The Jewish population has remained small since then, with approximately 1,000 people across the country identifying as Jewish, including 700 in Sarajevo. The remainder live primarily in Banja Luka, Mostar, Tuzla, Doboje, and Zenica.

### **Immovable Private, Communal/Religious, and Heirless Property**

The state-level Law on Religious Freedom was passed in 2003, allowing religious communities the right to restitution for expropriated property “in accordance with the law;” however, there is not yet a state-level law on restitution. Due to the lack of such a legal framework for property restitution, the Jewish Community of BiH does not have a legal mechanism to formally request the return of its property. Furthermore, the governments of BiH’s two sub-state entities – the Federation and Republika Srpska (RS) – have made no meaningful attempts to resolve this matter. In the absence of a national restitution law, lower-level municipal and cantonal governments have broad authority to allocate disputed property expropriated by the former Communist government.

Local politicians often dole out seized properties as political favors, primarily to the ethnic or religious majority populations in their areas. Due to both the small size of the Jewish population and its lack of political influence, the *ad hoc* system of limited, in-kind restitution of personal and/or communal property has excluded the Jewish community. According to the president of the country’s Jewish community, the community has received no property back from municipal or cantonal governments since 1995. At one point, Sarajevo Canton was considering returning the building formerly owned by the Jewish charity *La Benevolencija*,

which currently houses the Cantonal Ministry of Interior offices, but it has not done so. The Jewish community completed an extensive survey in 2005, including a review of legal documentation related to properties formerly owned by Jewish institutions and organizations. With this work done, the community is prepared to file claims as soon as a state-level restitution law is adopted.

Most Jewish families with individual real property claims are waiting for the legal framework to be established before deciding how to pursue their claims. Payment for restitution was the subject of a feasibility study conducted by the Sarajevo Economic Institute in 2006.

According to its president, the Jewish community in BiH is seeking the return of four different kinds of confiscated or seized real property:

- a) Communal property formerly owned by Jewish institutions and organizations;
- b) Individually owned property;
- c) Heirless property, i.e., where the entire family was killed or there are no successor blood relatives; and
- d) Property that was forcibly “donated” to the Yugoslav state in 1948-1949. (When the state of Israel was created, Jews wishing to emigrate were required to “donate” their property to the state government to obtain the necessary exit visa.)

At the state level, there has been a lack of political will to adopt a law on restitution. In 2005, BiH’s Council of Ministers established a Commission for Restitution to consider possible approaches to the restitution of property confiscated during and after WWII. Officially called the Law on De-nationalization, the Serb delegates in the House of Peoples (the upper house of the BiH Parliament) rejected the initial version of this comprehensive law in 2008.

In December 2008, the Council of Ministers formed a parliamentary working group to draft a new and improved version of the law, this time including input from the Interreligious Council’s (IRC) legal working group. The state-level Ministry of Justice announced in July 2009 that the new draft Law on De-nationalization would ensure the return of confiscated property (“natural restitution”) to original owners as a first and preferred option. The law directed that for cases in which natural restitution was not possible, in-kind restitution would apply. In cases where in-kind restitution was not possible, the law foresaw financial compensation.

The draft law was posted on the Ministry of Justice website for public comment, after which it should have advanced via normal legislative procedures for adoption by the Council of Ministers and then Parliament. However, this legislation has not been moved forward.

The Republika Srpska (RS) passed a series of entity-level laws on restitution in 2000, including the RS Law on Return of Confiscated Property and Compensation, the RS Law on Return of Seized Real Property, and the RS Law on the Return of Seized Land. Under the proposed laws, the RS assumed financial responsibility for compensating claimants whose

property could not be returned. The Office of the High Representative (OHR) later asserted its authority under the Dayton Peace Agreement to annul the legislation, citing the financial burdens of implementing the program. The OHR argued that the laws would “cause irreparable damage to the economy of BiH” because the RS had not identified a funding source for the payments. Furthermore, OHR claimed that the package of laws did not provide sufficient protections to prevent discrimination in the restitution process, would overburden the judicial system, and would add to an already bloated bureaucracy.

### **Movable Property: Nazi-Confiscated and Looted Art, Judaica, and Jewish Cultural Property**

Bosnia and Herzegovina participated in the 1998 Washington Conference on Holocaust Era Assets and in the 2009 Holocaust Era Assets Conference in Prague, and it is a signatory to the International Council of Museum’s Code of Ethics. There are no restitution laws in place that cover movable property, the country’s museums do not conduct provenance research, and experts do not know whether restitution of any objects from cultural institutions has taken place. Some museums, including the National Museum of Bosnia and Herzegovina, hold artifacts of unclear provenance. The Library of the National Museum of Bosnia and Herzegovina holds ancient Jewish books, including the renowned Sarajevo Haggadah; but the provenance of these books is unclear. The U.S. Department of State is not aware of any provenance research being conducted on Judaica held in BiH. The Jewish Community of BiH reported that it was not aware of any issues involving confiscated Jewish art or other movable property.

### **Access to Archival Documents**

Access to archival materials is relatively unhindered. Records from the period during which BiH was under Austro-Hungarian rule were diligently maintained and include accurate data on properties and their owners. However, after the Nazi-led invasion in 1941 and subsequent break-up of Yugoslavia in 1991, changes in property ownership were not registered accurately, which would further complicate the implementation of restitution legislation, once enacted. As of 1945, all properties owned by the Jewish community were registered as state-owned property.

### **Education, Remembrance, Research, and Memorial Sites**

BiH’s segregated education system has generally neglected the Holocaust in school curricula. According to the Jewish community, the Holocaust is either mentioned briefly or not taught at all. History classes largely focus on events that came after the turbulent 1990s to the exclusion of other significant historical events. Compounding the problem is the segregated school system in which three different versions of local history are taught, with Bosniak, Croat, and Serb students each exposed to a different version of the country’s and region’s history.

BiH is an observer country to the International Holocaust Remembrance Alliance. The country observes International Holocaust Remembrance Day on January 27, and an annual commemoration event is supported by the BiH Council of Ministers through the Ministry for Human Rights and Refugees. Members of the BiH Presidency and leaders of the two entities have attended and made statements during the event. The Jewish community commemorates

Days of Remembrance. A memorial site in the small village of Donja Gradina, now part of BiH, commemorates the mass killings of prisoners of the Jasenovac concentration camp in Croatia during the Holocaust. Prisoners were ferried from Jasenovac across the Sava River to Donja Gradina, where they were murdered and buried in mass graves.

## **BRAZIL**

Brazil admitted 96,000 Jewish immigrants between 1918 and 1933 but only 12,000 between 1933 and 1941 as a result of more stringent policies under the populist rule of Getulio Vargas. According to Brazil's Virtual Archives on Holocaust and anti-Semitism Institute, the Brazilian government had a secret policy that forbade the Brazilian Ministry of Foreign Affairs from granting visas to Jews between 1937 and 1950, and Brazil denied approximately 16,000 visas to European Jews attempting to escape the Nazi regime. Despite these instructions, the Brazilian ambassador to France, Ambassador Luis Martins de Souza Dantas, granted immigration visas to French Jews, saving hundreds of lives. Yad Vashem includes him on its list of "Righteous Among the Nations."

Following World War II, Brazil saw an influx of both displaced Jewish refugees and former Nazi officials. German prosecutors who examined secret files from Brazil and Chile discovered that as many as 9,000 Nazi officers and collaborators from other countries escaped from Europe and found sanctuary in South American countries, including between 1,500 and 2,000 in Brazil.

Local sources estimate that Brazil has the 10th largest Jewish population in the world. Currently around 50,000 Jews, about half of Brazil's Jewish population, live in Sao Paulo. Rio de Janeiro is home to the country's second-largest Jewish community, with a population of nearly 29,000. There is a significant Jewish population of about 9,000 located in Porto Alegre. Northeast Brazil has several smaller, historic Jewish communities in the cities of Belem do Para, Manaus, and Recife.

Brazil endorsed the Terezin Declaration in 2009 and the Guidelines and Best Practices in 2010. Sources in the federal government, the Israeli Mission to Brazil, civil society organizations, and Jewish community representatives were unaware of any existing laws codifying the return of Holocaust-era property to victims. The *Uniao Brasileiro-Israelita do Bem Estar Social* (UNIBES) is a nonprofit organization that has operated in Sao Paulo for more than 95 years. UNIBES representatives said that they had heard of survivors based in Brazil pursuing claims abroad, but that this had usually been done privately without advocacy or assistance from the government. UNIBES representatives said that assistance from Brazil was primarily of a consular nature, provided to survivors pursuing claims while in Europe. The Department is not aware of any pending cases involving U.S. citizens.

### **Immovable Private, Communal/Religious, and Heirless Property**

There are no reports of immovable property confiscated from Jews or other targeted groups during World War II by the Brazilian government. After the war, Brazil was a member of the "Allied and Associated Powers" involved in the 1947 Treaty of Peace with Italy, which addressed the return of property in Italy to members of the United Nations (Article 78). Brazil later entered into a lump sum settlement with Italy in 1958 relating to compensation for damage sustained by Brazilian citizens in Italy during World War II.

## **Movable Property: Nazi-Confiscated and Looted Art, Judaica, and Jewish Cultural Property**

In 1973, Brazil signed the UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property (1970). The Convention was incorporated into domestic law through decree 72.312, on May 31, 1973. In 1998, Brazil signed the Washington Principles on Nazi-Confiscated Art. In 1999, Brazil incorporated into its domestic law the 1995 Convention by the International Institute for the Unification of Private Law (UNIDROIT) on Stolen or Illicit Exported Cultural Properties, complementing the legal apparatus from the UNESCO 1970 Convention.

The Ministry of Education and Culture (MEC) has been leading the effort to create a permanent commission on combating the illicit trafficking of cultural properties. The institutions involved in this effort include the National Historic and Artistic Institute (IPHAN), the Brazilian Institute of Museums (IBRAM), the National Library, the Federal Police, the Revenue Services, the National Archives, the Ministry of External Relations (MRE), and the National Agency of Mining. As of May 2018, the group had held five meetings. The MEC, through a project with UNESCO in Brazil, is developing a study to subsidize the elaboration of a national policy to fight the illicit trafficking of cultural properties.

Since 1998, the Ministry of Education and Culture has maintained through IPHAN the Database on Wanted Cultural Properties (BCP) to register property that has been stolen or that is missing. Once a cultural good enters BCP, IPHAN contacts the federal police, Interpol, and the national prosecutor's office. IPHAN is also responsible for the National Registry of Traders of Antiques and Works of Art. That registry, created in 2007, was originally aimed at identifying goods with the potential for preservation; it now largely focuses on the prevention of money laundering and disseminating information about thefts.

The MEC also maintains a different online, public database to register missing properties from Brazilian museums, public and private alike, resulting from theft, robbery, or any other kind of disappearance. The Registry of Disappeared Museum Properties was created in 2010. Its goal is to make it possible to track, locate, and retrieve these properties.

Government, civil society, and Israeli embassy sources said there were likely individuals in Brazil with claims to movable property that was seized by the Nazis during WWII, but they did not provide specific cases. Neither sources in civil society nor sources in the government had reports regarding Judaica and Jewish cultural property in Brazil being stolen or bought.

### **Access to Archival Documents**

The University of Sao Paulo's Laboratory of Studies on Ethnicity, Racism, and Discrimination maintains the Virtual Archives on Holocaust and anti-Semitism, a virtual archive of Holocaust materials available to the public online. The archive's researchers are dedicated to transcribing the testimonies of Holocaust survivors, refugees, and exiles of Nazi fascism recorded on video/audio and digitizing and identifying diplomatic documents from MRE, including photographs and passports donated by interviewees. The archive launched in 2006 with funds

from the Sao Paulo State Research Support Foundation in partnership with Yad Vashem in Israel.

### **Education, Remembrance, Research, and Memorial Sites**

Brazilian officials often participate in International Holocaust Remembrance Day activities on January 27. In 2017, former President Michel Temer attended an event in Sao Paulo organized by the Sao Paulo Israeli Congregation, the Israeli Confederation of Brazil, and the Israeli Federation of Sao Paulo. In 2019, newly elected President Jair Bolsonaro was recovering from stab wounds sustained during the presidential election campaign but issued a video from his hospital.

There are several Jewish organizations in Brazil that focus on education, remembrance, research, and memorial site construction and preservation. The synagogue in Recife organizes events throughout the year to remember the victims of the Holocaust.

Brazilian NGOs maintain three Holocaust memorials in Sao Paulo, Curitiba, and Rio de Janeiro. *Federação Israelita do Estado do Rio de Janeiro* (FIERJ) is a collection of schools, clubs, nursing homes, and hospitals that represent the Jewish community in the state of Rio de Janeiro. In April 2020, they plan to celebrate the opening of a new Holocaust memorial that will include a museum. They are raising funds for the memorial with the help of the Jewish community in Rio de Janeiro. The *Sociedade Israelita Brasileira de Cultura e Beneficencia* (SIBRA) is planning to build a Jewish German Memorial and is seeking support to develop educational programs about this issue. In Sao Paulo, Jewish authorities maintain three Jewish cemeteries in Embu das Artes, Vila Mariana, and Butanta. *Ten Yad* (“Give a Hand”) holds an annual charity show at Anhembi in Sao Paulo. In August 2019, the organization invited Holocaust survivor Saul Dreier, a 94-year-old musician who founded the Holocaust Survivor Band, to perform.

### **The Welfare of Holocaust (SHOAH) Survivors and Other Victims of Nazi Persecution**

UNIBES is the primary provider of eldercare and health care services and claims payments to Holocaust survivors in Brazil. It estimates that as many as 500 Holocaust survivors remain in Brazil, although the organization aids only 220 confirmed survivors, who primarily live in Sao Paulo (169) and Rio de Janeiro (37).

The Conference on Jewish Material Claims Against Germany (Claims Conference), which negotiates with the German government for payments to Holocaust victims around the world, makes direct payments to survivors in Brazil. In 2017, it facilitated the transfer of more than \$2 million to fund social assistance programs in the country. UNIBES is the primary entity working with the Claims Conference to provide a range of social services to Holocaust survivors, including assistance for food, medication, medical care, and housing.



## **BULGARIA**

The Jewish community in Bulgaria numbered more than 50,000 between World War I and World War II, nearly one percent of the population at the time. In March 1941, Bulgaria joined the Axis and enacted anti-Jewish legislation that excluded Jews from public service, restricted where Jews could live, and limited their participation in many professions. In February 1943, Bulgaria entered into an agreement with Nazi Germany for the deportation of Bulgarian Jews to Nazi extermination camps in occupied Poland. Public outcry from the Bulgarian Orthodox Church and wider society forced authorities to abandon the deportation of Jewish Bulgarian citizens. Nevertheless, Bulgarian authorities did deport more than 11,000 Jews from territories it had occupied in Macedonia, Thrace, and Pirot to German-held territory. The Nazis then sent them to Treblinka in German-occupied Poland, where the majority were killed. In May 1943, the Bulgarian government began to expel Jews from Sofia to the countryside. Within two weeks, more than 20,000 Jews had been expelled from the capital city. Many of the men and young males were put into forced labor camps, and Bulgarian authorities confiscated Jewish property that was left behind.

While almost all Jews deported from Bulgarian-occupied territories in Thrace and Macedonia perished, nearly the entire pre-war population of Jewish Bulgarian citizens survived the war. The community was impoverished and lacked economic opportunities. The Communist regime in Bulgaria permitted emigration to Israel, and more than 32,000 Jews had left Bulgaria by May 1949. According to the World Jewish Congress, there are 2,000 to 6,000 Jews living in Bulgaria.

Shalom, the organization representing the Bulgarian Jewish community, runs all the social programs for Holocaust survivors, including food delivery, homecare, heating allowances, health care, and medicine reimbursement through its CEDEKA Foundation. These programs are funded by the Conference on Jewish Material Claims Against Germany (approximately \$3.3 million for 2019), which also provides special pensions directly to the recipients. According to Shalom, approximately 10-15 persons have not been granted the special pension due to their inability to provide documentary proof of their survivor status. There are no government-funded programs specifically targeted towards Holocaust survivors.

The Bulgarian government has not issued an official apology for the treatment of the Jewish community during this period. However, former president Georgi Parvanov (2002-2012) has publicly acknowledged, on several occasions, the anti-Semitic ideology, legislation, and actions of the Bulgarian government of the time and its responsibility for the fate of the Jews deported from Thrace and Macedonia.

### **Immovable Private, Communal/Religious, and Heirless Property**

After World War II, the Law on Settling the Property Issues Derived from the Revocation of the Anti-Jewish Laws (March 1945) provided for “restitution to Jews, Jewish cultural, political, and other organizations and legal persons of all immovable property expropriated or confiscated by the state” in the 1940s. The law further stipulated that heirless property became state property except for movable property, housing property, studios, garages, and plots designated for

housing development, which became municipal property. The Communist government subsequently nationalized all personal and community property, including Jewish property.

After the fall of Communism, Jewish organizations and individuals could reclaim ownership of, or receive compensation for, communal and private -- but not heirless -- property nationalized by the Communist regime. The Law on Restitution of Ownership on Nationalized Immovable Property of 1992 and the Law on Compensating Owners of Nationalized Property of 1999 provided mechanisms for restitution and/or compensation of both communal and private property, including through government bonds when restitution or the return of substitute property was not possible. Individual claimants did not have to be Bulgarian citizens, but eligible non-citizen claimants were required to sell any returned property. The deadline to submit claims was November 2007. According to Shalom, almost all claims to communal property have been settled. One property located on the grounds of the Naval Academy in Varna remains in dispute with the Ministry of Defense, which refuses to restore it to the Jewish community, claiming it is used for strategic communications. Bulgaria has no restitution legislation for confiscated heirless property but is a party to the Paris Peace Treaty of 1947, which calls for the return of unclaimed and heirless Jewish property.

### **Movable Property: Nazi Confiscated and Looted Art, Judaica, and Jewish Cultural Property**

Bulgaria endorsed the Washington Principles on Nazi-looted Art 1998. There are no known outstanding claims regarding Nazi-confiscated or looted art, or looted Judaica or Jewish cultural property present in Bulgaria. Bulgarian museums and galleries have not conducted provenance research on their holdings. Bulgaria has not addressed bank accounts that were taken from Thrace and Macedonia.

### **Access to Archival Documents**

Claimants generally have access to archival documents that could be relevant to prove ownership. The State Archives Agency has posted on its website an inventory of the archival fund of the Bulgarian Commissariat on Jewish Affairs, responsible for the property confiscations in the 1940s, which contains personal property declarations.

Since 2005, the State Archives Agency has provided records to Bulgarian and foreign, mostly Israeli, citizens for the purpose of facilitating one-time payments of financial compensation to Jewish persons who were forcefully deported to the interior of the country and interned, subjected to forced labor, and/or placed in ghettos in various cities during World War II. The State Archives Agency and the United States Holocaust Memorial Museum signed a five-year agreement on archival access in 2010. It was automatically extended for two one-year periods and expired in 2017.

### **Education, Remembrance, Research, and Memorial Sites**

Bulgaria became a full member of the International Holocaust Remembrance Alliance in November 2018. A Deputy Foreign Minister serves as national coordinator for

combating anti-Semitism. The Ministry of Education and Shalom are collaborating on the development of a Holocaust curriculum for public schools. NGOs provide regular training on Holocaust-related issues to educators. In February and March 2018, the Ministry of Education organized visits by Jewish community representatives to high schools throughout the country to conduct student outreach and education on Holocaust issues.

Bulgarian authorities and Bulgarians generally tend to focus on how the country saved its Jewish citizens but avoid discussing the country's role in sending thousands of Jews from Bulgarian-occupied Thrace and Macedonia to the death camps. Senior government leaders participate in the annual March 10 commemoration of the rescue of Bulgarian Jews, held at the Salvation Monument outside Parliament, as well as in International Holocaust Remembrance Day on January 27 and other events. There are Holocaust monuments and plaques around the country in towns that had large Jewish communities or where Jewish people were interned and subjected to forced labor in the 1940s. There is also a memorial to the Jews deported from Bulgarian-occupied Thrace and Macedonia in Lom, Bulgaria.

## **CANADA**

Canada has recognized the Holocaust as a “unique and unprecedented tragedy in human history” and has affirmed its commitment to acknowledge, remember, and learn from the atrocity.

According to the Canadian government, Canada is home to the fourth-largest Jewish population in the world and one of the largest populations of Holocaust survivors. After World War II, nearly 40,000 Holocaust survivors resettled in Canada. A number of private and nongovernmental organizations across Canada provide assistance specifically tailored to the needs of Holocaust survivors, including financial aid, counseling, restitution and compensation assistance, social activities, support groups, and social work services.

Canada played an important role in World War II. More than one million Canadians served in the Canadian Armed Forces during the war, and more than 43,000 Canadian soldiers lost their lives. During the period leading up to, during, and shortly after World War II, however, Canada refused entry to some European Jewish refugees, allowed immigration policies that discriminated against Jews, and engaged in the internment of German and Austrian Jewish refugees and Japanese Canadians. In 2018, Prime Minister Trudeau apologized for the country’s anti-Semitic immigration policy and to all who “paid the price of Canada’s inaction” during the Holocaust.

Politicians across the political spectrum have expressed public support for restitution and compensation to Holocaust survivors and their heirs for property seized during the Holocaust. Canada helped draft the Terezin Declaration and endorsed it in 2009. It also endorsed the Terezin Guidelines and Best Practices in 2010.

### **Immovable Private, Communal/Religious, and Heirless Property**

Experts state that Canada has not enacted immovable property restitution laws because no such property was seized in Canada during the Holocaust.

In the decades after the Holocaust, Canada entered into lump-sum settlement agreements with Italy, Bulgaria, Hungary, Romania, Poland, and Czechoslovakia pertaining to property claims of Canadian nationals. The agreements with Czechoslovakia, Romania, and Poland required the property in question to have been continuously held by a person who was a Canadian citizen from the time the property was seized until the date of the agreement, which made it difficult for most Holocaust victims to make successful restitution claims on the basis of those specific agreements.

### **Movable Property: Nazi-Confiscated and Looted Art**

According to the Canadian government, “the issue of displaced cultural property primarily affects those art museums and private collectors that acquired European fine and decorative art of unknown provenance from the period of 1933-1945.” The government’s Canadian Heritage Information Network hosts an online database known as Artefacts Canada, which contains five million object records and one million images from Canadian museums. Both museum professionals and the general public can access the database, which may assist museum

professionals and Holocaust survivors and their heirs in identifying confiscated or looted movable property.

In 2014, the government provided 190,000 Canadian dollars (approximately USD \$174,000) to the Canadian Art Museum Directors Organization to develop materials for use by small- and medium-sized museums regarding their holdings, and in 2017, they produced the “Canadian Holocaust-Era Provenance Research and Best Practice Guidelines Project,” which can be accessed online.

The country’s National Gallery of Art, a Crown corporation of the Government of Canada, also maintains a list on its website of works created before 1946 and acquired after 1933, which “have been identified as having incomplete or potentially problematic ownership histories.” The museum continues to research the provenance of its collection and to add works to the list as appropriate. The museum also maintains a Disposition Policy, under which it commits to make restitution pursuant to its ethical obligations, as set out in the 1998 Washington Conference Principles on Nazi-Confiscated Art, and pursuant to its legal and ethical obligations, as set out in the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property.

Canada is also home to the Max Stern Art Restitution Project at Concordia University in Montreal, which is dedicated to recovering the works lost by gallery owner Max Stern during the Holocaust.

### **Judaica and Jewish Cultural Property**

Experts believe at least some Judaica or Jewish cultural property looted by Nazis or otherwise seized during the Holocaust is located in Canada. According to the World Jewish Restitution Organization, Canada received 2,031 books and 151 museum and synagogue pieces from the Jewish Cultural Reconstruction (JCR) after World War II; the majority of these items are believed to have been looted during the Holocaust. Many of these items went to the Jewish Studies Department at the University of Manitoba and to the Dominican Institute of Medieval Studies in Montreal. The Royal Ontario Museum in Toronto also received one book. There appear to be no surviving inventories of what was actually distributed or the ultimate location of the items, and the current whereabouts of many of the items is unknown. The Canadian Jewish Congress was involved in distributing the items and is believed to maintain approximately 400 books in its collection, along with approximately 45 ceremonial objects. The Aron Museum in Montreal also holds an extensive Judaica collection, which includes items that were in antiques markets after World War II, as well as some items from JCR. Additionally, the Artefacts Canada database is partially devoted to cultural and religious objects in Canada’s cultural institutions. The database currently permits users to input certain data about item origin; enhancements are reportedly coming which will allow for input of additional data regarding an item’s provenance.

## **Access to Archival Documents**

Canada has provided funding for the publication of a publicly accessible thematic guide that provides a list of Holocaust-related material in its holdings, titled “Research Guide to Holocaust-related Holdings at Library and Archives Canada.” It includes both archival and published sources and covers both governmental and personal documents. The government has noted, however, that “obstacles still exist for accessing other public and private archived materials,” either because some collections have not been digitized or because those holding the collections have not produced online search catalogues. In 2016, the government launched the Library and Archives Canada Documentary Communities Heritage Program to support archival research. This program has provided funding to organizations such as the Vancouver Holocaust Education Centre to help develop a digital preservation plan, as well as a plan for processing and accessing archival documents.

## **Education, Remembrance, Research, and Memorial Sites**

In recent decades, Canada has taken substantial steps to support Holocaust education and research and enhance remembrance. For example, in 1979, the Montreal Holocaust Museum was established to educate people about the Holocaust and to collect, preserve, and share artifacts relating to the Holocaust. The museum also runs Holocaust education programs across Canada and has produced hundreds of educational video clips that are available online. In 1994, the Vancouver Holocaust Education Centre was established to further education to combat racism. In 2013, Canada launched a five-year initiative under the Community Historical Recognition Program to acknowledge and educate all Canadians about the experiences of populations impacted by discriminatory wartime measures and immigration restrictions. As part of the program, the government made 2.5 million Canadian dollars (approximately 2.4 million U.S. dollars) available to Jewish organizations for projects related to Canada’s internment camps and refusal to accept some Jewish refugees.

Canada is a member of the International Holocaust Remembrance Alliance (IHRA) and marks International Holocaust Remembrance Day on January 27. In 2013, Canada chaired the IHRA and provided 800,000 Canadian dollars (approximately 767,000 U.S. dollars) for the preservation of Holocaust survivor testimony and educational projects. The project resulted in the digitization of thousands of oral histories of Holocaust survivors.

Canadian primary and secondary students learn about the Holocaust within the historical context of World War II, as well as through curricula focused on social justice, world religions, and language arts. A number of nonprofit organizations are active in Holocaust education and remembrance, including the Friends of Simon Wiesenthal Center for Holocaust Studies, the Canadian Society for Yad Vashem, the Azrieli Foundation, the Vancouver Holocaust Education Centre, and the Centre for Israel and Jewish Affairs. Canada is also home to a wide range of Holocaust studies academic programs and Jewish academic centers.

## CROATIA

The Nazi-allied Independent State of Croatia (NDH), established by the fascist Ustasha movement on April 10, 1941, annexed all of Bosnia and Herzegovina and had an estimated Jewish population of 39,000. The NDH moved quickly to persecute Jews, Serbs, and Roma, all considered racial enemies. By the end of April 1941, it established its first concentration camp, adopted racial laws that stripped Jews and Roma of all legal protection, and began systematically seizing private and communal Jewish property. In June 1941, with Nazi Germany's agreement, the NDH embarked upon an ethnic cleansing campaign against the Serbs, destroying Serb villages, slaughtering their inhabitants, and deporting tens of thousands to Serbia. Pursuant to NDH leader Ante Pavelic's order of June 26, 1941, the mass arrest and incarceration of Jewish men, women, and children began in July 1941.

The NDH operated a series of concentration and extermination camps within Croatia, the most significant being the Jasenovac camp system. While the total number of Jasenovac victims cannot be determined, the Jasenovac Memorial Site has so far identified 83,145 victims by name, including 47,627 Serbs, 16,173 Roma, and 13,116 Jews. In all, approximately 30,000 Jews (between 75-80 percent of the Jews within the NDH) died during the Holocaust, the majority at the hands of the Ustasha, although the NDH also transferred some 7,000 Jews to the Nazis to be deported to Auschwitz. Approximately 20,000 of the Jewish victims resided in current Croatian territory. The NDH also killed an estimated 25,000 or more Roma men, women, and children, the vast majority of the Roma population under its control. The total number of ethnic Serbs the Ustasha killed throughout the territory of the NDH remains unknown, but estimates suggest that it was between 320,000 and 340,000 between 1941 and 1942.

The World Jewish Congress estimates the current Jewish population of Croatia at approximately 1,700. There are 10 separate Jewish communities around the country, nine of which are members of the Coordinating Committee of the Jewish Communities in Croatia. A separate Jewish community, Bet Israel, was established in 2007.

The post-war transition of Croatia from fascist state to part of Yugoslavia, with its policy of minimizing ethnic differences and historical wrongdoings, delayed Croatia's reckoning with its wartime history. Since Croatia became independent in 1991, successive governments have failed to address this legacy adequately, and some have tried to minimize it. Ethnic minority groups in Croatia that were wartime victims of the NDH, including the Jewish community, have expressed frustration with the government's lack of progress in dealing with issues such as private property restitution, as well as what they perceive to be a rise in historical revisionism.

Croatia does not have adequate legal mechanisms to address Holocaust-era property restitution, and the government generally has not demonstrated the political will to return property taken from Jews during the Holocaust and after WWII. The U.S. government has long advocated with the Croatian government for restitution of Jewish individual and communal property, and for Croatia to develop a mechanism to address issues related to Jewish property rendered heirless as a result of the Holocaust. The Croatian government has expressed concern about the potential cost of full restitution, as well as the precedent that resolving Jewish property claims could set for other victimized groups to claim compensation.

In a 2019 report submitted to the European Parliament, the Jewish Community of Zagreb estimated that Croatia had returned no more than 2 percent of the value of Jewish communal and private property seized during the Holocaust. Croatia has taken some positive steps in provenance research, although not on restitution of looted art. Croatia renounced its share of funding allocated by the Tripartite Commission for Restitution of Monetary Gold, in favor of victims of the Holocaust in November 1997.

### **Immovable Private, Communal/Religious, and Heirless Property**

The 1996 Croatian “Law on Compensation for the Property Seized during the Yugoslav Communist Regime” (the Restitution Act) does not address all compensation issues, and courts and legal experts have struggled to interpret its vague wording. For example, despite the practice of specifically excluding from restitution any properties seized between 1941 and 1945 and most foreign claimants, the law references a 1945 law that covers property seized during WWII.

According to the World Jewish Restitution Organization (WJRO), a 2002 amendment to the Restitution Act made foreign citizens eligible to file claims from July 2002 until January 2003, provided that a claimant’s country concluded an interstate agreement with Croatia. In practice, this amendment was not effective to support restitution of claims for foreigners. The six-month period ended on January 5, 2003, a Sunday, and January 6, 2003, was a public holiday. Following complaints from applicants about how the government interpreted the deadline, the Croatian Constitutional Court ruled in March 2016 that the claims window officially closed on January 7, 2003. As a result, any claimant whose claim had been rejected because they filed by January 7, 2003 (but not by January 5), could refile during a new six-month window that closed on September 26, 2016. WJRO research also showed that, until at least 2010, Croatian courts and administrative bodies held that, in accordance with the 2002 amendment, foreign claimants could not receive restitution, as no country had concluded an applicable interstate agreement with Croatia.

In 2011, the government attempted to amend the Restitution Act to entitle foreign claimants to file claims without the requirement to have a bilateral agreement concluded between Croatia and the claimant’s country of residence. However, the draft amendment did not reach a full vote in parliament, and the government has not made further efforts to amend the legislation. When proposing the amendment, the government refused to insert in the title that the law would cover the WWII period, on the grounds that the original law referenced this period.

Croatian government officials assert that foreign claims and claims from 1941 to 1945 have always been eligible, noting that the former Yugoslav state returned property taken during WWII to different groups, including Jewish claimants, and that some of these properties were re-seized by the communists based on other laws and regulations. Legal experts and judges have noted that the law’s provisions contained obstacles and technical limitations for those pursuing claims for property seized during the Holocaust, resulting in the government rejecting claims or claimants not being able to file.



As of April 2019, the government reported that 70,000 property restitution claims had been filed pursuant to the Restitution Act, of which approximately 64,000 (90 percent) had been adjudicated, but it did not indicate how many claims were from the Holocaust era. While the government noted its data were not broken down by religion, ethnicity, or nationality, it estimated that at least 244 of the 64,000 resolved claims involved the private property of Jewish claimants, with 101 cases still pending in July 2018. Of the 244 resolved claims, the government said that 104 resulted in the return of 271 properties valued at \$91 million, while 140 claims were resolved by compensation in cash or bonds amounting to \$9.1 million. The government added that since July 2018, it had resolved a further 26 of the remaining 101 pending cases. Additionally, the government reported it paid out 8.6 million HRK (approximately \$1.3 million) in cash and bonds and returned 16 properties valued at \$5 million. Data collection methods make it difficult to determine accurately the number of claims that were resolved in favor of or against Jews whose property was seized during the Holocaust.

The WJRO stated its research showed government figures represented only a very small percentage of properties seized during the Holocaust era; the organization's research found that there were 2,161 seized private real property units in Zagreb alone.

In April 2019, the government estimated the value of communal and religious property it had returned to be approximately \$10 million. The government reported it had returned a number of properties to the Jewish communities in Zagreb and Osijek, as well as having provided monetary compensation for other seized property. The Jewish Community of Zagreb reported that in 1999, the government returned a parking lot occupying the site where Zagreb's main synagogue stood until it was destroyed in 1941. It wants to construct a Jewish center, including a synagogue, and asked the state and the Zagreb municipal government to provide funding by compensating it for at least a percentage of the value of other as-yet unreturned property. As of mid-2019, neither the state nor the municipality had provided any funding. Currently, only a small memorial plaque near the parking lot marks the site of the former synagogue.

In November 2014, the government transferred a downtown Zagreb building to the Jewish Community of Zagreb in lieu of returning the downtown headquarters of *Chevra Kadisha*, a Jewish burial society. The Croatian Ministry of State Property (*Ministarstvo državne imovine Republike Hrvatske*) uses the Dezmanova 6 building in downtown Zagreb, pays rent to Zagreb's Jewish community, and requires the Jewish community to pay transfer taxes even though the Return Act provided that such restitutions were to be tax free.

The Jewish Community of Zagreb's 2019 report to the European Parliament noted numerous difficulties with the data on communal property return, such as discrepancies related to data sources, data processing, and statistical methods. The report estimated that only up to 2 percent of the total value of Jewish private and communal property was returned and expressed the community's belief that the Government of Croatia does not intend to return the majority of remaining seized Jewish communal properties in Zagreb or elsewhere.

The government allocates funding for the preservation of cultural heritage items, including those of the Jewish community. For example, the government allocated up to 400,000 kuna (\$60,474) in 2018 and up to 209,500 kuna (\$31,673) in 2019 for the preservation and protection

of Jewish cemeteries. The Ministry of Culture reported that for Jewish sacral objects, primarily synagogues, no applications for funding were submitted in 2018, while in 2019, two applications for funding were submitted and approved: 185,000 kuna (\$27,696) for the conservation and renovation of the Varaždin Synagogue, and 100,000 kuna (\$15,118) for conservation and renovation of the Virovitica Synagogue.

Under Croatian law, authorities governing cemeteries in the country can allow graves to be exhumed and the plots sold if a monthly rental fee on each plot has not been paid in the previous 10 years. Jewish community leaders contend this law disproportionately affects Jews, since many of the family members who would normally pay for burial sites were killed in the Holocaust or fled Croatia, resulting in the exhumation and reburial of hundreds of Jewish bodies in large, unmarked graves. In an attempt to address this issue, the Ministry of Culture is in the process of completing the mapping of all Jewish cemeteries. As of late 2019, it reported that 14 individual Jewish cemeteries are registered as cultural sites and therefore the plots are protected from future resale. In addition, five Jewish cemeteries are registered and protected as part of a cultural-historic urban area.

Many private properties seized in Croatia during the Holocaust era have no heirs, and Croatia has no mechanism to resolve heirless property issues. In April 2019, the U.S. government and WJRO proposed that Croatia establish a foundation to support Holocaust survivors, funded by a fraction of the proceeds from sales of these heirless properties. However, as of October 2019, Croatia had not formally responded to this proposal.

### **Movable Property: Nazi-Confiscated and Looted Art, Judaica, and Jewish Cultural Property**

The issue of Nazi-confiscated or looted art in Croatian museums and private collections has not been researched fully. There have been some positive developments in provenance research, if not yet in restitution, partly as a result of Croatia's participation in the EU-sponsored project "TransCultAA-Transfer of Cultural Objects in the Alpe Adria Region in the 20th Century."

According to the Conference on Jewish Material Claims Against Germany (Claims Conference) and local sources, a significant amount of art held in state-owned museums – and an indeterminate amount in private holdings – is of unknown origin, and Ustasha or Nazis may have confiscated it from Jews during WWII. The NDH looted art directly from Jewish families in Croatia, and Nazis reportedly also brought large quantities of art to Croatia from elsewhere in Europe to hide it from Allied forces. Some looted art may have been brought back to Croatia decades after the Ustasha smuggled it to South America, according to the Claims Conference.

Leaders of the Jewish community reported that they were not aware of any claims for restitution of such items. The Jewish Community of Zagreb's 2019 report to the EU Parliament stated that Croatian institutions display artworks that "undoubtedly" belonged to Jewish communities or Jews killed in the Holocaust, without any attribution or apparent intent of returning them to their owners.

Some state-owned museums hold Judaica and other Jewish cultural property that the Ustasha or Nazis likely confiscated during WWII. All heritage institutions (museums, libraries, and archives) are legally bound to conduct provenance research for items registered in their inventory and, according to the Ministry of Culture, have the appropriate financial allocations in their budgets to conduct such research. The Ministry of Culture recently initiated cooperation with the Strossmayer Gallery of Fine Arts, which is part of the Croatian Academy of Sciences and Arts, related to the digitization of art records and registries of Judaica, as well as provenance research of items documented in these registries.

Leaders of the Jewish community say they are not aware of any claims in process in the courts for restitution of movable property, and the Ministry of Culture said a clear process for pursuing claims still needs to be developed.

The Ministry of Culture reported that in 2019, it allocated 617,000 kuna (\$93,281) for the protection and preservation of Jewish movable and immovable heritage in Croatia, including a planned Holocaust memorial in Zagreb. In 2018, the figure was 825,500 kuna (\$124,803).

### **Access to Archival Documents**

WJRO and the Claims Conference report that Ustasha and Yugoslav archives are generally open to researchers, although they note that the manner in which the archives are organized complicates research efforts. For example, the Croatian State Archives (HDA) is in Zagreb, with additional archives scattered throughout Croatia and a portion remaining in Belgrade, Serbia. The HDA signed a 10-year cooperative agreement with the USHMM in 1995, which provided for archival cooperation between researchers and representatives of the Museum and the Archives. In June 2018, Croatia adopted a law to regulate the management of archival materials, making full digitization of the archives possible, considerably reducing research costs, increasing research efficiency, and liberalizing access to archival materials. The Ministry confirmed in November 2019 that all archival material had been digitized. The law also eliminated the rule under which archived documents could not be released publicly until 30 years after their creation. According to the same 2018 law on archival materials (amended in 2019), all archival and documentary material older than 40 years is open to the public, except in relation to classified or personal data, or unless different laws prohibit specific documentation for public use or research (for example, the General Data Protection Regulation 2018 or the Confidential Data Protection Law of 2007).

### **Education, Remembrance, Research, and Memorial Sites**

Croatia joined the International Holocaust Remembrance Alliance (IHRA) in November 2005. The government worked with IHRA to translate into Croatian many of the organization's advisory and education working group documents, and it has published them on the Ministry of Science and Education and Teacher Training Agency web sites.

Holocaust education in Croatia is taught as part of a WWII-related history curriculum in schools. Since 2005, more than 750 teachers and educators have received training in Holocaust education and the prevention of anti-Semitism and other forms of discrimination. For example, since 2005,

25 Croatian teachers per year have received scholarships to attend training at Yad Vashem, and in 2013, the Ministry of Education and Yad Vashem signed a Memorandum of Understanding on Cooperation in the field of Holocaust education. The Croatian Education and Teacher Training Agency cooperates with the Memorial de la Shoah in France to hold an annual conference on Holocaust education for 20 Croatian teachers. Regional seminars for 15 Croatian teachers are held in cooperation with the Education and Teacher Training Agency and Memorial de la Shoah, and in cooperation with the Serbian Ministry of Education and the Holocaust museum in Skopje, Macedonia. On Holocaust Remembrance Day, January 27, the Ministry of Education organizes a national in-service training seminar for 50 teachers called “Teaching and Learning about the Holocaust and the Prevention of Crimes against Humanity.” Public schools in Rijeka (where a pre-war Jewish community existed) are noteworthy in their intensive focus on Holocaust Remembrance Day. Rijeka’s commemorations ask children to learn about and express their views on the Holocaust through art, media, and public service.

The Ministry of Education reformed the public school curriculum in 2019, notably recommending that student groups visit Jasenovac, although full information on the recommended co-funding of such trips is not yet available. In contrast, the Ministry of Veterans Affairs fully funds school trips to Vukovar (a city that Serbian forces besieged in 1991).

Despite these efforts, ethnic minority groups, civil society organizations, and NGOs widely report skepticism that public school education provides a balanced and accurate account of Croatia’s role in the Holocaust. They also express doubt that the curriculum will be enough to counter Holocaust revisionism. Jewish groups often criticize the manner in which the Holocaust is taught and how it is portrayed in official exhibits and memorials. They note that the narrative almost exclusively focuses on the Holocaust writ large and the total number of victims throughout Europe, rather than addressing Croatia’s role and the number of victims killed in Croatia.

The Ministry of Culture provides some funding for Holocaust commemoration events. It supported the “Auschwitz Album” exhibition on International Holocaust Remembrance Day in 2019. In addition, all memorial institutions and sites in the country have their own budgets with funds allocated for Holocaust remembrance events.

The official commemoration of International Holocaust Remembrance Day is held on January 27 in the Croatian Parliament. In 2014, the parliament recognized August 2 as the International Day of Remembrance of the Roma Holocaust Victims. State officials, including the President and Prime Minister, usually attend such commemorative events. On January 24, 2019, the Croatian Catholic Church displayed a large banner on Zagreb Cathedral to commemorate International Holocaust Remembrance Day. Speaking to 200 attendees, including government officials and religious leaders, Cardinal Josip Bozanic said Croatia must confront what happened in Croatia during the Holocaust and reject all forms of anti-Semitism.

The government commemorates Holocaust Remembrance Day and the anniversary of the liberation of the Jasenovac camp with an official event at Jasenovac, which normally includes the prime minister, members of the cabinet, and the president. However, Jewish, Serb, and antifascist groups have boycotted the event for the past four years, arguing that the government

has failed to address historical revisionism and other legacy issues, and claiming the state has not taken the necessary steps to address the minimization of Croatia's role in the Holocaust or the continuing use of divisive Ustasha symbols in Croatian society.

The country maintains no specific registry of Holocaust memorial sites. However, many of the almost 600 listed WWII monuments commemorating the antifascist struggle also reference the Holocaust or honor its victims. The most important Holocaust remembrance sites are the Jasenovac Memorial Site, the Danica Memorial Site, the Slana Fascist Concentration Camp, the Tenja Concentration Camp, and the Daruvar Jewish Cemetery of Ustasha Terror. The national government and the municipal government of Zagreb co-fund the Jasenovac Concentration Camp Memorial Site. Historians and victims groups note that while the memorial and the information in the museum is appropriately victims-focused, the permanent exhibition notably lacks the requisite historical and cultural context, such as information on Croatia's role in the Holocaust, the formation of and popular support for the NDH, and the full extent of crimes committed inside Croatia.

The Office of the Mayor of Zagreb solicited design proposals in 2017 for the construction of a memorial in Zagreb entitled "The Tragedy of the Jews during WWII" to commemorate the six million victims of the Holocaust. Branko Lustig, a Holocaust survivor and advisor to the President until his passing in November 2019, presided over the commission that selected the design. Construction of the monument has not started, and the proposed text to be displayed on or near the monument remains controversial. Jewish groups and NGOs state that by memorializing all the Holocaust's victims, rather than the Jews who were killed in Croatia, the memorial will lack the historical and cultural context explaining Croatia's specific role.

### **The Welfare of Holocaust (Shoah) Survivors and Other Victims of Nazi Persecution**

Members of Bet Israel and other Jewish groups report that Holocaust survivors receive no special welfare or assistance benefits from the Croatian government. On July 11, 2017, Croatia's Ministry of Justice established an internal commission to conduct a study on the types and models of assistance established in other EU member states for victims of the Holocaust. The aim of this study was to analyze historical, economic, and demographic circumstances, as well as existing regulations related to assistance for Holocaust victims. The outcome of this study is not known.

According to the Ministry of Foreign Affairs, Croatia renounced its part of funding allocated by the Tripartite Commission for Restitution of Monetary Gold in favor of victims of the Holocaust in November 1997.

## **CYPRUS**

There were approximately 100 Jews in Cyprus in the early 20th century. After the rise of Nazism in 1933, hundreds of European Jews escaped to Cyprus, which was a British colony at the time. Axis forces never attempted to take over the island. Between August 1946 and January 1949, the British set up 12 centers in Cyprus for Jewish refugees – nearly all of whom were Holocaust survivors and most of whom had been detained to prevent them from entering British Mandate Palestine. According to historical accounts, conditions in the centers were harsh, and many Cypriots provided aid to Jewish refugees suffering from overcrowding and poor sanitation. In all, the British detained approximately 52,000 refugees (the majority of whom were between the ages of 12 and 35), including some 1,300 persons from North Africa, at these sites. Roughly 2,000 children were born in the camps, and approximately 400 people died during their internment. The majority of persons in these camps eventually moved to the State of Israel after its creation in 1948. The chief rabbi of Cyprus estimated that as of mid-2019, there were approximately 3,000 Jewish residents, including many expatriate Israeli, British, and Russian citizens.

Since 1974, the southern part of Cyprus has been under the control of the Government of the Republic of Cyprus. The northern part of Cyprus, administered by Turkish Cypriots, proclaimed itself the “Turkish Republic of Northern Cyprus” (“TRNC”) in 1983. The United States does not recognize the “TRNC,” nor does any country other than Turkey. A substantial number of Turkish troops remain on the island. A buffer zone, or “Green Line,” patrolled by the UN Peacekeeping Force in Cyprus (UNFICYP), separates the two sides. This report covers the entire island.

### **Immovable Private, Communal/Religious, and Heirless Property**

The Republic of Cyprus Ministry of Foreign Affairs reported that no immovable property in Cyprus was confiscated or otherwise appropriated by the Nazis, fascists, or their collaborators during the Holocaust era. Authorities in the area administered by Turkish Cypriots reported that records of immovable properties do not include information about the nationality, ethnicity, or religion of the owners.

The Department is not aware of Holocaust victims or their survivors making claims on any immovable property in Cyprus, and there are no known survivors of the Holocaust living in Cyprus. The Republic of Cyprus has not entered into bilateral treaties with other countries regarding the restitution or compensation of immovable or movable property confiscated or wrongfully taken during the Holocaust; however, the Republic of Cyprus is a party to The Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, including the first and second protocols.

### **Movable Property: Nazi-Confiscated and Looted Art, Judaica, and Jewish Cultural Property**

No Nazi-confiscated or looted movable property has been found in the Republic of Cyprus. Its Department of Antiquities researches the provenance of all collections in state museums and

emphasizes that it only holds objects originating in Cyprus. The Department of Antiquities says that it adheres to all conventions, declarations, and other instruments that promote the return of cultural objects to their place of origin and their restitution to their rightful owners. The Department is aware of no movable property that has been found in the area administered by Turkish Cypriots. Likewise, there are no reports of Judaica or Jewish cultural property in either the government-controlled area or the area administered by Turkish Cypriots.

### **Access to Archival Documents**

The United States Holocaust Memorial Museum (USHMM) engaged in an archival project with archives in Cyprus, which concluded in 2015. There are no ongoing archival projects between Cyprus and the USHMM at this time. Turkish Cypriot authorities reported there were no archival materials related to the Holocaust in their administrative area.

### **Education, Remembrance, Research, and Memorial Sites**

The Government of the Republic of Cyprus has established an annual ceremony of remembrance and commemoration for Holocaust victims on January 27, International Holocaust Remembrance Day. High-level government officials, including the President of the House of Representatives and Presidential Commissioner for Humanitarian Affairs, regularly participate in remembrance and commemoration ceremonies. Turkish Cypriot authorities do not sponsor any regular, annual ceremonies of remembrance and commemoration for Holocaust victims.

Since 2009, public secondary school teachers read a message about the Holocaust and lead a discussion with students on International Holocaust Remembrance Day. Lessons on the Holocaust are included in the high school history curricula in both the government-controlled areas and the area administered by Turkish Cypriots.

The Jewish community in Cyprus is building a museum and cultural center in Larnaca to raise awareness about the Holocaust and, in particular, the support that Cypriots gave to Holocaust victims and other Jewish refugees who resided on the island from August 1946 to January 1949. The Department of History and Archaeology of the University of Cyprus conducts research on the Holocaust and other Nazi crimes. The Ministry of Education and Culture reports that it signed an educational agreement with Yad Vashem in 2016.

## **CZECH REPUBLIC**

The Holocaust in Czechoslovakia took different courses in the three distinct parts of the country. In the area of the current Czech Republic, Nazi Germany imposed its direct rule after the Munich Agreement of September 1938 and the annexation of Bohemia and Moravia in March 1939. (Slovakia declared independence and became allied to Nazi Germany.) Nazi authorities soon thereafter introduced various regulations that excluded Jews from economic and public life and established the Central Office for Jewish Emigration in Prague in an effort to force the emigration of Czech Jews. By the fall of 1941, however, the first trains left for the concentration camp established in Terezin (Theresienstadt). From there, Jews were deported to extermination camps in Eastern European countries in 1942-1944. About 80,000 out of 120,000 Czech Jews living in Bohemia and Moravia prior to the war were killed. As of mid-2019, the Jewish population of the Czech Republic was estimated at 10,000-14,000 people, of whom 3,500 were registered members of Jewish communities.

In June 2009, Czech Prime Minister Fischer hosted 46 countries at the Prague Holocaust Era Assets Conference in Prague and Terezin. (Two other states, Serbia and the Holy See, joined as observers.) Delegations discussed the restitution of wrongfully seized or nationalized property from the Holocaust era and the welfare of Holocaust survivors, as well as Holocaust education and commemoration. Conference participants drafted the Terezin Declaration on Holocaust Era Assets and Related Issues, and it was endorsed by all 46 participating countries and subsequently also by Serbia.

While the Government of the Czech Republic remains generally committed to the goals and objectives of the Terezin Declaration and has adopted laws and mechanisms that allow for some property restitution, there have been challenges in practice, especially for claimants who live outside the country or do not have Czech citizenship.

### **Immovable Private, Communal/Religious, and Heirless Property**

The government has laws and mechanisms in place regarding restitution. Local NGOs and advocacy groups reported that while the government had made significant progress on resolution of Holocaust-era claims, including by foreign citizens, many outstanding claims remain. Some NGOs continue to push for progress, particularly on the disposition of heirless property and complex cases involving non-Czech citizens. While it is still possible to file claims for Nazi-confiscated artwork, the claims period for other types of property expired in October 1994 (Jewish private property – real estate), June 2001 (Jewish private property – agricultural land), and December 2013 (Jewish communal property – under the Church Restitution Act).

After the fall of the Communist regime in November 1989, the Czechoslovak Parliament adopted legislation providing for property restitution. The first two laws, passed in 1991 (Act No. 87 and Act No. 229) covered confiscations during the period 1948-1989 and were primarily concerned with private property, farmland, and artwork. After the split of Czechoslovakia in 1993, the Czech Parliament in 1994 adopted Act No. 116, which provided for the restitution of property taken by the Nazis from Holocaust victims between 1938 and 1945. These laws still required that private property claimants be Czech citizens. Also in 1994, the Czech government approved



an executive order allowing for the restitution of 202 Jewish communal properties, including the return of the state-owned Jewish Museum to the country's Federation of Jewish Communities. In 2000, the Czech Parliament approved a law (Act No. 212) providing for restitution of Jewish private and communal properties.

In 2000, the Czech government and the Federation of Jewish Communities (FJC) also established the Endowment Fund for Holocaust Victims (NFOH), with some of the money in the fund originating from immovable property that was left heirless after the war. (The Federation is an umbrella organization of existing Jewish communities and the legal successors to those Jewish communities that were annihilated.) The Czech government contributed 300 million Czech koruna (\$13 million) from its National Property Fund to support compensation claims. One-third of the fund was dedicated to help compensate for properties that could not be physically restituted. In March 2006, the NFOH announced it had concluded payments for such private claims, totaling more than \$4 million, to some 500 claimants residing in 27 countries. Approximately one-third of the fund was designated for maintenance of communal properties, and the final third was designated for NGO-administered social and health care programs for approximately 500 Holocaust survivors and commemoration and education projects. In 2015-2019, the government contributed an additional 100 million Czech koruna (\$7.7 million) for social care and education.

In 2017, the Ministry of Culture designated as items of cultural heritage 12 tombstones and tombstone fragments from a former Jewish cemetery in Prostejov (in eastern Czech Republic), which itself was designated as a cultural monument in 2016. Gravestones from the cemetery, where approximately 2000 Jews were buried, were removed during World War II and either ground into gravel for roads or distributed to local residents for use as building material. The site is now a public park. A U.S. philanthropist-funded proposal to partially restore the cemetery, at first supported by the city, has become controversial and sparked a wave of anti-Semitic speech and threats in a local newspaper and in social media. The U.S. Department of State continues to monitor the situation closely, keeping in contact with the U.S. philanthropist and the Federation of Jewish Communities, which is currently negotiating with the city.

### **Movable Property: Nazi-Confiscated and Looted Art**

Following adoption of the Washington Principles on Nazi-Confiscated Art in 1998, the Czech Ministry of Culture tasked all public galleries and museums to carry out provenance research in their collections. A database of 7,500 pieces of art believed to have belonged to Holocaust victims was created and opened to the public. Collections of major public galleries (National Gallery in Prague, Moravian Gallery, and the Decorative Arts Museum) were fully searched; other public collections were partially searched. There is no legal requirement for private galleries and collections to follow suit. Respected international auction houses with branches in the Czech Republic conduct provenance research.

The 2000 law on Jewish property restitution (Act No. 212) also allows for restitution of works of art with no deadline for filing claims. Unlike other restitution laws, it does not require the claimants to hold Czech citizenship. However, the rules for identifying who is an heir are considerably more restrictive than in the Czech civil code, and objects that have been restituted

are subject to export restrictions. In 2012, the Czech Ministry of Culture established the “Centre for Documentation of Culture Property Transfers of World War II Victims,” a public benefit institution dedicated to documentation of confiscated works of art belonging to Holocaust victims. It is the successor organization to a documentation center established under the Czech Academy of Sciences in 2001, based on the recommendation by a joint expert commission formed by the Czech Government three years earlier. It conducts historic research of legal and administrative mechanisms of art confiscations, publishes its findings, and organizes expert conferences. Recently, it started offering assistance to claimants.

### **Judaica and Jewish Cultural Property**

While most Judaica and Jewish cultural property in the areas occupied by Nazi Germany after the Munich Accords of September 1938 were destroyed during Kristallnacht two months later, a majority of Judaica and liturgical objects from Jewish communities in the Nazi-occupied Protectorate of Bohemia and Moravia were assembled in a central depository in Prague, managed by the Jewish Central Museum. The Museum, nationalized in 1950, was returned to the Federation of Jewish Communities in 1994. It has the largest collection of Judaica of any Jewish museum in the world, carries out provenance research, and has restituted various items. The Jewish Museum continues to screen catalogues of international auction houses to locate Judaica of Czech Jewish communities looted during the war and has received items from the United States and elsewhere. It currently has an outstanding claim against a U.S. citizen, who has in his possession a manuscript that belonged before the war to a Jewish community in the (now) southeast of the Czech Republic. The Jewish Museum in Prague produced an acclaimed traveling exhibition, “The Precious Legacy: Judaic Treasures from the Czechoslovak State Collections.” The collection contained many items that had been confiscated by Nazi Germany for a planned “Museum to an Extinct Race.”

The National Library in Prague has restituted manuscripts, but it still possesses large numbers of looted books.

### **Access to Archival Documents**

Official archives of the Czech Republic are open to the public with no restrictions. Files related to the Holocaust period are located in the archival collections of the Czech National Archives, the Institute for the Study of Totalitarian Regimes, and regional and local archives. Claimants have unlimited access to various archival documents that could be relevant to prove ownership. National and regional archival institutions have cooperated on a long-term basis with the United States Holocaust Memorial Museum and enabled copying of large collections of archival documents pertaining to Nazi occupation for the research purposes.

### **Education, Remembrance, Research, and Memorial Sites**

The Czech Republic is a member of the International Holocaust Remembrance Alliance (IHRA), and Czech law designates January 27 as International Holocaust Remembrance Day. On this day, official remembrance ceremonies attended by Czech government leadership are held in Prague, Terezin (including the site of the Theresienstadt Ghetto and concentration camp), and

other cities. The main event is convened annually by the Czech Senate and includes speeches by high-level politicians, such as the Speaker of the Senate, Speaker of the Chamber of Deputies, Jewish community officials, and Holocaust survivors.

Other ceremonies are held in various locations throughout the country marking different anniversaries or significant dates related to the Holocaust in the Czech Republic. For instance, in October there is a ceremony at the Prague Bubny railway station to commemorate the beginning of deportation of Czech Jews to the Theresienstadt camp. Bubny Station was the departure point for transports carrying tens of thousands of Prague's Jewish inhabitants to Nazi ghettos, concentration camps, and extermination camps. On January 27, 2019, the Czech Parliament adopted a resolution codifying a new definition of anti-Semitism based on the definition adopted by the IHRA in 2016.

### **The Welfare of Holocaust (Shoah) Survivors and Other Victims of Nazi Persecution**

According to law No. 255 of 1946, Czech citizens who were persecuted for political, racial, or religious reasons during World War II are entitled to a special monthly supplement to their pensions. A different law (Act 2017 of 1994) provided for lump-sum payments to victims of Nazi persecution. Law 170/2002 provides for payments to war veterans for medical or recreation treatment and includes people persecuted for political, racial, or religious reasons. There are also various social benefits that are generally available to senior citizens, including housing and social need allowances.

In addition to funds from the NFOH for health and social care, Czech Holocaust survivors also receive payments from various programs of the Conference on Jewish Material Claims Against Germany, including the Health Fund, Fund of Emergency Assistance, and Centre and East European Fund.

## **DENMARK**

Prior to the Nazi German occupation of Denmark on April 9, 1940, the Jewish population numbered approximately 7,500. About 6,000 of these were Danish citizens; most of the others were refugees from Germany and Eastern Europe. By 1943, as it became clear that the German occupiers planned to take actions against Denmark's Jews, Danish authorities, in cooperation with Jewish community leaders and private citizens, organized a massive operation to smuggle Jews out of Denmark. Over the course of a month in autumn 1943, some 7,200 Jews and 700 of their non-Jewish relatives traveled safely to Sweden, which accepted the refugees. Nonetheless, the Germans did manage to capture and deport 472 Danish Jews to the Theresienstadt concentration camp, where 53 died. Fifty more died after the escape to Sweden. In total, approximately 120 Danish Jews died during the Holocaust. Denmark's Jewish community has one of the highest rates of survival for any German-occupied European country.

On May 4, 1945, German troops surrendered, and the next day, Denmark was officially free of Nazi German control. Jewish Holocaust survivors faced severe economic and emotional difficulties after the war. Jewish families had used their savings, sold valuables and property, and obtained improvised private loans to finance their escape to Sweden. During and after the German occupation, however, Danish authorities worked to ameliorate the consequences of Nazi persecution, and the Danish government implemented one of the most inclusive and comprehensive restitution laws in Europe, taking into account Jewish victims of deportation as well as victims of exile. The Danish state established a system for citizens to claim restitution only a week after the Nazis departed the country. The quality of the property restitution process Danish authorities put in place underlines their dedication to the reintegration of the Jewish community.

### **Immovable Private, Communal/Religious, and Heirless Property**

On October 2, 1943, the day after the Nazi round-up of some Danish Jews and flight of the rest to Sweden, the Danish government tasked its social services agency with safeguarding their belongings. The agency had originally been set up in the spring of 1943 with the intention of providing shelter for people whose homes were destroyed or had to be abandoned temporarily because of incidents of war, primarily air raids. In October 1943, its responsibilities were extended to cover abandoned belongings and property. In the following months, the Social Service dealt with 1,970 inquiries about empty homes and other suspicious circumstances around the city. When the Social Service received an inquiry, its agents visited the residence, checked conditions, and made a complete inventory of the household effects. If it was possible to retain the apartment, the Social Service paid the rent for the rest of the occupation. In cases where the apartment had already been rented out again or circumstances indicated that it was being sublet, personal property and furniture were put in storage. In many cases, contracts with trustees for property and businesses were established with neighbors, relatives, and employees, preventing thefts and larceny.

In May 1945, the Danish government passed a law that allowed the country's Jewish citizens to seek compensation for expropriated property. Because very poor and immigrant Jews were excluded (as the law stipulated a minimum amount to be claimed and only applied to citizens),

the pool of applicants was small, and the law satisfied the claims received. The broader Claims Conference, established in 1951, covered only those Danish Jews who had been sent to Theresienstadt. As of mid-2019, the country's Jewish community reported no outstanding claims for real property in Denmark.

### **Movable Property: Nazi-Confiscated and Looted Art, Judaica, and Jewish Cultural Property**

Museums in Denmark do not do full provenance research as a general matter, and the Ministry of Culture's policy is that provenance research will only be carried out if a museum is faced with a restitution claim. The Jewish Museum, charged by the Danish state with memorializing the history of Danish Jews, has reported that there are no known instances of the Nazis having confiscated or looted Jewish art in Denmark. The only case the museum recounted, in which the Nazis took a chandelier from the Jewish Cultural Center, ended with a police report being filed and the chandelier returned. Some Jews later applied for compensation for missing movable property, but their claims were rejected due to lack of strong documentation. The Jewish Museum only receives donated objects and conducts rigorous provenance research on every item received. The Museum Law of 2006 stipulates that all artwork in Danish state museums or state-subsidized museums must be registered with the Central Art Registry, though museums are not required to report the provenance.

Judaica in Denmark was spared the worst of the Holocaust desecrations committed elsewhere on the continent. The country's Torahs were hidden and saved, for example, and the impressive Judaica collection of the Great Synagogue of Copenhagen is testament to the country's efforts.

### **Access to Archival Documents**

The Jewish Museum has functioned as the central repository of archival material on the Jewish community in Denmark over the last 400 years. This material, by dint of the dedication of the museum staff and the 2006 Museum Law, is widely accessible to the public. The Museum Law states that "through collecting, registering, preserving, researching and disseminating, the museums shall i) work to safeguard Denmark's cultural and natural heritage; ii) illuminate cultural, natural, and art history; iii) enhance the collections and documentation within their respective areas of responsibility; iv) make the collections and documentation accessible to the general public; and v) make the collections and documentation accessible for research and communicate the results of such research." The Jewish Museum's archival collection and its resolve to expand its scope of evidentiary materials have helped families discover their sometimes hidden linkages to the Holocaust, Theresienstadt, and the flight to Sweden. The United States Holocaust Memorial Museum has long enjoyed productive cooperation with Denmark's governmental archives.

### **Education, Remembrance, Research, and Memorial Sites**

The Jewish Museum, as a state-subsidized museum, has ensured that the history of Denmark's Jews and the Holocaust are preserved. Guidelines from the Ministry of Education mark the October 1943 rescue of Denmark's Jews as a key event in Danish history, and that history is part

of Danish schoolchildren's education. Many teachers discuss the Holocaust in the classroom and take their students to see relevant exhibitions at the Jewish Museum. Denmark is a member of the International Holocaust Remembrance Alliance. The country holds commemorations on International Holocaust Remembrance Day on January 27 and on special anniversaries of the October 1943 rescue. Commemorative stones are also dotted along Denmark's coastlines to mark the locations where boats secretly ferried more than 7,200 Jews across the waters to Sweden in defiance of the Nazi occupiers.

## **ESTONIA**

Approximately 4,500 Jews lived in Estonia before World War II, with roughly half living in Tallinn. The pre-war community in Estonia enjoyed cultural autonomy and state financial support. Following the Soviet occupation in June 1940, about half of Estonia's Jews left the country, fleeing the Soviets. In June 1941, Soviet authorities deported about 400 Jews to the interior of Russia. When Nazi Germany occupied Estonia later that summer, some 1,000 Jews remained in Estonia. They were arrested and killed by the Nazi German occupying powers, together with Estonian auxiliaries, over the course of 1941; by January 1942, the Nazis declared Estonia *judenfrei*, or free of Jews, at the Wannsee Conference in Berlin.

About 1,500 Jews from Tallinn returned to Estonia after World War II. By 1959, there were 3,714 Jews in the city, including many from other parts of the Soviet Union. Many Jews subsequently left Estonia in the 1990s, and the community now consists of between 2,000 and 2,500 people. There are currently 11 Holocaust survivors living in the country; they receive pensions from the Estonian government but no special compensation as Holocaust survivors.

The Government of Estonia expressed its commitment to meeting the goals and objectives of the Terezin Declaration. Estonia has no restitution legislation specific to the Holocaust. The country's Jewish community owned little property before World War II, and any resulting communal or private property claims have been generally resolved through existing legislation. There are no residence or citizenship requirements for filing restitution claims. U.S. citizen claimants may contact the Estonian embassy in Washington, DC, regarding any outstanding claims. The government provides access to archives and supports Holocaust remembrance in the education system.

### **Immovable Private, Communal/Religious, and Heirless Property**

There are no known outstanding property claims. Before World War II, Jews enjoyed cultural autonomy in Estonia, and received support directly from the state. This support was not necessarily faith-based and included funds for cultural activities such as language and sports programming. The Jewish community (and churches) owned few religious or communal properties and mostly rented from private landowners. The properties that the community owned were seized once Estonia faced Soviet occupation. After regaining its independence, Estonia enacted the Principles of Ownership Reform Act in 1991, allowing for property claims beginning with the Soviet occupation in 1940, pre-dating the 1941-1944 Nazi occupation. The law therefore covers both Nazi and Soviet expropriations. Both the Jewish community and other religious communities either had their property returned or received compensation, such as for the land under the Jewish School in Tallinn. Estonia has not addressed heirless property.

### **Movable Property: Nazi-Confiscated and Looted Art, Judaica, and Jewish Cultural Property**

There are no known claims outstanding regarding Nazi-confiscated or looted art in Estonia. According to the World Jewish Restitution Organization, no provenance research has been

carried out on Judaica holdings in Estonia's cultural institutions. The country has not endorsed the 1998 Washington Principles on Nazi-Confiscated Artwork.

### **Access to Archival Documents**

Claimants have access to archival documents that could be relevant to proving ownership. The United States Holocaust Memorial Museum has had good cooperation with Estonian archives, but there are no active projects between the museum and Estonia at this time.

### **Education, Remembrance, Research, and Memorial Sites**

Estonia joined the International Holocaust Remembrance Alliance in 2007. Since joining, awareness of Holocaust issues in the country has increased considerably. Senior government leaders participate in International Holocaust Remembrance Day events and other significant commemorations, such as the September anniversary of the murders of approximately 2,000 prisoners at the Klooga concentration camp between 1943 and 1944.

The government supports Holocaust education. Lessons on the Holocaust are an integral and mandatory part of the Estonian school curriculum, as directed by the Ministry of Education and Research. Educators participate in regular educational exchanges on Holocaust issues in Israel and the United States.



## **FINLAND**

Finland has taken affirmative steps to fulfill the objectives of the Terezin Declaration with respect to education and remembrance of the Holocaust. Despite some strong efforts by researchers, the Government of Finland has yet to make significant progress toward documenting possible confiscated Holocaust-era property in the country or creating a legal framework that would resolve claims for property restitution or compensation.

Finland's Jewish population dates to the arrival of Jewish soldiers garrisoned in Finland, when it was part of the Russian Empire in the 19th century. Until 1918, Finnish Jews lived under restrictions dating back to the period of Swedish rule, according to which they were required to apply regularly for residence permits to remain in Finland, were limited to certain professions, and were prohibited from conducting business outside of their homes. Following the normalization of residence regulations in 1918, Jews with Finnish citizenship gained equal status under the law.

Finland was a co-belligerent with Nazi Germany during the early years of World War II. With the signing of the Moscow Armistice on September 19, 1944, Finland agreed to expel all German troops; the last troops departed in April 1945. Finnish Jewish soldiers initially found themselves in a unique situation during the war, fighting with German forces against the USSR. During the period of cooperation with Nazi Germany, Finnish politicians defended the rights of Jewish citizens against possible deportation and asset expropriation, although Jewish refugees from Eastern and Central Europe lacking Finnish citizenship were not treated as equals. Finnish state police aided in the deportation back to Nazi-occupied central Europe of eight non-Finnish Jews, seven of whom were killed. The disposition of their property is not known. Recent research based on records in Finland's state archives has shown that some Finnish volunteers in the Waffen-SS participated in massacres of Jews, Soviet POWs, and civilians during the Nazi invasion of Ukraine during the war.

Following the war, many Finnish Jews emigrated. Today, the largest Jewish community is in Helsinki. The Synagogue of Helsinki is home to a congregation of 1,100 and provides community amenities, religious schooling, and religious services. Members of the community estimate between 1,500 and 2,500 Jews reside in Finland, with smaller communities in Turku and Tampere, although there are no official figures or regular surveys.

Specific challenges for Finland include the lack of research on the provenance of suspect works of art. Officials and museums have faced minimal internal pressure to research works of art of questionable provenance. Other sources of stolen or expropriated property in Finland reportedly were the Nordic, Central European, and Soviet art markets. Finns may have purchased works of art or other movable property from the Soviet Union that had previously been taken by German or other Axis forces during the war. This complex route has further complicated provenance research.

### **Immovable Private, Communal/Religious, and Heirless Property**

There are no known claims for immovable private property or communal property confiscated during the Holocaust era. All the religious, academic, and government sources interviewed stated that the only property that could have been confiscated was movable.

### **Movable Property: Nazi-Confiscated and Looted Art, Judaica, and Jewish Cultural Property**

It is likely that there is Nazi-confiscated and looted art in Finland. Only the Finnish National Gallery has taken steps to inform the public of the possibility of looted art in its collection. The Gallery lists on its public website 64 works of “foreign art whose provenance between the years 1933–45 has not yet been fully investigated.” It does not indicate when the gaps in provenance occur. The National Gallery reports that since 2007, it has critically assessed the provenance of new items added to its collection. It maintains that there is no record of anyone filing a claim on works of art in the Gallery in relation to Holocaust-era confiscation.

According to museum personnel, art gallery representatives, and academics, there is little to no ongoing research on the provenance of suspect works of art at the national level. The only significant effort to document such works of art took place at the University of Jyväskylä between 2001 and 2006, when four researchers assessed the contents of 30 public and private Finnish collections. Ultimately, they found 180 items in Finland with questionable gaps in provenance dating to the Holocaust-era. The researchers have made this list available on the international clearinghouse for Nazi-confiscated art, the German Lost Art Foundation. The researchers stated that they encountered significant resistance from officials at Finnish museums and owners of private collections, who required payment from researchers to permit access to works of art or who refused permission entirely. Journalists and representatives of the Finnish Jewish community stated they have no information as to the current whereabouts of movable property of the Central European Jews whom Finnish security services deported.

Finland is a party to the UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects, which the government implemented in Finnish legal code 877/1999, and to The Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict. Finnish statute HE 236/2010 addresses when seizures of objects in exhibitions are prohibited and when seizures are allowed. The right to prohibit seizure does not extend to cases where the prohibition would be in contradiction with international agreements binding Finland or European Union laws, or cases where the object would be put up for sale during the exhibition, or otherwise commercially utilized in an equivalent manner.

The Department of State knows of no claims for Judaica or Jewish cultural property confiscated during the Holocaust era.

### **Access to Archival Documents**

The National Archives of Finland has consistently supported the preservation of documents related to the Holocaust era and has carried out thorough investigations of events that took place

in Finland or that involved Finns located elsewhere in Europe. Although the Archives have responded to international requests for Holocaust research assistance, sensitive archival ownership documents likely rest with private owners, law firms, or banks, which held liquid assets of the deported victims, rather than public institutions. Finland does not have a public archive of documents related to the Finnish Jewish community nor any clearinghouse for relevant documents that could prove ownership of expropriated assets. There were no reports of Finnish private institutions publicizing the presence of archival documents from the Holocaust era or proactively seeking the heirs of unclaimed property.

Finnish researchers, including from the National Archives of Finland, have cooperated with the United States Holocaust Memorial Museum, Simon Wiesenthal Center, and Yad Vashem to conduct investigations and share archival resources.

### **Education, Remembrance, Research, and Memorial Sites**

Lessons regarding the history of the Holocaust have been part of the Finnish school curriculum since the 1950s. Since 1993, the Finnish Holocaust Remembrance Association (HUM), an NGO open to all citizens, has worked to raise awareness about racism and anti-Semitism and to keep the memory of the victims of the Holocaust alive. In 2010, HUM became a partner of the International Holocaust Remembrance Alliance. In 2016, the National Board of Education added a module to the national core curriculum dedicated to the historical and ethical context of human rights and crimes against humanity.

Formal Holocaust remembrance events have included commemoration of Holocaust Memorial Day and periodic public educational events. Since 1995, HUM has organized Holocaust Memorial Day events on the same day as the Yom HaShoah (Days of Remembrance) in the Jewish calendar. Starting in 2001, the Memorial Day date changed to January 27, International Holocaust Remembrance Day, and in 2002, the Ministry of Education began to provide financial support for commemoration activities. In 2003, organizers held the memorial event at the University of Helsinki, where Prime Minister Jyrki Katainen gave the keynote speech. On April 1, 2019, HUM organized a seminar in Helsinki's new Central Library Oodi to coincide with the publication earlier that year of an extensive National Archives report on the role of Finnish volunteers in the Nazi Waffen SS. The seminar included a film project about Finnish sailors in German concentration camps; the placing of commemorative markers, also known as "stumbling stones" (in German, *Stolperstein*) in memory of the Jews handed over to Nazi Germany; and the release of a new book documenting the life of a Holocaust survivor who settled in Finland.

The most significant recent public research regarding Finnish participation in the Holocaust was conducted by the Finnish National Archives following a public appeal from the Simon Wiesenthal Center to President Sauli Niinistö on May 31, 2018. In response, the Finnish Prime Minister's Office initiated an independent probe into the role of Finnish Waffen SS soldiers in the killing of Jews and civilians between the years 1941 and 1943. The Secretary General of the Office of the President announced that any criminal activities uncovered during the investigation would be subject to possible prosecution. The National Archives published the report on February 8, 2019, concluding that Finnish volunteers serving in the Wiking Division of

Germany's Waffen-SS between 1941 and 1943 "very likely" participated in the execution of Jewish people and other civilians, as well as prisoners of war on the eastern front.

Finland does not host any research institute specifically focused on the study of the Holocaust and genocide. Finland maintains one public memorial site for victims of the Holocaust, located at Tähtitorninmäki Hill in central Helsinki. The site honors eight people whom the Finnish police deported to Gestapo custody in Estonia and ultimately to the Auschwitz-Birkenau concentration camp. Only one man, Austrian citizen Georg Kollman, survived. At the ceremony opening the memorial in 2000, Prime Minister Lipponen presented a public apology on behalf of the Finnish government and all Finns.

### **The Welfare of Holocaust (Shoah) Survivors and Other Victims of Nazi Persecution**

Representatives from the Jewish Community of Helsinki estimate that up to 15 survivors of the Holocaust ultimately settled in Finland, and two remain present today. The Government of Finland did not offer specific support for the welfare of survivors, although they have enjoyed the same access to universal social welfare available to all Finnish citizens. Private charitable efforts in Finland provided for initial assistance to survivors when they arrived in Finland and aided in the fostering of Jewish children emigrating from Poland to other countries abroad, including the United States and Israel.

## FRANCE

Nazi Germany invaded France on May 10, 1940, and on June 22, 1940, Nazi Germany and France entered into an Armistice Agreement. Germany annexed Alsace and Lorraine, while 80 percent of the country, including Northern France and the entire Atlantic Coast, came under German military occupation. Beginning in July 1940, the so-called “Vichy” government under Philippe Pétain in theory governed France, but in practice, it was only able to govern freely in unoccupied (Southern and Eastern) France.

Laws enacted in both occupied and unoccupied France curtailed the civil rights of Jews and expropriated their property. In October 1940, the Vichy government enacted the first Law on the Status of the Jews, which defined who was Jewish and precluded Jews from civil and military service and from the education, media, and cinema sectors. The Nazi German military command in occupied France began a process of economic “Aryanization,” including confiscating Jewish-owned assets. An October 1940 military decree defined Jewish-owned firms and established the appointment of provisional administrators for those firms. A February 1941 French law allowed the administrators to sell firms without the permission of the Jewish owners. A further German decree in April 1941 and corresponding French law further restricted occupations available to Jews (prohibiting trade and banking, among others) and expanded the scope of confiscation. A series of French laws from June to December of 1941, including a second Jewish Status Law, expanded many of these restrictions to unoccupied France.

At least 75,670 Jews were deported from France to concentration and extermination camps; of the 69,000 sent to Auschwitz, 2,570 survived. Some of those deported passed through multiple camps. Another 3,000 Jews died in French internment camps. Most of the deportation trains left from the Drancy Camp, carrying at least 64,000 Jews. Included in that number were 13,000 Jews (4,000 of whom were children) arrested in July 1942 by French police and held at the *Vélodrome d’Hiver* sporting arena before their deportation. At least 6,000 French Roma were interned, and 200 were deported and killed during the war.

The Allied landing in Normandy in June 1944 began the liberation of France, but deportations continued. At least another 2,686 Jews were deported before German forces surrendered Paris on August 25, 1944. The European Jewish Congress estimates that approximately 500,000 Jews currently reside in France.

In 1995, the French government recognized for the first time France’s responsibility for the deportations when President Jacques Chirac publicly acknowledged the Vichy government’s collaboration with Nazi Germany and apologized to the Jewish people on behalf of the French Republic.

France endorsed the Terezin Declaration in 2009 and the Guidelines and Best Practices in 2010. The government has laws and mechanisms in place for property restitution, and NGOs and advocacy groups reported the government made significant progress on resolution of Holocaust-era claims in recent years, including for foreign citizens.

## **Immovable Private, Communal/Religious, and Heirless Property**

France has restitution and reparation measures in place covering all three types of immovable property: private, communal, and heirless. These measures were put in place in two phases. The first occurred in the immediate post-war years and ceased around 1954; the second commenced in the late 1990s and is ongoing.

In 2014, France and the United States signed the bilateral Agreement on Compensation for Certain Victims of Holocaust-Related Deportation from France Who Are Not Covered by French Programs. The agreement provides an exclusive mechanism to compensate persons who survived deportation from France (or their spouses or other designees) but were not eligible for the 1948 pension program established by the government for French nationals or from international agreements concluded by the government to address Holocaust deportation claims. Pursuant to the agreement, which entered into force on November 1, 2015, France provided a lump sum of \$60 million to the United States.

### Private Property

France's initial restitution measures came into force through a number of decrees issued between 1944 and 1945. In addition, in early 1945, the government established two new authorities – one to examine complaints against provisional administrators of property and another to administer restitution. The 1946 French War Damages Act also provided compensation for material damage caused by acts of war to movable and immovable property. Early restitution measures ceased around 1954 after the French government passed laws granting amnesty to various Vichy government officials in 1951 and 1953.

In the 1990s, the French government convened the Mattéoli Commission to examine the conditions under which the occupying forces and Vichy authorities had confiscated property. Among other findings, the Mattéoli Commission determined that French banks froze accounts or seized assets of approximately 56,400 people holding about 80,000 bank accounts, with assets worth approximately \$1.9 billion in 2019 dollars. French banks worked in cooperation with the Mattéoli Commission to establish a fund, initially capitalized at \$50 million, to compensate victims of French banks under the Vichy government.

In 1999, the French government established the Commission for the Compensation for Victims of Spoliation (CIVS, or the “Drai Commission”) as a separate administrative body under the authority of the prime minister. CIVS helps manage the French bank fund and recommends and examines reparations to individual victims (or their heirs) who had not been compensated previously for damages resulting from confiscation of their material or financial property carried out under anti-Semitic decrees issued either by the Vichy government or by the occupying Nazi Germans. Non-bank related compensation is publicly funded and is paid through several different organizations, including the Unified Jewish Social Fund (FSJU) and the National Office of Veterans and Combat Victims. As of June 2019, CIVS had recommended compensation totaling approximately \$600 million. The commission does not publish reports on actual compensation awarded due to privacy restrictions on individual claimants' information.

However, on average, victims or their heirs receive compensation six to eight months after CIVS makes a recommendation. CIVS activities are ongoing.

### Communal Property

Although the Nazi occupying forces did not have an explicit plan to destroy all synagogues, the advancing German army or Nazi German bombing destroyed at least 20, and German forces and Nazi sympathizers looted and/or partially destroyed many others. Under the 1905 French law on separation of church and state, places of worship, including synagogues, became property of the French government. The French government in turn made them available to worshippers. The European Shoah Legacy Institute's 2012 review of immovable property restitution found that because of this ownership structure, compensation for destroyed communal property was based upon laws relating to war damages, such as the 1946 French War Damages Act.

### Heirless Property

A 1950 law permitted Jewish persons or organizations to be appointed as custodians of Jewish heirless property in France. In 2000, shortly after the Mattéoli Commission issued a report that estimated the maximum value of remaining unclaimed property at approximately \$395 million, the French government established the Foundation for the Memory of the Shoah and endowed it with approximately \$443 million.

### **Movable Property: Nazi-Confiscated and Looted Art**

About 100,000 works of art were stolen from French Jews or Jews who had fled to France before the German occupation, according to estimates by French authorities. From 1945 to 1949, roughly 60,000 of the artworks were returned to France, of which about 45,000 were then claimed by their owners. Additional works of art have been found at a slow pace after that time, and the location of the remaining 40,000 works of art is unclear. Of the recovered works, most of the unclaimed pieces were sold at auction. The French state kept about 2,100 of the highest quality paintings and entrusted them to museums, particularly the Louvre, but specially designated them "*Musées nationaux recuperation*," or MNR (National Museums Recovery). Experts say it is unclear how those pieces were chosen and how many might have been looted or sold under duress.

Millions of books were taken from France by the Nazis. Most that were in the zones of the western Allies after the war were returned to France, and many of these books were returned to their original owners – 172,812 to 1,660 individual owners, mostly Jews, and 103,517 to 392 mostly Jewish institutions.

France endorsed the 1998 Washington Principles on Nazi-Confiscated Art and is one of only five of the 42 countries that attended the Washington Conference to set up a commission to address the restitution of and/or compensation for art objects looted and displaced during the Nazi years. CIVS has responsibility for both restitution and compensation, primarily providing compensation to individual victims or their heirs.

For reparation measures, if a specific work of art cannot be found, compensation is provided based on the estimated financial value of the work at the time it was looted. Through the end of 2018, CIVS had recommended compensation totaling approximately \$55 million.

Few artworks have been returned, in part because France has not yet passed a law permitting state museums to deaccession objects in their collections. In cases where the property in question is included on the list of MNR works that were returned from Germany after the war, restitution is easier, and such property must be returned to its rightful owners. Claims must be filed with the archives departments of the Ministry of Foreign Affairs and the National Museums.

Critics contend that restitution has been haphazard and that French museums have been slow or even loath to return Nazi-looted artwork. An April 2018 Ministry of Culture public report identified 2,008 cultural works (primarily MNR) with no identified owner and acknowledged that the current policy of art restitution was inefficient and lacking ambition, coordination, leadership, and visibility. In April 2019, the office *La Mission de recherche et de restitution des biens culturels spoliés* (the Mission for Research and Restitution of Spoliated Cultural Property) was officially created within the Ministry of Culture. The five-person staff, with an annual budget of approximately \$225,000, is engaged in seeking out the rightful owners or heirs of artworks, including those in museums and galleries, stolen or sold under duress during the country's occupation (not only those that are MNR).

In the spring of 2019, the French government transferred the authority for final decisions on art restitution claims from the Ministry of Culture to CIVS to address criticism that museum officials would be reluctant to hand over valuable artwork. The Ministry of Culture also said it would take a more active role in the search and restitution of stolen property.

On April 1, 2019, Foreign Minister Le Drian attended a ceremony returning artwork to its pre-WWII owners at the French consulate in New York. During his remarks, he reiterated that the French government had committed to “accelerate and intensify the work of identifying and restituting to their owners” looted works of art.

### **Judaica and Jewish Cultural Property**

France received 8,193 books and 125 museum and 219 synagogue pieces from Jewish Cultural Reconstruction (JCR) after World War II. Specifically, the *Musée d'art et d'histoire du Judaïsme*, the successor museum to the *Musée d'art juif de Paris*, established in 1948 by a private association to pay homage to a culture that had been destroyed by the Holocaust, received Judaica objects from the JCR, and the *Centre de Documentation Juive Contemporaine* received books. Although provenance research on art objects is partially carried out in France, so far as is known, no provenance research is being conducted on Judaica holdings in France's cultural institutions.

Most archives of French Jewish organizations that were plundered by the Nazis and subsequently taken to Moscow by the Soviets have been returned to France. Library collections of French Jews that were taken by the Soviet Trophy Brigades remain in Minsk, Belarus.



## **Access to Archival Documents**

France maintains archives relevant to Holocaust research and has measures in place to guarantee access to researchers and relatives of victims, while also including provisions on privacy and data protection. Most Holocaust research in France takes place at the Documentation Center of the Shoah Memorial, a private institution that receives funding from national and local French government bodies, the European Commission, and private institutions and individuals. The center contains a fully digitized and archived collection of 30 million documents related to the Holocaust from a variety of sources. These include the Contemporary Jewish Documentation Center, a database of victims of anti-Semitic persecution in France, a database of Jewish Resistance members, and the Righteous of France database. Access to the complete collection is available to all persons who can prove they are doing research on the Holocaust. Individuals must fill out a registration form, valid for one year, and present identification. An abridged version of this catalogue, without personal data of the persons mentioned, is available through the memorial's website.

The Paris-based Shoah Memorial does not have framework agreements with the U.S. Holocaust Memorial Museum (USHMM). However, the French Memorial Shoah Foundation signed specific conventions related to archives with USHMM in 2014, and USHMM has enjoyed strong cooperation with French archives for decades.

## **Education, Remembrance, Research, and Memorial Sites**

France is a member of the International Holocaust Remembrance Alliance. The government holds several annual ceremonies of remembrance and commemoration. These include Holocaust Remembrance Day on January 27, French Judaism Day on June 1, and a ceremony in Paris honoring the victims of the *Velodrome d'Hiver* roundup of July 16-17, 1942. Government leaders, including the president and prime minister, regularly attend these commemorations. The government also preserves several memorial sites throughout France. These include the Natzweiler-Struthof Camp, the Shoah Memorial on the site of the Drancy camp, and the Montluc Prison National Memorial in Lyon, where political opponents, members of the resistance, and victims of anti-Semitic legislation were detained. The government also provides education on human rights and on preventing all forms of racial, religious, or ethnic discrimination, including education about the Holocaust and other Nazi crimes, within the national education curriculum. Teaching about the Holocaust is mandatory. It is taught in history class at three levels: at ages 10 and 11, age 15, and ages 17 and 18. Schools frequently arrange visits to sites of remembrance, such as Jewish cemeteries, sites of deportation, and the Shoah Memorial, for educational opportunities.

## **The Welfare of Holocaust (Shoah) Survivors and Other Victims of Nazi Persecution**

The government-run Foundation for the Memory of the Shoah provides social welfare services in addition to compensation and coordinates closely with the Conference on Jewish Material Claims Against Germany. The FSJU, an umbrella organization for private Jewish organizations in France, provides emergency assistance for elderly victims, particularly for medical and dental

assistance, as well as home modifications to help keep the elderly in their houses and apartments. Since 2002, the Foundation for the Memory of the Shoah has donated more than €3 million to the Shoah Survivors Emergency Fund managed by the FSJU's Passerelles service, a national call center that provides social support and guidance for Holocaust survivors and their children. In 2018, 262 people received assistance from the emergency fund.

The Aid Association for Elderly and Sick Israelites provides homecare services for survivors residing in Paris and the surrounding area, as well as a guardianship program for mentally impaired elderly survivors that provides legal and financial management services. The CASIP-COJASOR Foundation of Paris and the Israelite Social Action Committee of Marseille provide homecare, case management and guardianship services, and home-delivered meals.

## **GERMANY**

Germany has taken commendable steps to confront its role as the perpetrator of the Holocaust and to ensure that Holocaust victims and their heirs receive restitution and/or compensation. Germany also honors and remembers the victims of the Holocaust and has worked to cultivate a culture of remembrance. Its restitution measures range from compensating former owners and heirs for assets wrongfully seized during the Holocaust to making substantial financial contributions to victims' funds and survivors' pensions. From 1945 to 2018, the German government paid approximately \$86.8 billion in restitution and compensation to Holocaust victims and their heirs. Germany has also identified Nazi-looted objects – including art works, books, and objects within larger collections – and has returned 16,000 objects to survivors and their heirs over the last 20 years. Thousands more pieces of looted art are still missing worldwide. Rising anti-Semitism throughout Europe including in Germany, and especially in former East Germany, coupled with polls showing the need to increase Holocaust education among Germany's youth, highlight the importance of Germany's continued dedication to fostering a culture of remembrance.

### **Immovable Private, Communal/Religious, and Heirless Property**

In the aftermath of World War II, the United States, France, and the United Kingdom occupied the areas of Germany that in 1949 became the Federal Republic of Germany (FRG). In November 1947, the U.S. military government promulgated Military Law No 59, which became the foundation of the first program of restitution of Holocaust assets. Similar laws enacted in the French and British zones between 1947 and 1949 enabled the return of property that had been seized by the Nazi regime or sold under duress. In September 1951, Chancellor Adenauer delivered an historic speech in the Bundestag during which he asked forgiveness for the crimes of Nazi Germany and stated that he was ready to commence negotiations with world Jewry on the issue of Holocaust reparations.

In October 1951, more than 20 Jewish organizations met in New York and formed the Conference on Jewish Material Claims Against Germany (JCC or Claims Conference). In March 1952, the FRG held negotiations with the Government of Israel and the Claims Conference, which in September 1952 led to two agreements known as the "Luxembourg Agreements." The agreement with Israel provided for the payment of DM 3 billion (approximately \$714 million based on 1952 exchange rates) in goods and services to the State of Israel. The agreement with the Claims Conference provided for payment of DM 450 million (approximately \$107 million, based on 1952 exchange rates) and obligated the FRG to enact legislation to compensate individuals.

Following those agreements, the FRG passed two landmark pieces of legislation. In 1956, it passed the Federal Compensation Act (BEG), which covered many aspects of compensation for Nazi injustices not covered by the Allied restitution laws for certain groups of persecuted persons. The BEG provided payments to those persons as compensation for physical injury and damage to health, restrictions on personal freedom, harm to economic and professional growth, and damage to personal property. As of mid-2019, approximately 25,000 Holocaust survivors worldwide still received a monthly pension for "damage to health" provided under the BEG.

In 1957, the FRG passed the Federal Restitution Law (BRüG), which replaced and filled in certain gaps in the Allied restitution laws. The BRüG attempted to provide appropriate compensation for immovable and movable property that could no longer be returned. As of 2011, approximately \$2.255 billion had been paid out under the BRüG.

While the FRG contributed billions of dollars in compensation to Holocaust victims, the German Democratic Republic (GDR) refused to accept responsibility for the crimes of the Nazis. It provided no restitution to Jews for property confiscated by the Nazis or nationalized during the Communist regime. Following German reunification in October 1990, the FRG passed the Open Property Questions Act, which was essentially a re-privatization law for citizens of the former GDR whose property had been nationalized under the Communist regime. This law also included provisions for Jewish property owners and their heirs to file claims for assets located in the former GDR that were lost or confiscated during the Nazi era. The filing deadline for claims was December 31, 1992, for real property and June 30, 1993, for movable property. The Claims Conference Successor Organization was designated under the law as the legal successor to unclaimed Jewish property lost as a result of Nazi persecution. The Claims Conference used the proceeds it received from the sale of heirless or unclaimed property in the former GDR for social welfare services for needy Holocaust survivors and to support Holocaust education and projects devoted to preserving the memory and lessons of the Holocaust.

Since 1990, German authorities have granted restitution and/or compensation totaling approximately €2.5 billion (approximately \$2.8 billion) for property lost as a result of Nazi persecution, primarily to former owners and their heirs. As of mid-2019, the Federal Office for Central Services and Unresolved Property Issues had 5,000 pending claims.

In addition to its private property restitution efforts, the German government also provides more than 50 percent of the maintenance costs for Jewish cemeteries, including \$1.1 million annually for the protection of Jewish cemeteries in Central Europe. In 2006, the Claims Conference partnered with the Conference of European Rabbis to establish the *Lo Tishkach* (“Do not forget”) European Jewish Cemeteries Initiative. The initiative maintains a comprehensive database of more than 11,000 Jewish cemeteries, mass graves, and burial sites throughout Europe and facilitates their upkeep and improvement.

### **Movable Property: Nazi-Confiscated and Looted Art**

Compensation for and restitution of looted art remains a work in progress. Nazis looted an estimated 600,000 paintings from Jews in Europe during World War II, 100,000 of which remain missing. In 1998, the German government signed the Washington Conference Principles on Nazi-Confiscated Art. In the years since, it has returned more than 16,000 individual objects (including books and objects in collections) to Holocaust survivors or their heirs. On November 26, 2018, Germany hosted an international conference on the 20th anniversary of the Washington Principles to draw attention to the progress made and to generate momentum where implementation of the Principles had fallen short, including in Germany. Germany and the United States also signed a joint declaration during the conference reaffirming their commitment to the Washington Principles and acknowledging the need to improve implementation. Germany pledged that it would improve the procedures of the Limbach Commission on Holocaust-era art

claims to require German museums to participate in the proceedings. Germany also committed its public art museums to expediting the provenance research on their collections to determine if they possess any art potentially confiscated by the Nazis or risk losing their federal government subsidies.

In 2015, the German government established the German Lost Art Foundation (DZK) in Magdeburg to promote provenance research. The DZK has become Germany's national and international contact partner for all matters pertaining to the illegal seizure of cultural assets in Germany since 1933, with a focus on seizure by Nazis from Jewish owners. The government funds the DZK, which had a budget of \$6.86 million in 2018 and \$8.95 million in 2019. From 2008 to 2018, the DZK and its predecessor, the Center for Provenance Research in Berlin, supported 273 projects with funding totaling \$27.3 million. These projects have examined more than 113,000 objects held in museums to determine their provenance.

The German Lost Art Foundation also maintains an online "Lost Art" database that documents objects proven or suspected of having been confiscated by the Nazis. Heirs can use it to list objects seized from their families. The database currently contains approximately 169,000 detailed descriptions and several million summaries of objects. In 2013, Christie's auction house used this database to determine that two vases consigned for sale had been looted by the Nazis in 1939. Following further investigation, the FBI art crime team organized the return of the vases to the owner's heirs in an August 1, 2019 ceremony at the U.S. Embassy in Berlin. Additionally, the DZK provides financial support for searches that trace relatives and heirs of Holocaust victims in order to return looted art to the rightful owners. The DZK is working to complete a comprehensive database of Germany's federal museums by 2020. Public universities in Bonn, Hamburg, and Munich have established professorships for provenance research.

In 2003, the government established an advisory commission to mediate and provide recommendations on disputed looted art cases upon the request of both parties involved. Thus far, the commission has provided just 16 recommendations, which has led some observers, including the Claims Conference's lead negotiator and the president of the World Jewish Congress, to criticize its effectiveness and lack of transparency. In response to criticism about the lack of Jewish members on the advisory commission, the Commissioner added two Jewish members in 2016 and authorized the commission to engage in mediation at the request of just one party. Previously, both parties had to agree to enter mediation. This change, which benefited claimants, was part of the November 2018 joint U.S.-German declaration. It should be noted that the statutes of limitation also continue to hinder claims for restitution.

The German government maintains possession of the remaining unclaimed objects obtained from "Central Collecting Points" set up by the Allied Forces at the end of World War II. Unclaimed objects include 3,000 works of art, 4,000 coins, and about 6,600 books seized by the Nazi regime or by Nazi officials operating in a private capacity. The government is working to return these items to their rightful owners, but progress is slow.

## **Judaica and Jewish Cultural Property**

Germany is committed to strengthening provenance research on Judaica and deepening scientific exchange in this field. In 2018, the German Center for Cultural Property Losses and the Israel Museum cooperated on a project that added more than 1,100 potentially stolen Judaica items to the German Lost Art database. In 2019, the government sponsored a German translation of the Claims Conference-WJRO *Handbook on Judaica Provenance Research: Ceremonial Objects*. Germany also encourages its public universities to promote Judaica provenance research.

## **Access to Archival Documents**

The German Federal Archives provides access to documents about cultural assets stolen during the Nazi era. In principle, every person has the right to use the federal archives upon request. The federal archives are digitizing a steadily growing portion of their archive holdings and, to the extent legally permissible, making them available online.

The Federal Finance Ministry (BMF) launched a project in August 2018 to create a central interconnected digital portal to find documents from state archives throughout Germany specifically related to Holocaust compensation and restitution. The BMF is also working to create a new database that combines all data concerning individual compensation proceedings and makes it accessible to scientific researchers, as well as to Holocaust survivors and heirs.

The International Archival Programs Division of the United States Holocaust Memorial Museum (USHMM) has been active in Germany for more than 25 years. It has enjoyed excellent cooperation with the German Federal Archives and the political archive of the German Foreign Office, from which the USHMM recently acquired several million pages of Holocaust-relevant archival documentation on microfilm and as digital scans. The Arolsen Archives in Bad Arolsen (formerly called the International Tracing Service) is a separate archive that contains about 30 million documents from concentration and extermination camps, details of forced labor, and files on displaced persons. The Arolsen Archives, which is governed by an international committee and has been fully funded by the German government since 2011, is digitizing its archives to improve accessibility.

At the state level, the USHMM has signed archival access agreements with North Rhine-Westphalia, Brandenburg, and Bavaria. Cooperation with the state of Hamburg has also been excellent, despite the lack of an official access agreement. Access to the State Archive in Berlin yielded the records of more than 150,000 individual trials against Jews and other victims prosecuted by Nazi courts in the Berlin area. The Berlin State Archive recently suspended its cooperation with the USHMM, however, citing data privacy concerns with regard to the reproduction of records. As of mid-2019, the archive was preparing the digitalization of its data, and discussions about access were ongoing. Other states are similarly concerned about data protection, and this has slowed progress. Cooperation with Saxony is underway, while discussions with Bremen and Saarland are pending. The U.S. Embassy in Berlin and U.S. consulates have advocated with local authorities throughout Germany in support of USHMM requests for access to state archives.

Some advocates for Holocaust survivors and descendants of Holocaust victims have pointed out that Property (Asset) Declaration forms completed by Jews in Nazi Germany in April 1938 remain scattered among archives in the different German states and have not been digitized. They add that other files relating to post-war claims for Holocaust-era compensation and restitution are located in more than a dozen archives in the country and are generally not publicly accessible. The German government and relevant NGOs and historians are working to develop a plan for the preservation and collection of these documents for use by historians and others. The sheer volume of these archives and the privacy issues involved complicate their task.

### **Education, Remembrance, Research, and Memorial Sites**

The Federal Commissioner for Culture and the Media takes the lead in identifying and funding Holocaust memorial sites and places of remembrance. The Commissioner's work is guided by the tenet that Nazi crimes against humanity give the federal government and the entire German nation a special responsibility to ensure the constitutionally guaranteed inviolability of the dignity of every person, as well as to stand up against anti-Semitism, discrimination directed at the Roma people, racism, and exclusion. In 2018, there were nearly 5.5 million visitors at federally funded memorial sites.

Both the federal and state governments provide funding to preserve Holocaust memorials, including former concentration camps and Jewish sites of cultural or religious importance. In 2017, the federal government provided a total of \$20 million for the maintenance of major Holocaust-related memorials. Individual German states contributed additional funds to these sites. The Foundation Memorial to the Murdered Jews of Europe maintains memorials in the center of Berlin dedicated to those persecuted during the Holocaust, including Jews, homosexuals, Sinti, and Roma, as well as victims of Nazi-era "euthanasia" killings. The federal government fully funds the foundation, which received \$3.7 million in 2017. In addition, the German Foreign Office by mid-2019 had provided \$6.5 million for Holocaust commemoration sites abroad (including Auschwitz-Birkenau in Poland and Yad Vashem in Israel), as well as Holocaust-related projects, exhibitions, or seminars, including Nazi persecution of Sinti and Roma.

Germany holds numerous annual commemoration events throughout the country at memorials and the sites of former concentration camps. Important remembrance days include International Holocaust Remembrance Day on January 27 and Kristallnacht on November 9, the day in 1938 when Nazis destroyed Jewish property and synagogues and arrested tens of thousands of Jews. The German Bundestag holds an annual commemoration event on International Holocaust Remembrance Day, usually with a Holocaust survivor as a guest speaker.

Holocaust remembrance is an integral part of public school education throughout Germany. As part of the curriculum, which is established at the state level, students often visit one of the 12 former concentration camps in Germany that are now Holocaust commemoration sites. Beyond school programs, the government and NGOs host numerous remembrance and education initiatives. For example, Germany's Foundation for Remembrance, Responsibility, and Future (EVZ) supports projects and educational initiatives, such as the collection of firsthand accounts by Holocaust survivors in the form of interviews and memoirs, as well as educational seminars

and the creation of online resources that teach about Nazi persecution. However, certain challenges in educating the next generation remain. A 2017 Körber Foundation poll found that fewer than half of German children aged 14 to 16 years had heard of Auschwitz-Birkenau, demonstrating the need for continued Holocaust education.

The U.S. Embassy in Germany cooperates closely with several NGOs promoting Holocaust remembrance and education initiatives, including the American Jewish Committee Berlin, the Kreuzberg Initiative against Anti-Semitism, and the European Roma Institute for Arts and Culture (ERIAC). ERIAC, which receives \$223,000 in annual funding from the German government, promotes Roma contributions to European culture and documents the historical experiences of Roma people in Europe, including their persecution under the Nazi regime.

Germany's six federally funded political foundations also play an important role in promoting Holocaust education and remembrance. The foundations, each of which is associated with a political party represented in the Bundestag, seek to build upon the principles of liberal democracy and work to foster solidarity and tolerance through their activities. They frequently hold events to examine Germany's Nazi past, remember the Holocaust's victims, and work to strengthen Germany's democratic values.

### **The Welfare of Holocaust (Shoah) Survivors and Other Victims of Nazi Persecution**

Although the ability to file compensation claims under the BEG legislation expired in 1969, the FRG provided funding to the Claims Conference in 1980 for the creation of an additional "Hardship Fund." The Fund provides one-time payments to Jewish victims of the Nazis who had been forced to emigrate from Soviet bloc countries. During the last decade, the Fund expanded dramatically to make payments to eligible victims residing in Central and Eastern Europe and in the former Soviet Union. The Fund also recognized the persecution of Jews in Tunisia, Algeria, and Morocco. As of July 2019, more than 521,500 Jewish victims of Nazi persecution had received a one-time payment from the Hardship Fund.

The 1990 treaty uniting Germany obliged the German government to hold negotiations with the Claims Conference on the establishment of new funds for victims of the Nazis who were in need and who had received no or only minimal compensation. In October 1992, Germany agreed to provide funding via what later became known as the "Article 2 Fund." In 1998, the country established a sister program, the Central and Eastern European Fund (CEEF), for victims living in those areas. Since 1990, these funds enabled pensions for more than 130,000 Holocaust survivors.

In July 2000, an interagency team led by Stuart Eizenstat, Special Representative of the President and Secretary of State on Holocaust-Era Issues, concluded on behalf of the U.S. government an agreement with German industry and the German government for 10 billion DM (approximately \$5 billion) to settle class action suits filed against German companies in U.S. courts. This agreement included funds for certain slave laborers (most of whom were Jewish laborers who were worked to death); forced laborers (representing the most extensive payments by Germany to non-Jewish citizens in such countries as Poland, the Czech Republic, Ukraine, Belarus, and Russia); unpaid insurance policies, which were passed through to the International Commission



on Holocaust Era Insurance Claims (ICHEIC) chaired by former U.S. Secretary of State Lawrence Eagleburger; and a new foundation to be created with German industry support.

To implement the July 2000 agreement, the German Bundestag established the EVZ. After paying \$4.9 billion in lump-sum payments to 1.66 million former forced laborers over the course of seven years, the EVZ concluded its direct compensation activities in 2007.

In 2002, the EVZ paid 550 million DM (approximately \$248 million, using 2002 conversion rate) to the ICHEIC to provide compensation for the unpaid Holocaust-era insurance policies issued by German companies. ICHEIC also received funds from settlements with certain non-German insurance companies. Holocaust survivors and their heirs filed approximately 90,000 insurance claims with ICHEIC, and 48,000 claimants received payments. Many claimants did not know the name of the company that had issued their policy. However, ICHEIC used archival research and matching protocols to identify more than 16,000 of these unnamed claims; companies made payments on about 8,000 of them. In total, ICHEIC made \$306 million in payments to Holocaust survivors and their heirs. Humanitarian payments were also made to claimants in cases where no policies could be found.

The EVZ set aside \$399 million, yielding capital proceeds of about \$8.6 million per year, for the “Future Fund” to finance Holocaust remembrance and educational projects, which was thought to be the fund’s major task when it was created in the July 2000 agreement. In recent years, a significant portion of the funds have been used for projects dealing with human rights issues not related to the Holocaust.

Today, with funding from the German government, the Claims Conference continues to administer approximately 50,000 Article 2 and CEEF pensions, which amount to several hundred million dollars per year to Holocaust survivors in 80 countries. From 2009 to 2019, the Claims Conference has negotiated more than \$9 billion in additional compensation with the German government. Regular negotiations between the Claims Conference and the German government have expanded existing programs and introduced additional ones, including a child survivor fund, a Kindertransport fund, and the provision of home care services for elderly survivors. The latter program has been repeatedly expanded: in 2018, the Claims Conference and the German government negotiated an \$83 million funding increase, from \$452 million to \$535 million. In their 2019 negotiations, the German government agreed to an increase, which raised the total funding level for 2020 to \$587 million and included for the first time payments to the widowed spouses of recipients of Holocaust survivor pensions.

## **U.S. Citizen Claims**

The deadlines for many of the restitution funds for Holocaust victims expired many years ago. However, victims who have not yet filed claims can still do so for some funds. The Claims Conference serves as the primary partner for Holocaust victims during the filing process, offering assistance free of charge. Moreover, the Claims Conference and the German government work to identify and contact potential claimants.

## **GREECE**

The Jewish communities of Greece are amongst the oldest in Europe, dating back more than 2,000 years. Of the estimated 71,600 Jews who lived in Greece at the time of the 1941 Nazi invasion, at least 58,885 perished in the Holocaust. Most Jews lived in Thessaloniki, formerly known as Salonika, which had been the religious and cultural hub for Sephardic Jews expelled from Spain in 1492. Between March and early June 1943, the Germans deported 48,974 Jews, most from Salonika, to Auschwitz where nearly all perished. In addition, Bulgarian authorities deported more than 4,000 Jews from Bulgarian-occupied parts of Greece to Treblinka.

From September 1943, Italian forces occupied Athens and parts of Greece but were not engaged in the mass murder of Jews. Thousands of Jews who resided in the Nazi-occupied areas fled to the relatively safer Italian zone, causing the Jewish population of Athens to rise from 3,500 before the war to as many as 10,000. After the Italians surrendered to the Allies in September 1943, the Nazis occupied all of Greece and began deporting Jews from Athens in April 1944. The Nazis also deported Jews from other communities of the mainland, as well as from the ancient Jewish communities on Greek islands, by summer 1944.

Approximately 10,000 Greek Jews survived the Holocaust, many due to assistance from other Greek citizens and Greek Orthodox Church leaders. Yad Vashem has named more than 200 Greeks as “Righteous Among the Nations.” Comprehensive statistics on Holocaust survivors, however, are not available because an undefined number of Holocaust survivors left for Israel and the United States after World War II (WWII).

Post-war Greek governments put Greek war criminals and collaborators on trial, including three prime ministers installed by the Nazis. In 2014, Holocaust negation and denial was made illegal, punishable by jail and fines. Descendants of Greek Holocaust survivors have been eligible for Greek citizenship since 2017.

According to the World Jewish Congress, Greece is currently home to between 4,300 and 6,000 Jews. In Thessaloniki, as of mid-2019, there were 94 remaining Holocaust survivors, including 12 who spent time in Nazi concentration camps. Holocaust survivors in Greece do not receive a special government allowance, but they do receive social welfare benefits available to Greek citizens facing health-related vulnerabilities, disability, or poverty. Established in 1945, the Central Board of Jewish Communities in Greece is the umbrella organization for the Jewish community in the country; it allocates resources to rehabilitation programs for Jewish citizens.

### **Immovable Private, Communal/Religious, and Heirless Property**

Greece initiated several directives and restitution laws at the end of WWII. In 1944, the Greek government was the first European government to state clearly that Greece should under no circumstances benefit from abandoned or confiscated Jewish property.

Greece was among the first countries to enact private property restitution legislation. On October 27, 1944, the liberated Greek government enacted Law No. 2/1944 providing for the return of all properties originally belonging to Jews. On May 23, 1945, Compulsory Law

No. 337/1945, concerning the Annulment of Law 205/1944 regarding the Administration of Jewish Properties Abandoned or Impounded by the Occupation Authorities, was passed. On December 31, 1945, Compulsory Law 808/1945 ordered the immediate return of Jewish property by the trustees to the original owners. Communal property was returned to the Jewish community in Greece under the same set of laws applicable to private property restitution.

The Central Board of Jewish Communities in Greece allocates resources to rehabilitation programs for Jewish citizens. To supplement the Central Board's work, the Organization for the Relief and Rehabilitation of the Israelites of Greece (OPAIE) was founded in 1949. OPAIE administers formerly Jewish-owned property left heirless after the Holocaust era. It allocates resources to the Central Board for community-rehabilitation programs and acts as the successor organization for all Jewish heirless property in the country.

The most emblematic case in which the physical return of property was not feasible was addressed in 2011 through the passage of Law No. 3943, under which the Greek government agreed to pay €10 million (the equivalent of \$14 million in 2011) to the Jewish community of Thessaloniki as compensation for the Nazi destruction of the city's historic Jewish cemetery. After WWII, Aristotle University of Thessaloniki was built on part of the cemetery's land. The Jewish community relinquished its claim to the property as part of the settlement.

Greece passed heirless property legislation related to the Holocaust in 1946. Emergency Law 846/1946 on the Abolition of the Right of the Greek State to Inherit Jewish Property prevented Greece from assuming title for heirless Jewish properties. In Greece, property generally reverts to state ownership when there are no heirs to claim it.

OPAIE claims more than 100 properties owned by Jews before the war are now used as government facilities. In 2017, the country's Supreme Court issued a ruling in favor of OPAIE for one of these properties in the city of Rhodes that had been unlawfully registered and claimed as state property. In 2019, the Jewish community and the Ministry of Finance agreed to jointly review, register, assess, and negotiate the disposition of other Rhodes properties through out-of-court settlements. An intergovernmental committee has been formed to examine similar cases throughout the country.

### **Movable Property: Nazi-Confiscated and Looted Art**

Greece has conducted research on archaeological sites and artifacts that were plundered by the Nazis. The resulting information has not been made public so as to limit the risk of underground markets in these objects. Greece was the host of the fourth workshop of the European Shoah Legacy Institute's Provenance Research Training Program, which was held in Athens in June 2014. Provenance research, however, is still limited at museums and other cultural institutions in Greece.

### **Judaica and Jewish Cultural Property**

The Jewish Museum of Greece in Athens holds a few looted Judaica objects, with the Central Board of Jewish Communities in Greece being responsible for these items. So far as is known,

no provenance research is being conducted on Judaica holdings in Greece's other cultural institutions.

The Jewish Historical Institute of Warsaw holds a number of religious artifacts that are reported to have been stolen from Greek Jews by the Nazis and found in the Eckersdorf Castle in Lower Silesia. These items included ritual objects used as important accessories for religious observance (mainly *rimonim*, which are the decorated finials or end pieces used to adorn a sacred Torah scroll, and *me'ilim*, which are decorative traditional outer coverings for the Torah). The Thessaloniki community requested the return of these items, but upon investigation, it became clear that the objects held in Warsaw were from all over Greece, not only Thessaloniki. As a result, an understanding was reached that the objects should be sent to Athens and then distributed within the country. To date, there have been no known successful restitution claims.

Greece endorsed the 1998 Washington Conference Principles on Nazi-Confiscated Art. It is also a signatory to the International Council of Museums Code of Ethics.

### **Access to Archival Documents**

The country's most significant loss of Jewish cultural property relates to the looted archives of Jewish communities in Athens, Ioannina, Larissa, Volos, Didymoteicho, Kavala, and Thessaloniki. Most of these archives are believed to be in the Russian State Military Archive in Moscow. The Jewish community of Thessaloniki has a pending case against the Russian government for the return of these archives.

Access to Greek state and military archival material is relatively unhindered. Some issues pertinent to the copying, transfer, and retention of archival documents outside of Greece are under review.

Other available archival resources include the Jewish Community of Thessaloniki's 2009 published list of more than 37,500 names of the tens of thousands of Jews deported to concentration camps from all over the country. The Jewish Museum of Greece's Oral History Archive contains oral testimonies of some 115 Holocaust survivors.

On May 7, 2019, the parliament passed legislation defining as "religious community archives" the entire archival material filed or processed, *inter alia*, at the Central Board of the Jewish Communities in Greece and at the offices of individual Jewish communities. The law directs that all religious community archives should be preserved in good condition, be accessible to the public, and be catalogued under the national directory for archives of the state archives authority.

### **Education, Remembrance, Research, and Memorial Sites**

Greece has dedicated resources to achieve Terezin Declaration goals, including the promotion of Holocaust education and remembrance. Greece is a member of the International Holocaust Remembrance Alliance (IHRA) and will hold the IHRA chairmanship in 2021. Government officials regularly participate in commemoration ceremonies, including International Holocaust Remembrance Day on January 27. As the deportation of Jews from Thessaloniki began on

March 15, 1943, that date is also recognized as a day of remembrance. President Pavlopoulos officially opened the new wing of the Jewish Museum of Thessaloniki in October 2019, noting that it would serve “as a beacon for the fulfillment of the permanent duty to remember the Holocaust, at a time when admirers of Nazism and fascism are emerging again in Europe.”

Greece has multiple Holocaust memorials, many of which commemorate locations where Jews and other WWII victims were deported or killed, or where Jewish cemeteries, schools, or synagogues once stood. Thessaloniki’s planned Holocaust Museum, for instance, will be built on the site of the old railway station where so many of the country’s Jews began their fatal journey to Auschwitz.

The public education curriculum includes Holocaust and human rights education. For secondary school students, the Ministry of Education funds annual educational trips to Auschwitz. Greek educators are encouraged to participate in Holocaust courses, such as the 2017 seminars developed by the Olga Lengyel Institute in partnership with the Jewish Museum of Greece and held under the auspices of the Ministry of Education. In 2014, Aristotle University of Thessaloniki reestablished its department of Jewish Studies with funding from the local Jewish community.

## **HUNGARY**

Hungary joined the Axis in November 1940. The Hungarian government under Miklos Horthy obligated Jewish males to serve in labor battalions, which led to the deaths of at least 27,000 Jews in the early 1940s before the Nazis occupied the country in March 1944. In the summer of 1941, Hungarian authorities deported some 20,000 Jews to Kamenets-Podolski in German-occupied Ukraine, where they were killed by Nazi *Einsatzgruppen*. A few months after the German occupation of Hungary, Hungarian authorities and German security police began the systematic deportation of Hungarian Jews. More than 440,000 were deported, with the majority sent to Auschwitz-Birkenau. By the end of the war, of the approximately 825,000 Hungarian Jews identified in a 1941 census, only 255,000 survived. Approximately 100,000 Jews currently reside in Hungary, primarily in Budapest, of whom an estimated 4,500 are Holocaust survivors.

The Hungarian government views itself as having completed Holocaust restitution for communal property, immovable private property, and Judaica. However, international experts say concerns remain in the area of immovable private and heirless property and with restitution of looted art.

The 2011 religion law recognized three Jewish communities. The largest is the Federation of Hungarian Jewish Communities (Mazsihisz), which maintains most of the Jewish institutions. The second is the Unified Hungarian Jewish Congregation (EMIH, also called Status Quo Ante), which is affiliated with Chabad Lubavitch. The smallest is the Autonomous Orthodox Jewish Religious Community (the Orthodox). There are also two small Reform Jewish communities – Sim Shalom and Bet Orim – that the Hungarian government does not recognize.

### **Immovable Private, Communal/Religious, and Heirless Property**

The Paris Peace Treaty of 1947, of which Hungary was a party, required heirless and otherwise unclaimed Jewish property to be returned to the Jewish community for “relief and rehabilitation” of Holocaust survivors and to help reinvigorate the Hungarian Jewish community. Partial implementation did not begin until the transition from Communism in 1989-1990. While the treaty specifically required Hungary to return heirless and unclaimed property, under Hungarian law, heirless property belongs to the state, not to the deceased’s community. In 1993, the Constitutional Court directed the Hungarian government to implement the Paris Peace Treaty.

In 1997, the government established the Hungarian Jewish Heritage Public Endowment (Mazsok), which, together with the Conference on Jewish Material Claims Against Germany (Claims Conference) and the World Jewish Restitution Organization (WJRO), distributes Holocaust-related compensation to surviving members of the Hungarian Jewish community within Hungary and abroad. Mazsok also receives Hungarian government compensation for heirless property on behalf of the Jewish community and has a mandate to assist in the revitalization of Jewish cultural heritage and traditions in the country. Mazsok’s board has 17 members, consisting of Hungarian Jews, government officials, and the WJRO. The Hungarian government pays 58 million HUF (approximately \$200,000) annually for the operation of Mazsok.

The WJRO negotiated with the Hungarian government in 2007 an interim \$21 million payment, as an advance on an expected, subsequent agreement providing more comprehensive compensation for property formerly owned by Jews that was confiscated or nationalized during the Holocaust era and which was heirless or unclaimed. Between 2007 and 2013, the Hungarian government distributed the \$21 million it had pledged, transferring the funds to Mazsok to administer. Mazsok distributed one-third to assist survivors currently living in Hungary and transferred two-thirds of the funds to the Claims Conference to fund social welfare services for needy survivors living outside of Hungary.

Since 2013, the WJRO has sought to resume negotiations with the Hungarian government to resolve outstanding Holocaust restitution issues in Hungary. In August 2016, the Hungarian government sent to the WJRO its initial research report on the scope and estimated value of confiscated heirless property in the country. A WJRO-appointed expert reviewed the report and identified substantial areas that required further research. The Hungarian government agreed to fund the remaining research. In April 2019, the WJRO presented the government with its assessment of its second set of research. The next step is for WJRO and the Hungarian government to agree on a roadmap to conclude negotiations; however, the Hungarian government has not yet agreed to WJRO's requests for further discussions on a roadmap.

As for religious and communal property, a 1991 law on the settlement of ownership of former real properties of churches provided that religious organizations could claim and use religious properties that had been taken after January 1946. A 1997 amendment gave religious groups the option to apply for government-paid annuities in perpetuity, intended to represent the monetary value of their unrestored communal property. In addition to obtaining the use of a number of buildings pursuant to the 1991 law as amended, Mazsihisz concluded an agreement in 1998 with the Hungarian government under which it waived its right to the remaining formerly Jewish-owned communal properties confiscated during the Holocaust and/or nationalized after 1948, in exchange for a government annuity. Until the 2011 religion law, Mazsihisz was considered the only representative of Hungarian Jewry and received the entire annuity. In 2012, following the adoption of the religion law, the Hungarian government mediated an agreement among Mazsihisz, the Orthodox Jewish Community, and EMIH (the new law recognized the latter two) to share the annuity. Jewish groups report that they consider communal property restitution complete.

Several laws from 1991 to 1992 dealt with the restitution of private property confiscated during World War II and/or subsequently nationalized by the Communist regime. However, claimants faced numerous procedural challenges, including: the problematic claims process for potential claimants of confiscated private property because no restitution of the items taken was possible; the small percentage of a property's market value offered as compensation; citizenship and residence requirements that limited compensation to those who were Hungarian citizens at the time the property was seized or on the date of the law was enacted, or foreign nationals with a primary residence in Hungary in December 1990; the narrow definition of "heirs;" limited archival access and privacy laws that made ownership documents difficult to obtain; limited worldwide notification of the claims process; slow processing of claims; and payment delays.

During the private property restitution claims process, the Hungarian government issued compensation notes (vouchers) that claimants could use to buy state property, such as bonds, assets, shares in privatized companies, privatized real estate, and farmland at auction. Claimants also could exchange compensation notes for annuities.

### **Movable Property: Nazi-Confiscated and Looted Art, Judaica, and Jewish Cultural Property**

Based on a government-sponsored commission report published in 1998, Hungary reports having lost more than 40,000 objects of art, including paintings, decorative art, and other objects, such as medals, during World War II. Much of the artwork taken out of the country was returned between 1945 and 1948, with some of it remaining in Hungary's cultural institutions and museums. It is likely that some of the remaining art in Hungary's possession was looted in areas occupied by Hungary during World War II.

Hungary endorsed the Washington Principles on Nazi-Confiscated Art from 1998, which called for a "just and fair solution" to the heirs of looted works now in public collections. Hungary has done research on looted art in its possession, and there is a database held by the National Gallery. However, access to these sources is strictly classified, complicating efforts to return artworks and other cultural property.

The largest unsettled case of stolen art during and after World War II is the Herzog collection. For more than two decades, Martha Nierenberg and her family have sought the return of artwork that belonged to their great-grandfather Baron Mor Lipot Herzog, a wealthy art collector. Baron Herzog died in 1934, but his heirs hid the collection in the basement of a factory they owned. Nazis and Hungarian officials discovered and looted the collection. Some of the works ended up in the private collection of Adolf Eichmann; others were seized by the Soviets. However, a large number of them are in the possession of the Museum of Fine Arts, the Hungarian National Gallery, and other state-owned Hungarian museums.

Jewish groups report that the Hungarian government has returned all Judaica that it held. In 2006, Russia returned to Hungary more than 100 antique books looted during and after World War II, including some from the 15th century that had been brought to the Lenin Scientific Library in Nizhny Novgorod from the Sarospatak Calvinist College in eastern Hungary; however, Jewish groups maintain that Russia continues to hold extensive amounts of Hungarian Judaica.

### **Access to Archival Documents**

The Hungarian Jewish Museum and Archives is one of Europe's richest Jewish archival collections, holding materials dating from the founding of local communities at the end of the 18th century through the present, as well as other archival materials about Jewish values and history. It is a public archive and belongs to Mazsihisz. It has a permanent exhibition displaying the history of the Jewish quarter in Budapest, telling a story of more than 80 houses and their inhabitants between 1758 and today. The Archives and the Budapest University of Jewish Studies together receive from the Hungarian government 160 million HUF (approximately



\$550,000) yearly as part of the support budgeted for cultural institutions. Mazsihisz and EMIH both reported having good access to Hungarian Judaica objects, artifacts, and archival documents.

### **Education, Remembrance, Research, and Memorial Sites**

In 2011, the Hungarian government changed the public education framework and centralized the textbook market. Critics, including Jewish groups, Holocaust experts, and others, faulted the manner in which textbooks covered Holocaust and Jewish issues. Jewish groups also were concerned that the textbooks would have rehabilitated anti-Semitic writers or other figures from the Horthy era. In 2012, some teachers formed an education roundtable and worked closely with government officials who accommodated some of the teachers' recommendations on how textbooks could better treat Jewish culture and World War II history. In addition, works by pro-Horthy writers did not become required reading material. Mazsihisz and EMIH both reported that they were pleased with the corrections.

Hungary has been a member of the International Holocaust Remembrance Alliance (IHRA) since 2002 and twice chaired the organization, most recently in 2015. At that time, Hungary was instrumental in helping IHRA succeed in changing the language of the European Union's General Data Protection Regulation to ensure access to archives related to the Holocaust.

The Hungarian government opened the Holocaust Memorial and Documentation Center (HDKE, often called the Paiva Street Museum) in 2004. The state-governed HDKE contains a permanent exhibit on the Holocaust in Hungary, research facilities, and a memorial site to Hungarian victims. However, its future is unclear due to a low operational budget and the government's plans to open another Holocaust museum called the House of Fates. The government announced in 2013 that the new museum would open in 2014, on the 70th anniversary of the deportations of Hungarian Jews to concentration camps, and that EMIH would own and run it. However, strong opposition by Jewish communities, Jewish organizations, domestic and international scholars, and other governments led the Hungarian government to postpone the expected opening date to 2019. The museum has not yet opened. Those concerned about the new museum stressed the importance of ensuring that it accurately reflects the responsibility of World War II-era Hungarian leaders and some ordinary Hungarians for the deaths of hundreds of thousands of Hungarian Jews. In June 2019, after a request by the Hungarian delegation to the IHRA, the IHRA agreed to appoint a group of experts to provide input or suggestions to the international advisory board of the planned House of Fates museum.

Hungarian authorities in recent years have erected statues and other memorials for Horthy-era figures, although plans for one of these statues were canceled after generating international controversy. The government also erected in 2014 a monument for the "victims of the German occupation," which gave the impression that Hungarians had no involvement in the Holocaust and other atrocities during the war. Jewish groups created a "living memorial" in front of the monument with photos and other memorabilia of relatives who perished. This collection has been vandalized several times.

### **The Welfare of Holocaust (Shoah) Survivors and Other Victims of Nazi Persecution**

As of mid-2019, there were approximately 4,500 Holocaust survivors in Hungary. On the basis of a 1993 law, the Hungarian government compensates persons who were unlawfully deprived of life and liberty. Eligible persons are those whose relatives lost their lives between 1939 and 1989 due to politically motivated action by Hungarian authorities, those whose relatives died during deportation or Soviet-ordered forced labor, and those forced to perform labor due to racial, religious, or political reasons during World War II. Hungary pays Holocaust survivors a monthly pension supplement on top of the pension they receive from the German government. The Claims Conference also provides funding to assist Holocaust survivors living in Hungary through the Budapest-based Mazs (Hungarian Jewish Social Support Foundation). These payments include stipends for home care, food, medical assistance, transportation, and other emergency services. The American Jewish Joint Distribution Committee established Mazs in 1991.

## **IRELAND**

The Jewish population in Ireland is 2,557 according to the 2016 census, more than half of whom are Israelis working for multinational corporations. The Jewish community has generally been accepted in Irish life, but there have been instances of anti-Semitism. Ireland accepted approximately 30 Jewish refugees, four of whom were Holocaust survivors.

### **Immovable Private, Communal/Religious, and Heirless Property**

There are no immovable property restitution laws specific to the Holocaust era because, as the Department of Foreign Affairs and Trade (DFAT) states, “Ireland was a neutral country during World War II and was not a participant in the conflict. As such, the Government of Ireland understands that there are no specific issues with regards to Immovable Property Confiscated or otherwise related to Ireland.” The Department of State is not aware of any claims by the local Jewish community or American citizens regarding real property dating from the Holocaust era.

### **Movable Property: Nazi-Confiscated and Looted Art, Judaica, and Jewish Cultural Property**

Although Ireland did not participate in the 1998 Washington Conference on Holocaust-Era Assets, it has taken certain steps to abide by its principles. The Department of Culture, Heritage and the Gaeltacht (the Irish language) has confirmed that Ireland experienced only one case in which allegations concerning provenance were made and did not enact formal implementation mechanisms in this regard. The country’s policy is to monitor these issues as they may evolve and to proceed on a case-by-case basis. Ireland is a signatory to the International Committee of Museums’ Code of Ethics, which commits the country to documenting the provenance of state holdings of artwork. The Irish government funded an evaluation group in 2005 and later funded the work of an internationally recognized expert on Nazi-looted art during World War II to investigate allegations made by the Wiesenthal Center in Paris that the Hunt Museum in Limerick held a significant amount of looted artwork. These investigations found no incidences that the Hunt Museum held looted art.

In 2012-2013, the National Gallery of Ireland received two separate claims for restitution of three paintings in the national collection. It was requested to either return these paintings or conclude a settlement conforming to the 1998 Washington Conference Principles on Nazi-confiscated Art. While Ireland was not a participant in the conference, the National Gallery’s website confirms it supports the consensus achieved at that conference. The Gallery conducted internal research and commissioned a private provenance researcher; on both claims, the museum declined the requests for return of or a settlement for the items because of insufficient evidence. It also said, however, that if new details come to light it would consider reexamining the claims.

There is no known indication of looted Judaica or Jewish cultural property present in Ireland.

### **Access to Archival Documents**

Public access to archival documents is generally good, with the exception of particularly sensitive material, which is reviewed at least every five years to see if any document can be released for the public viewing. Irish law guarantees the right of access to information, and the government abides by this right in practice.

### **Education, Remembrance, Research, and Memorial Sites**

Ireland is a member of the International Holocaust Remembrance Alliance. The Irish government co-organizes and has high-level participation in annual ceremonies of remembrance and commemoration, including on International Holocaust Remembrance Day on January 27. The government and civil society arrange public lectures, events, and exhibitions throughout Ireland. The Irish government also provides funding to civil society organizations focused on promoting education and information about the Holocaust. The Department of Education and Skills subsidizes the costs of intensive teacher training and a certificate in Holocaust education. The Holocaust is a mandatory part of Ireland's school curricula.

## **ISRAEL**

Israel is strongly committed to upholding the tenets of the 2009 Terezin Declaration on Holocaust-Era Assets. Israeli law requires the government to seek out Holocaust survivors and their heirs and to help return Holocaust-era assets to their rightful owners. Through the Office of the Custodian General, which operates under the authority of the Ministry of Justice, Israel is working to return Holocaust-era property and assets in its possession to the rightful owners or heirs and is active internationally in urging other countries to do the same.

The modern State of Israel was founded in 1948. Most of the Holocaust-era assets under Israeli government control are immovable property (i.e., property that belonged to non-resident Jews who owned property in Israel but perished in Europe during the Holocaust), rather than looted or Nazi-confiscated property.

Israel is home to the largest number of Holocaust survivors in the world, nearly 180,000. Most remaining survivors were children at the time of the Holocaust. Survivors resident in Israel include both Jews who were victims of the Nazis in Europe, and Jews from the Middle East and North Africa who were victims of pogroms or other violence, were placed in labor or concentration camps in those countries, or were transported to death camps in Europe. Caring for Holocaust survivors is costly and challenging, particularly as they advance in age. This, along with the moral imperative to seek justice for Holocaust survivors while they are still alive, drives Israeli government efforts to return Holocaust-era property to the rightful heirs and to encourage other governments to do the same.

### **Immovable Private, Communal/Religious, and Heirless Property**

Immovable property accounts for the lion's share of unclaimed Holocaust-era property in Israel. This is largely comprised of real estate that was owned by non-resident Jews who perished in the Holocaust. In 2007, the Knesset passed a law establishing the non-governmental Company for Location and Restitution of Holocaust Victims' Assets ("the Company"), whose mandate was to locate Holocaust victims' assets in Israel, transfer the assets to the Company's trust, identify the rightful property owners, and return those assets or their fair value to the rightful owners or heirs. Further, the Company was charged with providing aid, medical assistance, and other care and welfare to Holocaust survivors, as well as to entities and agencies that assist them.

Between 2007 and 2017, the Company located assets with a total value of more than \$500 million, including 679 real estate properties worth \$230 million. Of that \$500 million in assets, the Company located heirs for nearly \$200 million worth of assets. In 2013, Company and Israeli government officials determined that the Company had "reached the point of balance between its ability to trace additional substantial assets and their diminishing value," and the law establishing the Company was amended to close it down in 2017.

In 2017, responsibility for the remaining properties was transferred to Israel's Office of the Custodian General, which falls under the Ministry of Justice. The Custodian General received about 500 properties from the Company and is working to locate the heirs. Since January 2018, the Custodian General located heirs for approximately 60 of the properties. In 14 cases, the

Custodian General determined that a property was heirless. Those properties were sold, and the profits will be used to benefit Holocaust survivors.

Under Israeli law, the Custodian General has until 2023 to locate heirs for the remaining 400-plus properties. After 2023, the properties will be sold and the profits used to benefit Holocaust survivors. If a claimant comes forward after 2023, he or she will still be eligible to receive a sum equivalent to the sale price of the property plus interest. Israeli law guarantees that a rightful heir can make a claim in perpetuity.

The Custodian General has a team of 12 researchers working full-time to identify the rightful heirs of the remaining Holocaust-era real estate in its control. These include historians and genealogists, some of whom speak German, Polish, or other European languages, who can evaluate archival records from Israel as well as countries where the Holocaust took place. Claims are reviewed on a case-by-case basis, and evidentiary requirements will vary depending on how much historical information is available to researchers. In many cases, genealogical information prepared by the Custodian General, along with original property ownership documents, is sufficient to prove a claim, even if a death certificate or other original documents from Europe are not available. In some cases, the Custodian General has discovered the existence of an heir who had no idea he or she was the rightful owner of a Holocaust-era asset.

The Custodian General publishes ads in newspapers and magazines to reach Jewish community members in the United States, Europe, Latin America, and elsewhere. When the Company was in operation, it had also posted to its website a list of nearly 7,000 original property owners who had a claim to some type of Holocaust-era property, along with a contact form via which that person's heirs could submit a claim for the property.

#### Dormant Bank Accounts and Share Certificates

In recent years, as a result of a lawsuit brought by Holocaust survivors, several Israeli banks reached settlements with the Israeli government and transferred funds from dormant Holocaust-era bank accounts to the Ministry of Finance, according to contacts and press reports. These include a \$40 million transfer by Israel's Bank Leumi in 2011, and approximately \$5.6 million from other banks between 2009 and 2013. The funds were earmarked for the provision of services to Holocaust survivors. Many European Jews had deposited money in banks that existed prior to Israel's founding, and many of these account holders died in the Holocaust.

In addition to dormant bank accounts, some people – including those with no direct connection to the Holocaust – still hold Mandate-era share certificates in the Jewish Colonial Trust (JCT), a precursor to the Anglo-Palestine Bank and later Bank Leumi. The Custodian General honors those share certificates, which were originally sold in the early 1900s for about one British pound sterling, providing compensation for both the original share price as well as accrued dividends. Most individual JCT shares are currently valued at approximately \$555 dollars, according to the Company's website.

## **Movable Property: Nazi-confiscated and Looted Art, Judaica, and Jewish Cultural Property**

While the vast majority of Nazi-looted art is in Europe, according to press reports, art dealers trafficked widely in Nazi-looted art after World War II. Jewish or Israeli collectors may have unwittingly purchased some of those looted pieces, and some may now be in Israeli museums. Pre-1948 art curators acting on behalf of the Jewish Agency, in an effort to preserve Jewish art, also brought pieces to Israel after the Holocaust. The U.S. military also transferred thousands of additional Nazi-looted cultural items, which had clearly belonged to Jews, to the Jewish Cultural Reconstruction (JCR) and the Jewish Restitution Successor Organization (JRSO), which later shipped them to Israel. While the Israeli government has information about the cultural property that the JCR and JRSO transferred, information about Nazi-looted art still requires significant provenance research. The National Library of Israel has not yet marked every item it received from the JCR.

At least two dozen such pieces of art have been identified and marked for restitution in recent years, according to press reports, and experts believe there may be hundreds more pieces that have yet to be identified. Many Israeli museums lack the training and funding to research the provenance of their collections, according to contacts and press reports. Even if a piece can be identified as having been looted or stolen by the Nazis, it can sometimes be difficult to identify the rightful owner or his/her heirs. Moreover, some museums may be hesitant to sell heirless art, even if the proceeds benefit Holocaust survivors, because of the belief that Nazi-looted art should remain in the hands of the Jewish people in Israel. While the issue of looted art is not covered by Israeli law, the official position of the Israeli government is that property looted during the Holocaust should be returned to its previous owners or their heirs.

Some commentators have publicly criticized Israel for not doing more to identify and return Nazi-looted art. These critics say Israel's failure to do more to return looted art undermines efforts to encourage European governments to do the same.

Despite the challenges of identifying Nazi-looted art or cultural items and returning it to the rightful heirs, there have been recent non-governmental efforts in Israel to highlight the issue. In October 2018, the Center of Organizations of Holocaust Survivors in Israel hosted a conference on the future of looted art. One outcome of that conference was the Jerusalem Declaration on the Future of Looted Art, which calls for a just and fair solution that recognizes the previous Jewish ownership of heirless cultural assets. The declaration calls for museums and galleries to display such art with explanations of Nazi looting, and suggests that unclaimed looted art should be temporarily loaned to and exhibited in museums in Israel and around the world.

## **Education, Remembrance, Research, and Memorial Sites**

Israel is home to a number of Holocaust museums. These include Yad Vashem, the Chamber of the Holocaust, the Ghetto Fighters' House Museum, and the Massuah International Institute for Holocaust Studies, which aims to bring young people from Israel and around the world into dialogue with the memory of the Holocaust. There are also hundreds of small memorials throughout Israel honoring people or families who died in the Holocaust. The Jewish National

Fund (JNF), for example, planted six million trees in a “Martyr’s Forest” in 1951, according to the JNF website.

Each year, the International School for Holocaust Studies (ISHS) at Yad Vashem hosts more than 350,000 schoolchildren, university students, and educators. The ISHS trains educators and develops tools to teach about the Holocaust, using a multi-disciplinary approach that is age-appropriate. The Israeli Ministry of Education has also created a comprehensive Holocaust education curriculum for students from kindergarten through high school.

Each year, Israel marks Yom HaShoah as a day of commemoration for the Jews who died in the Holocaust. Yom HaShoah commemorations began in 1951, and the day became a national memorial day under Israeli law in 1959. Every year on Yom HaShoah, an air raid siren sounds at 10:00 a.m., and the country’s Jewish populace observes two minutes of solemn reflection. Israel also commemorates International Holocaust Remembrance Day annually on January 27. Israel became a member of the International Holocaust Remembrance Alliance in 1998.

In the days leading up to Yom HaShoah, many Israelis refocus their efforts to remember the Holocaust and educate others about its horrors. One highly successful program is “*Zichron B’Salon*” (Memory in the Living Room) in which Israelis host small groups of people in their homes to meet with Holocaust survivors in an intimate setting.



## **ITALY**

Before World War II, Italy had a population of about 50,000 Jews, of whom approximately 8,000 were killed in the Holocaust. According to the Union of Italian Jewish Communities, approximately 28,000 Jews live in the country today. Italian Jews, including those who had converted to Catholicism, experienced two periods of persecution. The first began in 1938 with the adoption of the racial laws under Benito Mussolini. In 1938, Royal Decree 1728 banned marriage between Jewish and non-Jewish Italians; prohibited Jewish books; excluded Jews from public office and other professional positions, including in banks, insurance companies, and schools; and introduced limits on Jewish businesses and property ownership. In March 1939, the government established the Agency for Real Estate Management and Liquidation, responsible for administering confiscated “exceeding assets,” the term it gave to assets the dictatorship determined Jews were not allowed to have.

The second period of persecution started in 1943, when Italian and Nazi German authorities began arresting Jews, seizing their assets, and deporting many to concentration camps north of the Alps. In January 1944, after the king removed Mussolini from power, the Badoglio government adopted two decrees abolishing the racial laws for the central and southern Italian regions liberated by the Allied powers. In the Nazi-occupied northern regions, however, restrictions on Jews became stricter under Mussolini’s puppet state, the Italian Social Republic (Repubblica di Salò), until its final defeat by the Allies in April 1945.

The Italian government is committed to the Terezin Declaration and to complying with its goals and objectives. The Union of Italian Jewish Communities reported that in general most confiscated assets were returned to their owners or next of kin, except in cases when the latter could not be identified. However, governmental institutions have not followed up on the Anselmi Commission’s recommendations to try to identify survivors or their heirs entitled to unclaimed property. (In December 1998, the Italian government created the Anselmi Commission, a technical body whose mandate was to investigate the confiscation and restitution of Jewish assets during the Holocaust. The Commission found evidence of at least 7,847 local and national government decrees expropriating Jewish assets during the Fascist era and analyzed 7,187 of them.) The decrees affected approximately 8,000 individuals and 230 companies.

Assets seized by provincial authorities have not been quantified or returned.

### **Immovable Private, Communal/Religious, and Heirless Properties**

After World War II, the government approved norms to return seized assets to Jewish victims of persecution or to their heirs. On May 11, 1947, the government adopted the Decree of the Temporary Head of State 364, which established inheritance norms for victims of racial crimes.

#### **Private Property**

The country’s Agency for Real Estate Management and Liquidation (EGELI) had reported in 1939 that properties it seized were worth more than 55 million lira (approximately \$53 million in current value). After the war, EGELI was tasked with cataloguing and returning seized property.

Property owners criticized the process because legislation (DLLGT 393/1946) required them to pay EGELI for administrative expenses the agency incurred during the war in order to receive their assets. The value of assets confiscated by provincial authorities, pursuant to a November 1943 police order, has not been quantified.

By the end of 1944, the Italian government had confiscated bank accounts worth 75 million lira (approximately \$6.9 million), government bonds worth more than 36 million lira (\$3.4 million), shares worth almost 731 million lira (\$69 million), land worth 855 million lira (\$80 million), and 198 million lira (\$12.4 million) worth of buildings, according to a March 1945 Ministry of Finance report.

Gold and other valuables taken from Jewish families before the 1943 Nazi deportations from the Rome ghetto have not been found. The Union of Italian Jewish Communities (UCEI) has begun working with the Bank of Italy to identify the contents of a number of sacks stored there containing unclaimed miscellaneous coins, assets, and financial instruments (bonds, insurance policies, etc.) recovered in Rome at the end of the war. UCEI understands that the Italian government assembled a commission in early 2019, led by the Ministry of Economy, to examine the items and to provide historians with material shedding light on the economic conditions faced by Jewish families living in Rome during the war. The commission's goal is to make a catalogue of the items in storage, assign a current value to each item, and attempt to identify the owner(s).

The Anselmi Commission released its final report and recommendations in April 2002. The report's findings show, in general, that assets were returned to deported survivors who submitted claims, but those survivors or heirs who did not submit claims were not proactively traced and compensated. The Commission recommended that Italian authorities investigate unclaimed assets in order to identify survivors and heirs who may not have filed claims, and highlighted in particular the need to investigate the unclaimed assets stored in the Italian investment bank Cassa Depositi e Prestiti, which provides financing services for public-sector investments in Italy. Government institutions have not, in most cases, followed up on these recommendations. Furthermore, UCEI was aware of several anecdotal cases where Jews sold their assets at below market value during the Holocaust due to dire and life-threatening circumstances. Post-war trauma and fear caused many Holocaust survivors and heirs not to pursue compensation for many years.

The Italian legal principle of acquisitive prescription, by which citizens rightfully own certain immovable assets not claimed within twenty years, limits the scope of possible restitution at this point.

### Communal Real Property

During World War II, Nazis and Italian Fascists confiscated a number of libraries, archives, and other cultural assets belonging to Jewish communities in the country. Most of the libraries and archives were returned after the war. Law DLG 736/1948 extended provisions to the Jewish community that first were provided only to the Catholic community for the repair and reconstruction of buildings of worship and premises of public charities.

## Heirless Real Property

Italy adopted heirless property legislation in 1947 (Law DLCPS 364/1947). In the 1950s, however, the government decided to use unclaimed, heirless property still under its possession as a “refund” for the unpaid EGELI administrative expenses, without official forfeiture on the rightful owners’ behalf or consulting the Jewish community. In 1997, the government passed Law 233/1997 providing that any formerly Jewish-owned asset still held by the state not traceable to a rightful owner would be transferred to UCEI for distribution to relevant communities.

## **Movable Property: Nazi-confiscated and Looted Art**

Italy has not instituted specific laws regulating the restitution of movable property, but rather has treated such claims in the same manner as immovable property. UCEI confirmed that it was aware of no outstanding claims of the Jewish community in Italy concerning Nazi-confiscated or looted art. The Ministry of Cultural Assets has established a committee, of which the UCEI president is a member, to identify looted art in Italy’s museums. Previous government attempts to identify stolen art were hampered by the lack of systematic provenance studies and comprehensive catalogs of looted or confiscated art.

In January 1999, the Inter-Ministerial Commission for the Restitution of Artworks Seized During World War II concluded there were no artworks belonging to Jews in Italian museums or institutions, based solely on examination of the “Siviero archives.” Rodolfo Siviero was director of the Ministry of Culture’s office dedicated to recovering the artworks and had created the archive while tracing and helping to return to Italy pieces that had been illegally exported between the 1930s and 1980s. Experts acknowledge that Siviero’s efforts are not complete by modern provenance standards. One expert reported some of the stolen artworks catalogued in a database kept by the Carabinieri (Italian gendarme police) were likely looted from Jewish families; the Ministry of Cultural Assets reportedly plans to work with the Carabinieri to identify which artworks had belonged to Jews.

Most of Italy’s activity in this area has been at the federal level, but much of the looting was done at the city and communal levels. Recent research concerning the latter has improved, partly due to Italy’s participation in the EU-sponsored project “TransCultAA-Transfer of Cultural Objects in the Alpe Adria Region in the 20th Century.”

## **Judaica and Jewish Cultural Property**

In 1943 and 1944, Nazi German and Fascist Italian officers burned or destroyed archives of many local Jewish communities, which made it all the more difficult to track cultural property and its ownership. In Turin and Alessandria, both the archives and the libraries were vandalized or destroyed. In Turin, parts of the confiscated Jewish library were returned after the war.

The Jewish community in Rome, which comprised almost half of the country’s Jewish population before the war, successfully hid many historical artifacts, but some items in the community’s archive were confiscated or destroyed. In 1943, the Nazis seized the contents of

two libraries located in Rome in the same building: the library of Rome's Jewish community (4,728 books, 28 incunabula, and 183 books printed in the 16th century) and the library of the Italian Rabbinical College, a collection originally from Florence but later transferred to Rome (comprising 6,580 books and 1,760 booklets). The libraries contained prayer books, documents, prints, and manuscripts from all periods of Jewish history in Italy. The rabbinical library's collection was recovered in Germany after the war, but the majority of the contents of the Rome community library disappeared. In 2003, the Italian government established a committee of inquiry. It was unable to determine the fate of most of the contents, although it identified some manuscripts held in the collections of the Jewish Theological Seminary in New York and the Hebrew Union College in Cincinnati as having come from the Rome libraries. UCEI representatives noted that there was little hope of recovering the books, as they did not contain permanent markings identifying them as part of the libraries and were most likely dispersed worldwide. The UCEI representatives also stated that the majority of movable property taken during the Holocaust era was believed to have been taken at the local level, without administrative orders from national fascist authorities, and therefore was difficult to trace systematically.

### **Access to Archival Documents**

In general, public archives are fully accessible, although some researchers reported to the International Holocaust Remembrance Alliance that they had experienced occasional obstacles accessing Holocaust-era records at some state archives. The United States Holocaust Memorial Museum reports good and consistent cooperation with Italian governmental archives.

Banks such as Intesa San Paolo and Monte dei Paschi di Siena have reorganized and preserved some of the EGELI archives, but researchers note the lack of digitalization, the redress of which would facilitate their work and asset restitution.

### **Education, Remembrance, Research, and Memorial Sites**

In 2000, parliament established International Holocaust Remembrance Day on January 27, and each year, a series of ceremonies – including one presided over by the President of the Republic – commemorates the Holocaust. In December 2017, a law established March 6 as Memorial Day for the Righteous of Humanity, commemorating those who “in whatever time and whatever place have done good by human lives, have fought for human rights during genocides and have defended the dignity of the human person.” The Ministry of Education and the City of Rome organize two fully paid trips annually for high school students to Auschwitz-Birkenau and other Nazi concentration and death camps. The government also holds an essay competition and other projects for high school students to cultivate Holocaust knowledge and remembrance. Every spring, Italian authorities commemorate the March 24, 1944 Ardeatine massacre, in which Nazi German soldiers murdered 335 people, including 65 Jews, outside of Rome.

As part of ongoing efforts to strengthen the tradition of remembrance, the City of Milan allotted €500,000 (\$550,825) for the construction of a Shoah Memorial. The Ministry for Cultural Assets provided about €180,000 (about \$198,297) to the Center for Contemporary Jewish Documentation in Milan, and the government provided €49 million (approximately \$54 million)

for the Museum of Italian Jews in Ferrara. Rome's city government has allotted more than €13 million (approximately \$14.3 million), plus the land, for the construction of a new site for the Shoah Rome Museum, although construction has been delayed.

### **The Welfare of Holocaust (Shoah) Survivors and Other Victims of Nazi Persecution**

In 1955, parliament approved law number 96, extending benefits originally granted to victims of political persecution to victims of racial crimes and their heirs. In 1980, Parliament passed Law 791 to provide a monthly stipend (equivalent to €500 or about \$545) for Holocaust victims or their children. Currently, 1,500 Jews are said to receive the stipend. In 1998, the Court of Cassation ruled victims of "moral violence" (i.e., psychological trauma and extreme hardship) were eligible for the same benefits as victims of political persecution and racial crimes, and in 2003, the Court of Cassation specified that Jews expelled from schools under Fascism, as well as their spouses and children, were eligible for these benefits. In 2015, the Prime Minister's Office extended benefits to Jews who had been living in Libya under Italian occupation, many of whom were prohibited from attending public schools, dismissed from work, and subjected to forced labor and forced migration. The Union of Italian Jewish Communities believes that interpretation of these laws has become more restrictive over the last five years, preventing new applicants from obtaining the benefits if they do not have documentation, eyewitness accounts, or were too young to attend school during the adoption of the 1938 racial laws.

### **U.S. Citizen Claims**

U.S. citizens were not subject to any special requirements. UCEI stated it is unaware of any outstanding Holocaust era restitution claims from U.S. citizens.

## **LATVIA**

Approximately 94,000 Jews resided in Latvia prior to World War II (WWII). The Soviet Union occupied Latvia in June 1940 and annexed the country that August. Following Nazi Germany's invasion of the Soviet Union in June 1941, the Nazis occupied Latvia. Detachments of German *Einsatzgruppen* (mobile killing units), together with certain Latvian and other auxiliaries, massacred most Latvian Jews during the period of Nazi occupation from 1941 to 1944, according to the U.S. Holocaust Memorial Museum (USHMM). In addition, the Nazis deported thousands of German and Austrian Jews to the Riga ghetto between 1941 and early 1942, most of whom were murdered.

In 1944, when the Soviet army reoccupied Latvia, only a few hundred Jews remained. After the war, about 1,000 Latvian Jewish survivors returned to Latvia from Nazi concentration camps elsewhere in Europe, and another several thousand Jews who had escaped to the Soviet Union during the war also survived. According to the World Jewish Congress, Latvia is now home to between 5,000 and 12,000 Jews.

Following the reestablishment of the independent Latvian state in September 1991, Latvians, regardless of current citizenship or residency status, were able to apply for restitution of private and communal property confiscated during the Nazi and Soviet periods. Several Jewish private properties were returned to individual owners or to their heirs through this process. In some cases, authorities offered substitute properties or government vouchers if the actual property could not be returned. The short submissions window, however, limited the number of claims filed. Until 2019, the government maintained that property restitution in Latvia had been addressed in the 1990s and 2000s and that the window for filing claims was closed. Some government officials cited budget constraints to argue against reopening the claims process.

From 1991 to 2016, Latvia returned some of the communal and religious property confiscated during the Holocaust and Communist eras, but the Latvian Council of Jewish Communities has identified approximately 265 such properties that still need to be returned. Jewish community groups also advocate for Latvia to address the issue of private immovable property throughout the country that was left heirless as a result of the decimation of the community during the Holocaust. In mid-2019, the country's new coalition government expressed a willingness to take up the remaining restitution issues, but as of October 2019, the parliament had not adopted the government's draft legislation.

### **Immovable Private, Communal/Religious, and Heirless Property**

Private and communal property that had been confiscated during the Nazi occupation was subjected to a second round of confiscations after 1944, this time by Communist authorities. After 1991, some formerly Jewish-owned private properties were returned in cases where the rightful owners could be identified. In addition, from 1994 to 2006, 36 religious and communal properties (including synagogues, hospitals, and community centers) were returned to the local Jewish community. However, the process did not resolve all religious and communal properties claimed by the Jewish community. On at least two occasions since the early 2000s, the government made attempts to negotiate comprehensive agreements with Jewish community

groups that would address the restitution of remaining communal property and partially address Holocaust-era heirless property. Neither of those attempts succeeded.

In 2013, the U.S. Embassy in Riga and the Special Envoy for Holocaust Issues helped broker a multi-step restitution process between the Latvian government and the Jewish community regarding the remaining communal properties. After delays and further debate, the Latvian parliament approved legislation in 2016 to return five specific communal properties, valued at a total of approximately €5 million (approximately \$5.4 million in 2016). The Jewish community maintains that this was just the first step toward completing communal property restitution, but the government at that time treated the process as complete.

Following the formation of a new government in January 2019, some members of the coalition and their supporters in parliament indicated a willingness to pursue legislation that would resolve the status of the remaining 265 religious and communal properties. The proposal under discussion would likely involve a cash payment to the Jewish community as equitable compensation in lieu of restitution of remaining communal and heirless property and would include safeguards to ensure the proper management of the compensation. The proposal would entail use of some of the compensation funds for Holocaust education and related educational purposes, as well as help to Latvian Holocaust survivors wherever they currently reside. In June 2019, members of parliament introduced legislation to establish an approximately €40 million fund (approximately \$44 million dollars) for the Jewish community. In August, the government withdrew the bill due to political infighting and difficult national financial conditions. The bill's sponsors plan to conduct additional internal and public outreach on the proposal before re-submitting the bill.

Some individuals continue to try to pursue private property claims in the country, pointing to the obstacles they faced in meeting the short submission claims filing period. This is especially true for Latvians who fled the country after WWII and did not retain Latvian citizenship. The Department is aware of at least one potential claim in Latvia concerning Nazi-confiscated properties and land reportedly owned by a U.S. citizen's grandfather.

### **Movable Property: Nazi-Confiscated and Looted Art, Judaica, and Jewish Cultural Property**

The Latvian Jewish community is not aware of pending issues with Holocaust-era Jewish movable property that had not been restored to the original owners or their heirs following Latvia's return to independence in 1991. The Department is not aware of issues related to Holocaust-era Judaica or Jewish cultural property.

### **Access to Archival Documents**

Latvia generally provides access to archival documents that may assist in proving ownership of Holocaust-era property.

### **Education, Remembrance, Research, and Memorial Sites**

Latvia joined the International Holocaust Remembrance Alliance in 2004. Teaching about the Holocaust is a required part of the school curriculum. Riga's "Jews in Latvia" museum, and the Riga Ghetto and Latvian Holocaust Museum provide educational programs on the Holocaust.

Latvian government officials participate in Holocaust remembrance events, including by laying wreaths at Holocaust memorials and participating in other Holocaust-remembrance presentations and gatherings. Since 2016, a November 30 candle-lighting event has been held at the Freedom Monument in Riga in memory of the approximately 26,000 to 30,000 Jews killed in the Rumbula Forest outside Riga by the Nazi *Einsatzgruppen* and local auxiliaries in 1941.

Latvia has several Holocaust memorial sites, including the Bikernieki Memorial and the Rumbula Forest Memorial, as well as smaller communal sites such as the Bauska Holocaust Memorial and the Zanis Lipke Memorial. July 4 is the Day of Remembrance of the Victims of the Holocaust in Latvia. On that day in 2019, officials unveiled a memorial in Riga dedicated to the Hungarian Jewish women who were deported to labor and concentration camps in Latvia during the Nazi occupation and perished.

### **The Welfare of Holocaust (Shoah) Survivors and Other Victims of Nazi Persecution**

There are no special government programs in Latvia to support Holocaust survivors and other victims of Nazi persecution. There are several general support programs available for seniors, including age and disability pensions, support for the spouses of deceased pension recipients, and other state-paid benefits. The Conference on Jewish Material Claims Against Germany supports Holocaust survivors in Latvia.



## **LITHUANIA**

Lithuania was a significant center of Jewish cultural, economic, and intellectual life before World War II (WWII). According to the U.S. Holocaust Memorial Museum, the pre-war Jewish population was approximately 160,000, or seven percent of the total population. Vilnius, which boasted 106 synagogues and a population that was 40 percent Jewish, was known by some as the “Jerusalem of the North.” Following the start of WWII in 1939 and the Soviet occupation and annexation of the country in 1940, Lithuania’s Jewish population swelled to approximately 250,000 persons due to the influx of refugees coming from German-occupied Poland. In June and July 1941, Nazi Germany occupied Lithuania. Once in control of the country, the Nazis and collaborators began the mass murder of the Jewish population, killing 90 percent of Lithuania’s Jews by the time Soviet troops reoccupied Lithuania in summer 1944.

Lithuania’s Jewish population as of mid-2019 was less than 4,000 and included many who came to Lithuania from other parts of the former Soviet Union.

In 2011, Lithuania passed important legislation for communal property restitution. The legislation provided for a one-time direct payment to Lithuanian Holocaust survivors and allocated €36 million spread out over 10 years to establish the Good Will Foundation, which funds projects to benefit the country’s Jewish population. Currently, no mechanism exists to provide private property restitution for persons who were only able to prove or reclaim Lithuanian citizenship after 2001 or who have not regained their citizenship. Lithuania has no law for the restitution of Holocaust-era heirless property.

The Lithuanian parliament has dedicated the year 2020 to a commemoration of the legacy of Rabbi Elijah ben Solomon Zalman (a prominent 18th century rabbi known as the Vilna Gaon) and the history of Lithuanian Jews. In its announcement, the parliament commended the significant contributions of Lithuanian Jews to the development of Lithuania’s statehood, history, culture, and scientific discoveries. The government is collaborating with the Jewish Community of Lithuania and cultural institutions to design a year-long schedule of commemorative events, public lectures, and exhibitions to highlight the contributions of Lithuanian Jews and raise public awareness of Lithuania’s role in the Holocaust.

### **Immovable Private Property, Communal/Religious Property, and Heirless Property**

Lithuania’s private property restitution laws provided a mechanism through which individuals who were citizens as of December 31, 2001, could submit a claim for private property restitution or compensation. Those who were only able to prove or reclaim Lithuanian citizenship after 2001 were not eligible to submit a claim. Currently, no mechanism exists to provide restitution for these persons or those who have not regained their citizenship. In May 2015, the Lithuanian government established a joint commission to evaluate, among other things, how citizenship adversely affected private property claims. The Ministry of Justice produced a report looking at models from other countries, but the government later abolished the commission. The current government is holding discussions with members of parliament and Jewish groups to find a resolution.

In 2011, Lithuania passed legislation for communal property restitution, known as the Law on Good Will Compensation for the Real Estate of Jewish Communities (Good Will Compensation Law). This legislation was passed after 10 years of negotiations with the World Jewish Restitution Organization (WJRO) and national Jewish Community of Lithuania during a period of extreme austerity measures. The law established the Good Will Foundation and provided compensation for two purposes: (1) to fund religious, cultural, health care, sports, educational, and scientific goals pursued by Lithuanian Jews in Lithuania; and (2) to provide a one-time payment of €870,000 (approximately \$1.2 million in 2011) to be divided among approximately 1,550 Lithuanian Holocaust survivors. The law allocated €36 million to the Good Will Foundation over a 10-year period to carry out the first goal. The amount was based on the estimated value of the nationalized or confiscated communal property the government deemed eligible for restitution. There were approximately 1,500 communal properties before WWII, but most were destroyed during the war and therefore not eligible for restitution or compensation. The Jewish community submitted a list of 438 buildings for inclusion in a communal property list, but the government accepted only 152. The Good Will Compensation Law prohibits any future claims from the Jewish community for communal property.

Every year, the Good Will Foundation receives around €3.6 million (approximately \$3.9 million using an average 2019 euro to dollar exchange rate) from the Lithuanian government for the implementation of the goals identified in the law. The Foundation (with joint membership of the WJRO and the Lithuanian Jewish Community) operates as a charitable organization. Because it is subject to government procurement rules and oversight, it lacks the ability to independently manage its funds. Jewish community representatives explained that, for example, although the Foundation has the legal right to purchase the state-owned Jewish Community center building in Vilnius, the law does not permit the Foundation to use its funds to carry out the necessary renovations. Jewish community groups advocate for additional legislation to allow the Good Will Foundation to function more independently.

In 2014, Lithuania dedicated €2.6 million (approximately \$3.458 million at the time) of European Union Structural Funds to renovate synagogues in the country through the year 2020. There are 48 registered synagogues in Lithuania; the Jewish Community of Lithuania manages 14 of them, and municipalities throughout the country are responsible for preserving and renovating the remaining 34. Lithuania has also used European Economic Area funding to support Jewish heritage restoration projects, and in 2019, Lithuania allocated €620,500 (approximately \$683,000) from the government budget for the renovation of Jewish cultural and religious buildings and sites. There are several examples of renovated synagogues throughout the country, including in the regions of Kedainiai, Pakruojis, Ziežmariai, and Joniskis.

The Great Synagogue of Vilna, the oldest synagogue in Lithuania, was damaged in WWII and subsequently leveled. In 2015, historians, architects, and scholars from Lithuania, the United States, and Israel commenced a joint excavation project that identified 3,451 archeological artifacts and located the foundations of the *bimah*, or focal point of the sanctuary, as well as two ritual baths. There have been ongoing discussions regarding what to do with the site. An international group of experts advised against rebuilding the synagogue, instead recommending conservation and exhibition of the foundations and other elements of the structure that still exist; the Ministry of Culture is gathering views from stakeholders. The Lithuanian government and

Jewish heritage preservation groups in Europe have designated the few remaining wooden synagogues as cultural heritage sites.

In regard to protecting Jewish cemeteries, the government approved plans in 2019 to establish a permanent exhibition devoted to the history of the Snipiskes Jewish cemetery in Vilnius. In the 1970s, the Soviets constructed a sports palace above part of the cemetery, and in 2014, the Lithuanian government announced plans to turn it into a convention center. The government stated that it would undertake the project in accordance with an August 2009 agreement between the Jewish Community of Lithuania, the Committee for the Preservation of Jewish Cemeteries in Europe, and the Lithuanian Department of Cultural Heritage to protect the cemetery and its buffer zone, as well as related areas. Construction of the convention center, including a permanent exhibition devoted to the history of the cemetery, is scheduled to begin in 2020. In the interim, the Vilnius municipality has installed vehicle barriers and 10 information plaques around the sports palace in three languages (Lithuanian, English, and Hebrew) that read, “The Old Jewish Cemetery of Vilnius.”

### **Movable Property: Nazi-Confiscated and Looted Art**

The Central Archives of Lithuania, the Vilna Gaon State Jewish Museum, the Judaica Center at the Martynas Mazvydas National Library, and the YIVO Institute for Jewish Research are the institutional bodies in Lithuania responsible for preserving confiscated and looted art. Lithuania has no legislation addressing the restitution of looted art. As of January 2019, none of the known Lithuanian Holocaust survivors or their relatives had made claims for the return of looted art.

### **Judaica and Jewish Cultural Property**

Lithuania has 35 museums, including eight national and 24 local museums responsible for preserving and researching Jewish heritage.

The Vilna Gaon State Jewish Museum is a consortium of museums in Lithuania dedicated to preserving, displaying, and informing the public about Lithuanian Jewish art, culture, and history. In 2017, the museum opened an exhibition to commemorate the life and contributions of painter and Holocaust survivor Samuel Bak. The Museum is establishing an international fundraising committee to renovate the former Vilna Ghetto library and transform it into a new Holocaust and Vilna Ghetto Memorial Museum that will replace the existing Holocaust Museum known as the Green House.

In 2021, the Lithuanian government intends to renovate a building in the former Jewish ghetto in Vilnius to create a separate Jewish Culture and Identity Museum. The government plans to allocate approximately €5 million (estimated at \$5.5 million in 2019) of EU Structural Funds to finance the renovation. This new museum will become a branch of the Vilna Gaon State Jewish Museum consortium.

## **Access to Archival Documents**

Lithuania's archival institutions, which cooperate with the U.S. Holocaust Memorial Museum, have begun digitizing all archival records. The Lithuanian Central State Archives preserve the records of states, local governments, religious communities, organizations, other non-state institutions, and individuals, all of which are relevant to obtaining proof of property ownership. The types of records the Archives maintain include civic registration records and birth, marriage, and death certificates. The Archives will provide proof of Lithuanian citizenship for any individual born prior to June 15, 1940. Interested parties can apply for a record by completing an online form.

In 1994, the Central State Archives, the Lithuanian Martynas Mažvydas National Library, and the Wroblewski Library of the Lithuanian Academy of Sciences signed a cooperation agreement with the YIVO Institute for Jewish Research to begin the "Edward Blank YIVO Vilna Online Collections" project. The project aims to catalogue, preserve, and digitize Lithuanian Jewish records and books in New York and Vilnius. YIVO was founded in Vilnius but relocated to New York City after WWII; its collections are divided between Vilnius and New York. This project will unite the collections virtually, thus resolving contentious fights over who owns them and where they should be kept. In 2017, the Martynas Mažvydas National Library opened the Judaica Research Center, to which the YIVO Institute contributed approximately 170,000 pages of previously unknown documents. In 2018, the YIVO Institute also digitized more than 2.6 million pages of books and archival documents and more than 950,000 images.

## **Education, Remembrance, Research, and Memorial Sites**

In 2002, Lithuania became a member of the International Holocaust Remembrance Alliance. International Holocaust Remembrance Day is commemorated on January 27. Every year, the presidentially appointed International Commission for the Evaluation of the Nazi and Soviet Occupation Regimes in Lithuania (the Commission) organizes 10 to 12 conferences for students to present projects about the Holocaust and the role of Lithuanian Jews in their local communities. The Commission stresses the importance of students learning local history, as well as providing the students with an opportunity to visit the Auschwitz-Birkenau State Museum in Poland or Yad Vashem in Israel. Although still a sensitive issue, the Lithuanian government has begun to openly discuss the roles of both Nazi collaborators and Lithuanians who saved Jews during WWII.

Since 2002, the Commission has implemented a teacher training program entitled, "Teaching the Holocaust, Prevention of Crimes against Humanity, and Tolerance Education." The program helps teachers incorporate the Commission's research into their curriculum, design programs to discredit stereotypes about Jews, promote tolerance and mutual understanding between Lithuanians and Jews and other minorities, and increase contact between schools, teachers, and students from Lithuania and other countries. The Commission has also established a network of 152 tolerance centers, which are small research libraries in classrooms to provide teachers and students with peer-reviewed resources about the Holocaust and lesson plans for monthly activities. Much of the work of the Commission was performed by international scholars from outside of Lithuania, including from the U.S. Holocaust Memorial Museum. The Commission is

also engaged in Holocaust research, aiming to fill gaps in Lithuania's modern history, publicize new research, and inform citizens about Lithuania's role in the Holocaust and the impact of the Holocaust in Lithuania and abroad.

There are several memorial sites in the country. The Paneriai Memorial is located outside of Vilnius at the site where the Nazis and local collaborators murdered 70,000 Jews during WWII. Every year on September 23, government leaders, diplomats, and local and international Jewish communities visit the Memorial to recognize Lithuania's Holocaust Memorial Day, which marks the anniversary of the liquidation of the Vilnius ghetto. From 2015 to 2017, researchers conducted a three-part excavation of the Memorial, discovering new massacre sites, guard posts, sites of former buildings, and trenches for prisoners. Researchers also found additional information about Paneriai in Lithuania's archives, as well as in archives of the United States, Israel, and Germany. In 2019, the Ministry of Culture agreed to invest €3.4 million (approximately \$3.7 million) to implement a multi-year Paneriai Memorial project, which will include additional archaeological studies.

Beginning in early July 1941, German *Einsatzgruppe* detachments (mobile killing units) and their Lithuanian auxiliaries began systematic massacres of Jews around the Kovno Ghetto (present-day Kaunas, Lithuania), according to the U.S. Holocaust Memorial Museum. Today, the Ninth Fort Museum and Memorial at this location commemorates the victims of the Nazi and Soviet occupations. The museum features a reconstructed cell, as well as a detailed timeline of the Nazi occupation, including the mass murder of Jews in the Kovno Ghetto. There is also a memorial to the diplomats who saved more than 2,000 Jewish lives, notably the Japanese Consul in Lithuania, Chiune Sugihara.

Lithuania requires primary and secondary schools to include lessons about the Holocaust in the history curriculum. Instructors may also incorporate Holocaust topics in their ethics, religion, civic education, and literature classes. Students are tested on their knowledge of the Holocaust during state exams, including the national history exam. In addition, the Ministry of Education encourages schools to develop Holocaust-related activities for students, including essay competitions, extracurricular activities, projects that require students to collect information about Holocaust events, and volunteer days to care for local Jewish cemeteries and memorial sites.

As noted above, the Lithuanian parliament dedicated the year 2020 to the legacy of the Vilna Gaon and the history of Lithuanian Jews. The government is communicating with the Jewish Community of Lithuania and cultural institutions to design a year-long schedule of commemorative events, public lectures, and exhibitions to highlight the contributions of Lithuanian Jews and raise public awareness of Lithuania's role in the Holocaust.

There are several research centers dedicated to studying the Holocaust in Lithuania, including the Genocide and Resistance Research Center, the Lithuanian History Institute, and the History Department at Vilnius University.

### **The Welfare of Holocaust (Shoah) Survivors and Other Victims of Nazi Persecution**

Programs sponsored by the Jewish Community of Lithuania and funded via the Conference on Jewish Material Claims Against Germany provide assistance programs in Lithuania to the country's Holocaust survivors.

## **LUXEMBOURG**

Nazi Germany occupied Luxembourg in May 1940, with the Luxembourg government fleeing into exile in London for the duration of World War II (WWII). Before the war, more than 3,500 Jews lived in the country. In addition, more than 1,000 German-Jewish refugees had found shelter in Luxembourg. From August 8, 1940, until the Germans forbade emigration on October 15, 1941, more than 2,500 Jews left Luxembourg, mostly for the unoccupied zone of France. Between October 1941 and April 1943, Nazi Germany deported 674 Jews in eight transports to camps in Lodz, Auschwitz-Birkenau, and Theresienstadt. Only 36 Jews from Luxembourg reportedly survived the Nazi camps. Estimates of the total number of Luxembourg Jews murdered during the Holocaust range from 1,000 to 2,500. These figures include those killed in Nazi camps, in Luxembourg, or after deportation from France. According to the U.S. Holocaust Memorial Museum, those deported from France were later sent to killing centers in occupied Poland.

During WWII, Luxembourg's government-in-exile passed decrees guaranteeing the restitution of private and communal property. After the war, additional restitution laws came into effect; most applied to Luxembourg citizens only.

Since 2014, the government has demonstrated particularly serious and sustained efforts to meet the goals of the 2009 Terezin Declaration, especially in the fields of Holocaust remembrance and commemoration. In 2015, the prime minister presented his government's apologies to the Jewish community for the negative role certain Luxembourg officials played during the war. In 2018, the government inaugurated an official monument that is now one of several focal points for Luxembourg's annual WWII National Remembrance Day commemorations. In terms of restitution, in February 2019, the government agreed to create a "Working Group on Outstanding Holocaust Asset Issues" with the Luxembourg Jewish community and the World Jewish Restitution Organization (WJRO).

The Luxembourg government continues to enforce full archival access while respecting national and European Union legislation, and it supports research and education programs about the Holocaust and other Nazi crimes. Luxembourg served as the rotating annual chair for 2019 of the International Holocaust Remembrance Alliance (IHRA).

### **Immovable Private, Communal/Religious, and Heirless Property**

In 1941, the Luxembourg government-in-exile issued a decree that annulled all expropriation measures the Nazi occupiers had issued. According to the decree, acts of confiscated property by the enemy starting on May 10, 1940, were declared null and void. The decree set a limitation period of three years following the conclusion of peace for the original owners to claim their property. Any persons who supported property confiscations or who benefited from them were subject to imprisonment and a fine. In July 1944, just prior to Luxembourg's liberation, the government issued an amendment to the 1941 law to require buyers of assets confiscated during WWII to declare purchases to the police.

On August 17, 1944, just before the liberation of Luxembourg City on September 10, 1944, the government-in-exile issued another decree establishing the Office of Receivers (*Office des Séquestres*). This decree placed enemy property in Luxembourg (including property belonging to collaborators, presumed and verified) under the control of the Office. The government charged the Office with inventorying, securing, and managing enemy property, until such time as the government decided on its final use. Citizens who saw their property under wrongful receivership could appeal the decision. This concerned Luxembourg, Allied, and neutral citizens who saw their confiscated assets equated to enemy property.

A law passed on February 25, 1950, regulates questions about compensation and destroyed property in Luxembourg. It established three categories of people entitled to benefit from war compensation: (1) Luxembourg citizens, (2) Luxembourg citizens living abroad, and (3) stateless people and foreigners who had been living in Luxembourg since 1930 and had “rendered verifiable services” to the country.

Between 1952 and 1961, Luxembourg signed and updated reciprocity agreements on war damages and compensation with Belgium (signed in 1952, updated in 1961), the UK (1954), France (1955), the United States (1955), Norway (1955), Switzerland (1956), and the Netherlands (1956). These agreements allow Luxembourg citizens and companies that suffered war damages in one of the above countries to file for compensation in the same country and vice-versa. These laws do not apply to non-Luxembourg citizens and stateless persons, thereby excluding non-Luxembourg Jews.

In 1959, Luxembourg signed a treaty with the Federal Republic of Germany. In the treaty, Germany agreed to compensate Luxembourg citizens and their dependents who had been forced into German war efforts (military and para-military service), as well as those forced to live in Germany or in a territory occupied by the Nazi forces and who suffered damage to their health as a direct result of war. The treaty, however, did not address non-Luxembourg citizen Jews who were forced to flee or were killed in Luxembourg.

The government has laws and bilateral treaties in place to address the issue of wrongly seized or transferred property and the return of property to the rightful owner. However, according to members of the Jewish community, there are still outstanding claims for different types of property in Luxembourg. The Jewish community emphasizes that while the government has taken many positive steps in recent years, time is running short for survivors. In addition, existing restitution and compensation laws only cover Luxembourg Jews or Jews from countries covered by reciprocity agreements. Given that more than 70 percent of Luxembourg’s pre-WWII Jewish population was non-citizens of Luxembourg, with only a small fraction coming from countries covered by reciprocity agreements, Jewish community groups state that more than two-thirds of Luxembourg’s Jewish population was not compensated, especially with regard to wrongfully seized or transferred assets.

The government acknowledges there are unaddressed restitution issues. In February 2019, the prime minister agreed to the creation of a Working Group on Outstanding Holocaust Asset Issues encompassing representatives of the Luxembourg government, the WJRO, and the Luxembourg



Jewish community. As of November 2019, the activities of the Working Group were still in progress.

In 2009, the Special Commission for the Study of the Spoliation of the Property of Luxembourg's Jews During the War Years (1940-1945), under the leadership of historian Paul Dostert, released its final report. According to the Dostert Commission's report, the Luxembourg government returned 97.5 percent (994 out of 1,019 transfers) of immovable property. Out of the remaining 2.5 percent (25 transfers), 16 transfers concern cases in which a Jewish owner had sold his or her property to his or her non-Jewish spouse. Two transfers concern cases in which Jewish owners had to sell their shares to their non-Jewish co-owner, and seven transfers concern cases where no pressure from German authorities was detected. According to the report, these transactions were not contested after the liberation.

Regarding companies, the report states that the national Office of Receivers returned illegally appropriated companies to their legal owners after the war. In cases where companies had been sold or destroyed, the State War Damage Office compensated owners as long as the cases fell within the framework of the 1950 law on war damages. Most Jews, except for those returning from exile, were able to recover their assets after the war without difficulty.

Occupying forces during WWII desecrated, looted, and destroyed the synagogues in Luxembourg City and Esch-sur-Alzette. Nazi forces also desecrated and looted the synagogues of Ettelbrück and Mondorf. The synagogues of Ettelbrück and Mondorf are no longer in use and serve as cultural centers. Following WWII, the State Office of War Damage financed the reconstruction of the Luxembourg City and Esch-sur-Alzette synagogues, which are still in use.

There are six Jewish cemeteries in Luxembourg. Occupying forces desecrated but did not destroy them. All but one cemetery is in use today.

Luxembourg has not passed legislation specifically to address Holocaust-era heirless property. The Dostert Commission report indicated that while most real estate was returned between 1945 and 1946, there were a few isolated cases where property was rendered heirless. In those instances, once the statute of limitations for the return of property had expired, it became a vacant estate and the property became part of the treasury.

### **Movable Property: Nazi-Confiscated and Looted Art**

According to the Dostert Commission report, Nazi German authorities transferred confiscated assets, accounts, and investment shares to Germany several months before the liberation of Luxembourg. In July 1947, Luxembourg's Ministry of Finance required that banks re-establish seized accounts with the full amount at the time the asset was transferred to Germany. If the bank account was owned by a Luxembourg citizen, the State Office of War Damage provided the requisite funds. The report indicated that 200 re-established accounts were never claimed.

The WJRO and Jewish community have argued that additional research and access to bank archives is needed to shed light on the issue of dormant accounts. On August 6, 2018, the Minister of Finance submitted a draft law to Parliament on dormant accounts, but to date no

legislative action has been taken. The draft law could allow the government to transfer assets from dormant accounts after a delay of five years for any potential heirs to come forth, under the condition that the original account owner had been the victim of severe international human rights violations. The law could also be used to transfer assets that had belonged to Holocaust victims who have no heirs to the Luxembourg Foundation for the Memory of the Holocaust. The foundation was started in 2018 by the Luxembourg government in conjunction with the country's Jewish community to promote and preserve the memory of the Holocaust in Luxembourg.

The Dostert Commission report also found that occupying forces sold or gave away movable property to collaborating civil servants and German military forces. While some movable property was returned to its legal owners after the war, much was never recovered, having been either destroyed or lost during its transfer to Germany.

There is no official catalogue of looted art in Luxembourg, but the National Museum of Art and History details the provenance of art acquired during WWII in an accessible online catalogue. The museum conducts case-by-case in-depth provenance research when questions arise.

### **Judaica and Jewish Cultural Property**

There is no national catalogue of Nazi-looted Judaica in Luxembourg. However, the Dostert Commission report stated one object, labeled as previously belonging to a synagogue, was returned to the National Museum in 1941. The National Museum informed the Jewish community, but the object has remained unclaimed.

### **Access to Archival Documents**

In 2018, Luxembourg adopted an archival preservation law providing free and public access to the National Archives or official institutions for both claimants and scholars. While some archives pertaining to legal and banking issues are still closed, the National Archives can grant limited access to closed archives in cases where research is in the public interest. The National Archives informs the public of ongoing research and communicates the publication of new inventories according to the archival law. The United States Holocaust Memorial Museum reports having had very good cooperation with the Luxembourg National Archives.

### **Education, Remembrance, Research, and Memorial Sites**

Since 2007, Luxembourg has commemorated International Holocaust Remembrance Day on January 27. Additionally, the government commemorates National World War II Remembrance Day on the Sunday closest to October 10.

In June 2015, the prime minister presented his apologies to the Jewish community for the suffering and injustices inflicted upon it and acknowledged the responsibility of some representatives of public authority. That same day, the Parliament adopted a resolution apologizing to the Jewish community, noting the importance of continuing historical research, and committing to defend human rights and address anti-Semitism.

On June 17, 2018, the Luxembourg government unveiled the monument “Kadish” in Luxembourg City honoring the country’s Holocaust victims. The government integrates this monument into annual WWII National Remembrance Day commemorations.

In 2016, the government created the “Committee for the Remembrance of World War II” (*Comité pour la mémoire de la Deuxième Guerre mondiale*) to represent the interests and memory of freedom fighters (*Résistance*), forced conscripts (*Enrôlés de force*), Holocaust victims, and WWII victims. Additionally, together with the local Jewish community, the government also created the Luxembourg Foundation for the Memory of the Holocaust to promote and preserve the memory of the Holocaust in Luxembourg.

Luxembourg has been a member of the IHRA since 2003. In March 2019, Luxembourg assumed the chairmanship of the IHRA for one year.

Holocaust education is part of the official curriculum for high school students. The Ministry of Education supports Holocaust-related education activities such as field trips to museums, historic sites, and concentration camps.

### **The Welfare of Holocaust (Shoah) Survivors and Other Victims of Nazi Persecution**

Holocaust survivors, both nationals and foreigners, benefit from Luxembourg’s health care system, which covers special medical and health needs of Holocaust survivors, such as hunger relief, medicine, and homecare.

## **MALTA**

Malta remained a British colony and Allied naval stronghold throughout World War II, besieged but never captured by Axis forces, and consequently there are no known cases of Jewish property having been confiscated or wrongfully seized during the Holocaust era. Representatives of the Maltese Jewish community have reported that they are unaware of any Holocaust-era property restitution claims. The country supports Holocaust education and commemoration in line with the principles of the Terezin Declaration.

Jewish roots in Malta date to the 4th and 5th centuries. Today, the Jewish community includes some 200 members.

### **Immovable Private, Communal/Religious, and Heirless Property**

In its official response to the European Shoah Legacy Institute's Immovable Property Restitution Study (2017), the Ministry of Foreign Affairs reported that "Malta never had any immovable property which was confiscated or wrongfully seized by the Nazis, Fascists and/or their collaborators during the Holocaust era, including the period of World War II."

The Department is not aware of any claims concerning immovable property in Malta from the Holocaust era.

### **Movable Property: Nazi-Confiscated and Looted Art, Judaica, and Jewish Cultural Property**

The Department is not aware of any outstanding issues with Judaica and Jewish cultural property in Malta or of any reports of Nazi-confiscated and looted art in Malta. Malta does not have legislation that specifically addresses heirless movable property belonging to victims of the Holocaust.

In 2000, a new synagogue replaced an older one in the capital city that had fallen into disrepair. In 2013, the Chabad Malta organization was established and has raised the visibility of Judaism locally, including by wearing religious attire in public. The Center sponsors activities for the local Jewish community and tourists. These include a synagogue, a kosher restaurant, a kindergarten, a Hebrew school, and offering Torah classes. Widespread anti-Semitism in the country is unknown.

### **Access to Archival Documents**

A public registry, national archives, and national library are open to the public.

### **Education, Remembrance, Research, and Memorial Sites**

Holocaust education is included in the secondary school curriculum, and the Maltese government funds seminars for educators and students on the topic. The University of Malta's President's Foundation has held Holocaust Remembrance Day events to highlight the significance of the

Holocaust in contemporary society. The 2019 event explored present-day implications of the persecution of Jewish citizens and minority groups during the Holocaust. Malta has three Jewish cemeteries administered by the Jewish community.

## **MOLDOVA**

Violent anti-Semitic movements in pre-World War II (WWII) Romania had their impact in its province of Bessarabia – the general region of contemporary Moldova. The situation degenerated into government-directed pogroms and mass deportations leading to the concentration and extermination of Jewish citizens, according to the 2004 *Final Report* of the International Commission on the Holocaust in Romania chaired by Elie Wiesel. By December 1941, Romanian forces with limited German participation had either killed the vast majority of Bessarabian Jews or deported them to concentration camps and ghettos located in Romanian-occupied territory in southwestern Ukraine stretching all the way from the Dniester River to the Bug River, which Romania’s wartime regime labeled “Transnistria.” The Wiesel Commission *Final Report* notes that in 1941, between 45,000 and 60,000 Jews were killed in Bessarabia and the former Bukovina, another former Romanian-administered province now divided between Ukraine and Romania. An additional 105,000 to 120,000 Romanian Jews, mostly from Bessarabia, perished or were murdered following their expulsions into Romanian-administered territory between the Dniester and Bug rivers. While fewer than 1,000 Jews survived the Holocaust in Bessarabia, some 14,000 Bessarabian Jews survived incarceration in camps and ghettos in wartime Transnistria. The Wiesel Commission *Final Report* cites some expert estimates that a total of approximately 200,000 Jews who lived in the territory that now falls within the Republic of Moldova were killed during the Holocaust.

According to the World Jewish Congress, between 7,500 and 20,000 Jews currently reside in Moldova. The Conference on Jewish Material Claims Against Germany confirmed that it distributes financial assistance to approximately 466 Holocaust survivors in Moldova.

Despite recent progress in addressing longstanding issues important to the Jewish community in Moldova, the government has not enacted comprehensive restitution legislation for communal or private property confiscated during the Holocaust nor arranged for proper financial compensation to the Jewish community. Moldova endorsed the Terezin Declaration in 2009 and the related Guidelines and Best Practices in 2010.

Moldova became an observer country to the International Holocaust Remembrance Alliance (IHRA) in 2014. In January 2019, the government adopted a decision on “Condemning Anti-Semitism and Promoting Tolerance” and approved for official use the IHRA working definition of anti-Semitism. To date, the government has not announced any plans to upgrade from observer status to liaison member.

### **Immovable Private, Communal/Religious, and Heirless Property**

Moldova’s 1992 Law on the Rehabilitation of Victims of Political Reprisals mandates the restoration of rights and compensation for material damages for victims of the totalitarian regimes that controlled Moldovan territory between 1917 and 1992 and for citizens who were subject to reprisals based on political, national, religious, or social grounds. The law specifically refers to private property restoration for victims of the Soviet regime but makes no mention of Holocaust-era property confiscations. The 1992 law was the subject of several complaints sent

to the European Court of Human Rights (ECHR) on non-enforcement of domestic restitution and compensation awards.

The country does not have laws on restitution of communal property or Holocaust-era heirless property. In Moldova, in cases where there are no legal heirs to property, ownership passes to the state.

Synagogues, Jewish community buildings, and other religious sites within the borders of the current Republic of Moldova suffered severe damage during the Holocaust from war actions as well as from anti-Semitic activity. Much of what remained of these buildings was then destroyed, left to fall into disrepair, or repurposed for other activities during the Soviet period. As a result, few pre-World War II synagogues remain in the country. Jewish cemeteries have also been desecrated. A 2010 report published by the United States Commission for the Preservation of America's Heritage Abroad catalogued 100 Jewish communal properties in Moldova, including cemeteries, monuments, houses, hospitals, colleges, and other buildings.

A few properties, such as the Hay Synagogue in Chisinau and the Cahul Synagogue in Cahul, have been returned to the Jewish community. In 2012, the UN Special Rapporteur on freedom of religion or belief found that, in the absence of legislation, return of communal property in Moldova "differed according to religious community." The report noted that while some religious communities had received title over their confiscated properties through litigation or other means, the Moldovan Jewish community "had reportedly been forced to purchase back community properties." These included historic properties such as the Wooden (or Lemnaria) Synagogue and the Rabbi Tsirelson Synagogue and Yeshiva, both in Chisinau.

There are seven active synagogues in Moldova: one in Balti, two in Transnistria, and four in Chisinau. In 2018, following a multi-year property dispute, the Jewish community received permits to rebuild the Rabbi Tsirelson Synagogue and Magen David Yeshiva in Chisinau, both of which had fallen into severe disrepair. All seven synagogues hold religious services, host Jewish community activities, and provide meals for elderly community members. The synagogues outside Chisinau serve small congregations and often cannot attract the quorum of 10 adult males needed for services, even on high holy days. In August 2019, Jewish community members, officials, and diplomatic representatives attended the reopening of the Wooden Synagogue located within the Jewish Community Center (KEDEM) in Chisinau.

In October 2018, as part of the government's 2017-2019 Action Plan to Implement the Declaration of the Parliament on Acceptance of the Elie Wiesel Commission's Report on the Holocaust, the government approved the renovation of the Chisinau Jewish cemetery, the establishment of a National Holocaust Museum, and the introduction of a high school curriculum on historic lessons of the Holocaust. According to the local Jewish community, the government has made substantial progress on fulfilling the Action Plan and has demonstrated an increased willingness to address concerns regarding the rehabilitation and preservation of the country's Jewish cultural heritage.

Cemeteries in Moldova are public property, and the government is responsible for the protection, maintenance, and security of the tombstones and graves. In 2018, Moldova rehabilitated

Chisinau's 30-acre Jewish cemetery that is one of the largest in Europe, with more than 40,000 graves. The cemetery had languished in serious disrepair for years. Jewish community representatives reported that the initial effort to rehabilitate the cemetery actually damaged or destroyed several gravestones. The government approved a new contract for the maintenance of the cemetery, but no further work has commenced. Most Jewish cemeteries across Moldova are not properly maintained or protected from acts of vandalism and natural deterioration.

### **Movable Property: Nazi-Confiscated and Looted Art, Judaica, and Jewish Cultural Property**

Moldova does not have laws on restitution of or compensation for movable communal or cultural property expropriated during the Holocaust, nor are there any official reports available on the status of any claims. Jewish community members report that they do not believe Moldova conducts provenance research regarding art or other items that may have been confiscated or looted by the Nazis. Moldova did not participate in the 1998 Washington Conference on Holocaust-Era Assets.

The Department is not aware of any claims regarding Judaica or Jewish cultural property.

### **Access to Archival Documents**

Government archives are open to the public. Archives related to the Jewish community include birth, marriage, divorce, and death records; early censuses of the Jewish population; cartographic materials indicating home ownership; lists of merchants and traders; personal files of Jews who lived in and owned property at different time periods; documents containing property dispute decisions and sales; and documentation of forced labor by Jews in concentration camps. In 2002, Moldova's Security and Intelligence Service agreed to open part of its archives and allow the copying and transfer to the U.S. Holocaust Memorial Museum of files on crimes perpetrated against the Jewish population in the territories of Moldova and Ukraine during WWII. So far, there have been dozens of transfers amounting to several hundred thousand pages of documents under this agreement.

### **Education, Remembrance, Research, and Memorial Sites**

As part of the 2017-2019 Action Plan referenced above, Moldova established January 27 as National Holocaust Remembrance Day. Each year, Moldova organizes several events dedicated to the Holocaust, including exhibits, round tables, and other commemorations held during Holocaust remembrance week. The Ministry of Education, Culture, and Research developed an optional high school curriculum on the Holocaust, which was introduced during the 2019-2020 academic year.

In October 2018, Moldova announced plans for a Jewish Museum in Chisinau with an incorporated Jewish library and education center. Discussions with the Jewish community over the location of the site are ongoing.



## **MONTENEGRO**

The Jewish population of Montenegro prior to World War II (WWII) numbered approximately 30 people, according to the U.S. Holocaust Memorial Museum (USHMM). The numbers rose during the war when Jews took refuge in Montenegro from the Nazi-controlled regions of Serbia and Croatia in the former Kingdom of Yugoslavia. For most of the war, Italian occupying forces ruled the territory. Generally, the Italians did not deport Jews or confiscate Jewish property, and they were lax in enforcing racial laws.

Nazi Germany occupied Montenegro after the capitulation of the Italian forces in September 1943. By February 1944, the Nazis had identified most of the remaining Jews in Montenegro and transferred them to several extermination camps in Europe, where 28 of the country's 30 Jews and many others who had taken refuge in Montenegro perished. About 300 Jews who hid in the northern and coastal towns of Montenegro reportedly escaped deportation and survived. It is difficult to ascertain more specific numbers, as records tend to show data for the whole of Yugoslavia rather than specifically for Montenegro. The USHMM notes that in 1941, approximately 78,000 Jews lived in all of Yugoslavia, including at least 4,000 foreign or stateless Jews who had found refuge in the country during the 1930s.

Few Jews remained in Montenegro immediately after the war, although the population rose again with the return of some former residents who had hidden or survived the camps. According to the World Jewish Congress, approximately 400 to 500 Jews live in the country today, about 10 percent of whom are actively involved in the community. The Department is not aware of any Holocaust survivors currently living in Montenegro.

The main Jewish organization is the Jewish Community of Montenegro (*Jevrejska Zajednica Crne Gore*), which is affiliated with the World Jewish Congress. Judaism is considered an official religion in Montenegro.

### **Immovable Private, Communal/Religious, and Heirless Property**

Montenegro became independent in 2006, and restitution in Montenegro began in the 2000s. Restitution efforts are largely focused on private property taken from individuals by the Communists, and not during the Holocaust era. Montenegrin restitution law does not specify property owned by any religious group. The restitution process is very slow and is based on assessments from the post-war Communist period that often undervalued properties and businesses. The Department is aware of one long-running case involving U.S. claimants that is based on this difference in property valuation assessments.

In its 2016 report on immovable property, the European Shoah Legacy Institute (ESLI) noted that claims by some foreign citizens, including Americans, relating to confiscation and nationalization were settled in the post-WWII years through bilateral agreements with Yugoslavia and foreign governments.

The Republic of Montenegro passed two laws that chiefly address private property restitution and permit both citizens and non-citizens to seek restitution or compensation. The 2004 Law of

Rights of Restitution and Compensation for Confiscated Property covered private property taken by the state. As the law did not specify a time period in which property was taken, it could in theory cover the Holocaust-era. This possibility, however, was never tested as no Holocaust-era claims were made when the window for making claims closed in 2005. Both citizens and non-citizens were permitted to file claims for restitution or compensation for expropriated property with the commission created under this law. When possible, the claimants' property was returned, with financial compensation or substitution of other state land granted when restitution was not possible. Former owners had 18 months from the day the commission was established in the municipality where the property was located to submit restitution or compensation claims.

The law was revised in 2007 to provide for three regional commissions to make decisions on restitution. New claims, however, are not allowed. According to ESLI, several limitations hamper the success of the restitution mechanism in Montenegro, including a lack of administrative capacity and cumbersome procedures.

Since endorsing the Terezin Declaration in 2009, the Republic of Montenegro has not passed any laws dealing with restitution of communal property. In 2015, the government announced plans to enact legislation specifically addressing restitution claims for property confiscated from churches and religious communities during the Communist period. To date, no such law has been passed. According to ESLI, any future law on religious property would likely have little impact on the Jewish community because of its small size and the minimal amount of communal property not returned. (The World Jewish Restitution Organization identified two houses in Montenegro that rightfully belong to the Jewish community in Serbia.)

Montenegro has not enacted a law covering heirless property.

### **Movable Property: Nazi-Confiscated and Looted Art, Judaica, and Jewish Cultural Property**

The Department is not aware of issues with any looted or confiscated art or other movable property. Representatives of the Jewish Community of Montenegro report that they are not aware of any claims for restitution or compensation regarding Judaica and Jewish cultural property. Little is known about whether cultural institutions in Montenegro are conducting provenance research. In 1998, Montenegro was part of the former State Union of Serbia and Montenegro and did not participate separately in the Washington Conference on Holocaust Era Assets, but it is a signatory to the International Council of Museums Code of Ethics.

In 2013, the government donated land to the Jewish community to build what is believed to be the first synagogue in Montenegrin history. Construction of the synagogue, which will be part of a community center, began in December 2017. The country's first locally resident rabbi in more than a century and the president of Montenegro laid the foundation stone in a ceremony that was attended by mayors and representatives from all religious communities.

### **Access to Archival Documents**

Government archives are generally open to the public.

### **Education, Remembrance, Research, and Memorial Sites**

The Jewish community in Montenegro is very active in educating people about Jewish life and important dates in history. However, there are no Holocaust memorials or museums in Montenegro. International Holocaust Remembrance Day is commemorated in the capital of Podgorica on January 27 with the burning of six candles for the six million Jews killed.

The Holocaust is taught as part of the mandatory history program in the ninth grade and in the last year of high school. Primary school pupils read the “Diary of Anne Frank” in the eighth grade as part of a mandated literature course.

## **THE NETHERLANDS**

Nazi Germany occupied the Netherlands from 1940 to 1945. The Germans installed a civil regime, while the Dutch set up a government-in-exile in London. The occupying force implemented what has come to be described as “looting by decree” of Jewish property in the Netherlands. In the period from 1940 until deportations started in 1942, the Nazis registered and confiscated Jewish property. At the start of World War II (WWII), the Jewish community numbered about 140,000 people. Between 1942 and 1944, 107,000 Jews were deported, 5,200 of whom survived. Between 25,000 and 30,000 Jews went into hiding, about 16,000 of whom survived. An additional 14,000 survived through mixed marriage arrangements, while about 3,000 managed to flee to safe countries.

The Netherlands has made extensive restitution efforts, including the restoration of property, provision of pensions to survivors, and provision of financial compensation to the Jewish community. In 1999 and 2000, organizations representing the Jewish community concluded agreements with banks, insurance companies, the stock exchange, and the government on the settlement of unclaimed Jewish assets amounting to €346 million (about \$385 million). The Netherlands continues to take measures to actively identify and return looted art to survivors and heirs, although significant challenges remain. Critics have questioned some Dutch decisions regarding art objects on the grounds that they give too much weight to museums’ interests. The Netherlands promotes education and remembrance of WWII and the Holocaust. Dutch Railways announced in 2019 that it will pay individual compensation for damages to roughly 5,000-6,000 Holocaust survivors and their surviving spouses and children for the company’s role in transporting victims to the Westerbork transit camp during the war, but the company has not taken steps to recognize the suffering of those who perished.

### **Immovable Private, Communal/Religious, and Heirless Property**

Restitution of immovable property began immediately after the war under the framework of laws adopted by the Dutch government-in-exile in London during the war. The laws canceled wartime Nazi confiscation decrees and established the Council for the Restoration of Rights, which included an administrative immovable property division. Despite the existence of the legal framework for restitution, property return was a complicated and protracted process. Survivors and heirs did not receive preferential treatment. For example, the most recent owner of a property was often unaware of its origins, and in many cases, the rightful Jewish owner had to partially compensate the most recent owner in order to get the property back. The Council addressed approximately 200,000 claims, many of which were resolved in an out-of-court settlement process. The Council discontinued its activities in 1967, except for the securities division, which continued to operate as an independent entity until the late 1970s.

The Van Kemenade Committee, one of four committees established by the Dutch government responsible for various aspects of the restitution process, issued a report in 2000 concluding that the restitution process for all types of property except securities, while generally carried out in a lawful and precise manner, had unfair consequences. For example, the Netherlands initially (until the late 1950s) failed to waive the inheritance tax on the property of Jews who had died in concentration and death camps. The Van Kemenade report recommended additional analysis of

the theft and restitution of Jewish property, particularly on the value of confiscated businesses and looted art.

The three other committees examined other aspects of the country's post-war restitution process, such as the looting of securities, bank accounts, and insurance policies, and the theft of Jewish assets in the Netherlands via the Lippman Rosenthal & Co Bank (Liro). In response to the reports issued by each committee, the Central Jewish Board (CJO) and Platform Israel, which represented the Jewish community in the Netherlands, concluded agreements in 1999 and 2000 with banks, insurance companies, the stock exchange, and the government on the settlement of unclaimed Jewish assets. The settlement amount, equivalent to about \$385 million and disbursed through the Maror Foundation, was material and moral compensation for the recognized deficiencies in the restoration of rights after WWII. The government paid more than half of this amount, and the banks, insurance companies, and investment funds paid the remainder. Of the total, €50 million (\$55 million) was designated for the Dutch Jewish Humanitarian Fund for projects in Central and Eastern Europe that promoted awareness of Jewish culture and society, as well as promoting tolerance. Of the remaining amount, 80 percent went to fixed-sum payments to individuals, which have been completed, while 20 percent was designated for communal purposes over a period of 20 years. The Maror Foundation administers the funds as grants to interested parties promoting the Dutch-Jewish community. Since 2005, it has funded grants totaling approximately \$24.74 million for nearly 1,800 activities and programs.

At the local level, the city of Amsterdam decided in 2016 to reimburse rent and fines collected after the war from Jewish homeowners, totaling approximately \$11.15 million. While the Jewish community had called for reimbursement directly to the survivors where possible, the bulk of the money went to a fund from which the Jewish community can finance future projects, such as the country's National Holocaust Museum and National Holocaust Monument. The Hague also decided in 2016 to appropriate approximately \$2.9 million for similar compensation, the bulk of which was paid to individuals. Rotterdam and Utrecht are considering paying similar compensation.

The Dutch Railways (NS) in June 2019 agreed to pay individual compensation to Holocaust survivors or heirs for the company's role in transporting victims to the Westerbork transit camp. NS will pay compensation to 5,000-6,000 Holocaust survivors, surviving widows, and their children in the range of about \$5,600 to \$16,719 per person. An independent committee recommended NS also work with organizations representing Jews, Roma, and Sinti on an appropriate way to recognize the suffering of those who did not survive and had no surviving partner or child. The Central Jewish Council stated, "Justice is done to the survivors and next of kin with compensation in three categories. However, 80 percent of the Dutch Jews did not survive WWII and NS owes them too."

Dutch authorities returned communal property after the war through the Organizations of Jewish Communities in the Netherlands. This entity manages more than 200 of the 230 Jewish cemeteries in the Netherlands. There are 29 Jewish cemeteries designated as protected monuments. Of the approximately 100 synagogues that existed before WWII, 30 are still in use as synagogues, and others have been repurposed.

In the late 1990s, a number of countries led by the U.S. agreed to dispose of the remaining Nazi-looted gold in the possession of the Tripartite Gold Commission, which in 1946 was tasked with recovering Nazi-looted gold and returning it to its rightful owners. The Netherlands received a final payment of approximately 22.5 million guilders (€10.2 million, or about \$11.3 million). The Netherlands used this money in 2001 to support Jewish communal activities in the country, including cultural programming, education, museums, upkeep of cemeteries, libraries, synagogues, books, and films.

### **Movable Property: Nazi-Confiscated and Looted Art**

After the war, the Allies recovered and returned looted and confiscated art objects to the Netherlands, which the Dutch state managed and which became part of the State Art Collection (NK Collection). The Dutch subsequently set up a foundation to facilitate the recovery and restitution of looted art to former owners or their heirs. Following the adoption of the Washington Principles on Nazi-Confiscated Art in 1998, the Dutch government established the “Origins Unknown” Committee, also known as the Ekkart Committee. The Ekkart Committee investigated the provenance of every piece of art in the NK Collection and published the results on its website, launched in 2001. In addition, the Netherlands Museum Association in 1999 began to research the provenance of the collections of associated museums, most of which were privately owned, yielding a list of 172 art objects with questionable provenance. The Central Jewish Council’s position is that all these objects should be returned to the former owners, their heirs, or to the Jewish community if the former owners or their heirs cannot be traced.

The Ekkart Committee issued recommendations in 2001 on how to deal with the NK Collection and subsequently issued additional recommendations on how to deal with artworks owned by art dealers or artworks that had been auctioned. In response, the government set up the Advisory Committee on the Assessment of Restitution Applications, or “Restitution Committee.” The Restitution Committee is independent and has two mandates: (1) to advise the Minister of Education, Culture, and Science on requests for restitution of art objects from the Dutch State Collection, and (2) to deliver binding rulings, upon request of the involved parties, in disputes over the ownership of art objects that are not property of the Dutch state. To date, the Committee has issued a total of 156 recommendations and opinions, granting 74 claims in full and 19 partially, and rejecting 63 claims.

The Restitution Committee maintains that it follows the guidelines set out by the Ekkart Committee as well as those set out by the Minister of Education, including the recommendation to distinguish between private owners and art dealers. However, the Central Jewish Council disputes the Ministry’s revised policy guidelines to the Restitution Committee issued in 2012. These guidelines interpret the “fair and just” approach of the Dutch liberalized restitution policy as looking at all aspects of the case. These aspects include the museum’s interest in an artwork, the requesting party’s personal attachment to an artwork, his or her efforts to recover the artwork after the war, and the time that had elapsed since the artwork was acquired by the current owner, who may not have had any knowledge about the background of the artwork.

Since the Ministry of Education, Culture, and Science revised its policy guidelines, there has been an increase in the number of domestic lawsuits challenging decisions by the Restitution

Committee. One such example involves the U.S. citizen heir of Jewish art dealers who had been coerced by the Nazis to sell their artwork. When the heir failed to obtain redress for negative decisions by the Restitution Committee in Dutch courts, he sued the Netherlands and several Dutch museums in November 2018 in a Charleston, South Carolina court. The heir claimed ownership of more than 140 Dutch state-owned artworks. The case is ongoing.

At the November 2018 conference in Berlin marking the 20th anniversary of the Washington Principles on Nazi-Confiscated Art, the State Department's Expert Adviser on Holocaust Issues expressed concern that the introduction of a "balancing test," in which the interests of the museum in keeping a Nazi-looted artwork may be deemed greater than that of the representative of the owner from whom it was stolen, was contrary to the Washington Principles. The Chairman of the Restitution Committee publicly defended the policy in an opinion piece published December 10, 2018, in a Dutch newspaper, stressing that the victim's interest always comes first, and asserting that the procedure is transparent and the Committee's recommendations and opinions are public. The Central Jewish Council has urged the Ministry to revise these 2012 guidelines when it conducts its reassessment in 2020.

In 2018, the government established an independent Expertise Center, located within the Netherlands Institute for War, Holocaust, and Genocide Studies (NIOD) to research the provenance and history of works of art upon request. The Ministry of Education in 2019 started gathering and making accessible previously scattered information about Jewish looted art, with the goal of giving potential claimants, researchers, and interested parties as much access as possible to available information. The government anticipates this information being available online by mid-2020.

### **Judaica and Jewish Cultural Property**

There are four institutions in the Netherlands with Jewish holdings that have conducted research on their Judaica collections: the *Bibliotheca Rosenthaliana* (Ros), the *Biblioteca Ets Haim* ("Tree of Life" Library) of the Portuguese Community of Amsterdam, the Amsterdam municipal archives, and the Jewish Historical Museum in Amsterdam. The University of Amsterdam hid part of the Ros collection during the war; the other part of the collection, which had been looted, was returned to Amsterdam almost intact in 1946. The Ets Haim Library has identified those objects from its pre-war collection that are missing and continues to search for them. The Amsterdam municipal archives are also missing important items, according to its survey of looted Dutch-Jewish archives that were returned to Amsterdam from the period after WWII through 2003. The Jewish Historical Museum conducted a survey of the 180-200 returned objects and 430-450 missing objects from its pre-war collection. The museum established an online database of missing pre-war objects and provided links to those of other Jewish museums. The Dutch government conducted provenance studies on archives that Russia returned between 2000 and 2002, transferring records to the Organizations of Jewish Communities in the Netherlands. NIOD established that there were still gaps in the available information, including the fate of the library of the Netherlands-Israelite Seminary in Amsterdam and many private collections.

## **Access to Archival Documents**

In 1945, shortly after liberation, the Netherlands founded the Netherlands Institute for War Documentation, the precursor to NIOD, with funding from the Ministry of Education, Culture, and Science. Today, NIOD administers the archives of the German occupation of the Netherlands and the Japanese occupation of the Dutch East Indies and provides information to government agencies and private individuals. NIOD also carries out a wide range of research projects dealing with the social and political aspects of WWII. The National Archives and municipal archives, particularly of Amsterdam, are important sources of documentation. A government-sponsored research institution, Network War Sources, works to improve digital access to the Dutch collection on WWII and the Holocaust through a web portal, which helps users navigate fragmented sources from more than 430 institutions. The government also sponsors the Anne Frank Foundation, which, in addition to its many activities, conducts research. The Netherlands financially supports and participates in the Arolsen Archives (formerly called the International Tracing Service), which include 30 million Nazi documents and documentation related to approximately 17.5 million victims. The United States Holocaust Memorial Museum reports excellent cooperation with archives in the Netherlands and engages closely with the Netherlands through the Arolsen Archives.

## **Education, Remembrance, Research, and Memorial Sites**

The Netherlands is an active member of the International Holocaust Remembrance Alliance. The government endeavors to keep the memory of WWII and the Holocaust alive to combat discrimination, exclusion, and anti-Semitism. The Netherlands observes National War Commemoration Day annually on May 4, remembering those killed in WWII, including Holocaust victims. The country celebrates Liberation Day on May 5. The government-funded National May 4-5 Committee organizes national commemorations marking both days; it also develops teaching material, conducts research and public opinion polls, advises the government on how best to convey the lessons and history of WWII to younger generations, and advises local governments and private individuals on the upkeep of thousands of war memorials across the country. The Netherlands Auschwitz Committee commemorates the Holocaust annually on January 27, International Holocaust Remembrance Day, at the Auschwitz Memorial in Amsterdam. The country also commemorates the anniversary of Kristallnacht each November. The Netherlands has five national commemoration sites: Camp Vught, Camp Westerbork, Camp Amersfoort, the Dutch Indies Commemoration Center, and Oranje Hotel.

The National Holocaust Museum in Amsterdam opened in 2016 on a site where 600 Jewish children were saved during the war. The *Hollandsche Schouwburg*, a former theater in Amsterdam, now commemorates the deportation of tens of thousands of Jews from that location. The Netherlands Auschwitz Committee is working, with financial support from national and local governments, to build a National Holocaust Monument with the names of the 102,000 Dutch victims in a park in Amsterdam. The national school curriculum includes mandatory education on WWII and the Holocaust, developed jointly by the Ministry of Education and several Jewish organizations. The Anne Frank Foundation produces teaching material and organizes workshops about Anne Frank, WWII, the Holocaust, anti-Semitism, and



prejudice, for both youth and professionals. The government also sponsors a national network of guest speakers on WWII, including eyewitnesses who tell their personal stories at schools.

In 2016, the museums and Commemoration Center's 40-45 Foundation, the Netherlands Institute for War Documentation, the National May 4-5 Committee, the War Cemeteries Foundation, and the Liberation Route Europe Foundation jointly established "Platform WWII" to enhance cooperation among the participants remembering WWII. The Platform reviews how best to shape remembrance and commemoration in the digital era. The Netherlands also participates in an international steering group working to create a dignified location of remembrance at the Sobibor Nazi extermination camp in Poland, where 34,000 Dutch Jews were killed. Throughout the country, *Stolpersteine* ("stumbling stones," used as markers embedded along the sidewalks) indicate the former homes of Jews killed in the Holocaust.

### **The Welfare of Holocaust (Shoah) Survivors and Other Victims of Nazi Persecution**

The Ministry of Health, Welfare, and Sport is responsible for providing assistance to victims of WWII. The government provides benefits, pensions, and a range of facilities and services to assist Holocaust survivors. The Netherlands has a comprehensive infrastructure of organizations, regulations, provisions, and services in the field of welfare and public health.

Several private agencies specialize in assisting war victims, in particular by providing services such as psychotherapy and social work. The government plays a role in all these activities by subsidizing and facilitating initiatives and by liaising with agencies working in the field. The government provides special pensions and benefits to resistance fighters and civilian and military war victims, victims of persecution, and the relatives of all these groups.

## **NORTH MACEDONIA**

Prior to World War II (WWII), the Jewish community in the territory comprising present-day Republic of North Macedonia enjoyed significant levels of autonomy and religious freedom and prospered in commerce, medicine, and government. According to the U.S. Holocaust Memorial Museum, there were nearly 8,000 Jews living in the area in 1941, most of whom were Sephardic Jews living in Skopje, Bitola, and Shtip. Much of the area was administered by Bulgaria from 1941 to 1944, and Bulgarian police and military units deported the territory's Jews to Nazi German-held territories. The vast majority, approximately 7,000, were murdered at the Treblinka death camp in 1943.

The current Jewish population in North Macedonia is estimated at 200 individuals. The majority are Sephardic Jews concentrated in Skopje; there is also a small Ashkenazi Jewish population in Tetovo.

The country has taken concrete steps toward the restitution of communal and private immovable property that was seized, confiscated, or sold under duress during WWII. In addition, North Macedonia's Holocaust Fund and Holocaust Memorial Center support research, education, and training programs to advance Holocaust awareness, combat anti-Semitism, and promote inter-faith cooperation.

### **Immovable Private, Communal/Religious, and Heirless Property**

The government took a step toward reaching its restitution goals when it enacted the 2000 Denationalization Law. For a five-year period following its adoption, the law afforded former owners and their successors the right to claim properties that had been confiscated after August 1944, when the first meeting of the Anti-fascist Assembly for the National Liberation of Macedonia was held. The law required claimants to provide proof of Macedonian citizenship and evidence of ownership or legal successor status of private or communal property.

Additionally, in April 2002, the government approved the formation of the "Holocaust Fund of the Jews of Macedonia," establishing the Jewish-community directed Fund as the recipient of heirless and unclaimed Jewish property in the country. The government and the Fund signed an agreement in December 2007 under which the government would make payments to the Fund between 2009 and 2018 as restitution for confiscated Jewish property. These payments totaled approximately \$25.6 million, including the final installment of \$6.7 million disbursed in June 2018.

Under the Denationalization Law, if a former owner or heir later claimed property for which compensation had already been paid to the Fund, the Fund would not be required to compensate the claimant. The Fund considers that all Holocaust-era immovable property restitution claims have been resolved. The Jewish community reported no outstanding claims for immovable property in North Macedonia, although they added that foreign citizens can still seek compensation in civil proceedings. (Only one person is known to have sought property restitution outside of the criteria set forth in the Denationalization Law through such civil proceedings.)

Representatives of the World Jewish Restitution Organization (WJRO), however, expressed concern that the 2000 Denationalization Law excluded claimants and heirs who were no longer citizens, including Holocaust survivors and their families who now live in the United States or other countries. The WJRO reported that during a March 2019 meeting with representatives from Prime Minister Zaev's office, it was agreed that the WJRO would assist the government in determining whether there were outstanding claims for individuals who were not citizens. The government additionally expressed willingness to establish a working group to look into the matter. The WJRO subsequently estimated that there were approximately 100 outstanding claims and committed to provide an advisor to the working group to work with the country's Jewish community to identify individual claimants.

### **Movable Property: Nazi-Confiscated and Looted Art, Judaica, and Jewish Cultural Property**

A 1998 commission established by the National Bank estimated the value of the possessions belonging to Jews from Skopje that were looted and sold by the Commissariat for Jewish Affairs of Bulgaria during WWII to be \$16.5 million. According to government officials and a representative of the country's Holocaust Memorial Center, no documentation for specific seized movable property exists. Jewish organizations believe additional research is needed.

There are also no estimates regarding the amount of cultural property that was confiscated. The Beth Yaakov Synagogue in Skopje, consecrated in 2000, is the only functioning Jewish house of worship in the country. Research on plundered cultural objects has not yet been completed.

### **Access to Archival Documents**

In accordance with the country's 2012 Law on Archival Documents, access to all archival documents, including those related to the Jewish community, is free and unrestricted. The State Archives maintain these documents and make them accessible upon written request. Furthermore, North Macedonia is cooperating with its neighbors to expand open access to archives and to assist with the identification of movable property and claims to heirless assets.

### **Education, Remembrance, Research, and Memorial Sites**

North Macedonia became a liaison country to the International Holocaust Remembrance Alliance (IHRA) on December 5, 2019. The principal goal of the country's Holocaust Fund is to commemorate the Holocaust and provide Holocaust education. As part of these efforts, the Fund financed the Holocaust Memorial Center in Skopje, which opened in 2011, to commemorate, research, and share the story of North Macedonia's Jews. The Center plays an instrumental role in a variety of educational and research activities and works with the Ministry of Education to implement Holocaust and Jewish history programs and promote interfaith cooperation. Since 2012, the Ministry of Education has also promoted school visits to the Holocaust Memorial Center. The Holocaust is included in the history curriculum, as well as in the curricula of religion, languages (Macedonian, Albanian, and English), and the arts. The Holocaust Memorial Center organizes four teacher training seminars each year on Holocaust education and

implements a school project titled “Holocaust through the prism of children’s eyes.” The Center also organizes various regional and international educational seminars, including with history teachers from Bulgaria and Greece, and recently sponsored the first seminar for teachers from North Macedonia, Albania, and Serbia.

The Holocaust Fund, the IHRA, the country’s Jewish community, and the Institute for the Cultural and Spiritual Heritage of the Albanians opened a Holocaust Education and Research Department in Skopje in March 2019, believed to be the first of its kind in the region. The government of North Macedonia also adopted the IHRA’s working definition of anti-Semitism in March 2018. The Jewish community and the government regularly hold commemorations on International Holocaust Remembrance Day. The tobacco factory in Skopje, which was the gathering site for the deportation of Jews to Treblinka in March 1943, is the only Holocaust memorial site in North Macedonia. “March of the Living” events also mark the March 1943 deportation.

### **The Welfare of Holocaust (Shoah) Survivors and Other Victims of Nazi Persecution**

Some survivors of Treblinka emigrated to Israel after WWII, with a small number eventually returning to North Macedonia. Three survivors still living in the country today receive a government pension.

## **NORWAY**

According to the U.S. Holocaust Memorial Museum, approximately 1,800 Jews lived in Norway when Nazi Germany occupied the country in 1940. Under the Nazi occupation, 759 were deported, nearly all to Auschwitz. Only 25 survived. Another 23 Jews died in Norway as a result of Nazi policies, bringing the total of Norwegian Jews killed during the Holocaust to at least 757. More than half of the Jewish population fled Norway, with some 900 being smuggled out of the country to Sweden or Great Britain.

The Nazi-supported regime in Norway, led by Vidkun Quisling, enacted laws stripping Norwegian Jews of their property, while Norway's government-in-exile in London passed a decree during the war guaranteeing the restitution of private and communal property. After the war, all confiscated property – whether owned by Jews or non-Jews – became subject to restitution. Immovable property was returned to those rightful owners who survived the war and returned to Norway to claim it. In contrast, government policies at that time made it difficult for heirs to recover or claim compensation for the confiscated private property of relatives who died during the Holocaust.

This situation persisted until 1998, when the government approved a comprehensive settlement (“the Settlement”) with the Jewish community that covered all private, communal, and heirless property claims and provided compensation to both individual claimants and the Norwegian Jewish community as a whole.

While fewer than 800 registered members of the Jewish community currently live in Norway according to the Norwegian Central Statistics bureau, the University of Oslo estimates that there are between 1,700 to 2,000 Norwegians of Jewish descent in the country. The Jewish community, represented by *Det Mosaiske Trossamfund* (the Mosaic Community), regards all claims for Holocaust-era restitution as resolved and assesses that the government has satisfied the terms of the Settlement. The Norwegian government provides good access to Holocaust-era archives and robust support for Holocaust education and remembrance programs.

### **Immovable Private, Communal/Religious, and Heirless Property**

During the war, the Norwegian government-in-exile in London issued a provisional “Decree Concerning the Invalidity of Legal Transactions Connected with the Occupation,” which guaranteed restitution for, among other things, private and communal property confiscated by the Nazi occupation government. After the war, the government established institutions to facilitate the return of property. Jews who returned to Norway after the war (including most of the estimated 28 people who survived the concentration camps) saw the quick restoration of their real property.

On the other hand, the immediate post-war system of restitution failed to provide adequate compensation for personal property, commercial interests, or other losses. This deficiency was partly due to faulty calculations for lost commercial interests and personal property that were based on a formula that severely undervalued the actual loss. At times, authorities also refused to acknowledge that Holocaust victims were legally dead, citing the absence of death certificates.

As a result of these and other administrative burdens, restitution claims took an average of eight to 10 years to resolve, with the last one resolved in 1987. Oftentimes, the costs imposed by the courts, tax authorities, or restitution agencies exceeded the value of the estate or the compensation provided.

In 1996, the government created the “Skarpnes Committee” to investigate the lack of compensation for lost property owed to Holocaust victims or their heirs. Unable to reach a consensus, the Skarpnes Committee released two reports. The majority report focused primarily on an accurate accounting of assets lost during the war and recommended a compensation scheme for survivors or their heirs based on this accounting. The minority report, authored by committee members representing Norway’s Jewish community and entitled the “Riesel/Bruland Report of the Confiscation of Jewish Property in Norway,” emphasized instead the unique status of Norwegian Jews as a population targeted for genocide and addressed in more depth the intended and actual consequences of an inadequate post-war restitution process. The minority report also included an alternative accounting of confiscated property, asserting, for instance, that 35.3 percent of claimants did not receive any restitution, 55.5 percent received less than 1,000 Norwegian Krone (about \$200 at the time), and 163 ended up in debt to the reparation agencies. The minority report recommended a broader compensation scheme, to include both individual and communal compensation, to resolve this injustice.

The Ministry of Justice accepted the minority report and used it as the basis for the June 26, 1998, White Paper No. 82 to the Storting (Parliament), named “The Historical and Moral Settlement for the Treatment in Norway of the Liquidation of the Jewish Minority During World War II.” The government acknowledged the grave injustice done to the Jewish people of Norway. The White Paper proposed a comprehensive settlement that, among other things, provided for individual financial compensation, as well as compensation for the Jewish community that would go toward the commemoration, reconstruction, and development of Jewish culture and institutions both inside and outside of Norway.

On March 11, 1999, Norway’s parliament voted to accept the recommendations of White Paper 82, implement the Settlement contained therein, and pay 450 million Krone in compensation (worth about \$58 million at the exchange rates prevailing in 2000, the year when the bulk of the funds were allocated). The compensation was divided into two parts, for individual and collective claims. Under the Settlement, survivors or their heirs were able to claim up to 200,000 Krone (\$26,000) each for lost movable and immovable property. The collective portion of the Settlement, totaling 250 million Krone (\$32 million), was further divided into three funds to satisfy all communal property and heirless property claims and provide a form of collective economic compensation for the injustice suffered by the Jewish community: 150 million Krone (\$19 million) to sustain the Jewish community in Norway; 60 million Krone (\$7.5 million) to establish a foundation to support “the traditions and culture which the Nazis wished to exterminate” outside of Norway; and 40 million Krone (\$5 million) for the formation of a national museum for tolerance, which was ultimately established in 2001 as the Holocaust Center. The Settlement also imposed a deadline of November 1, 1999, to file claims for Holocaust-based restitution. A total of 987 claims were submitted by the November deadline, and all but 40 were approved and fully resolved in favor of the claimant. As of mid-2019, the Jewish community – as represented by the Mosaic Community – regards all

claims as having been successfully resolved and assesses that the government has satisfied the terms of the Settlement. The Department is not aware of any outstanding Holocaust-era immovable property claims by U.S. citizens.

Under the Settlement, 150 million Krone (approximately \$19 million) was provided to the Mosaic Community to ensure the preservation of the Jewish community and culture in Norway, to repay debts incurred for the restoration of communal property confiscated during the Nazi occupation, and to support the operation and development of organizations to solidify the future of the Jewish community. These funds were used in part to preserve, maintain, and operate the Oslo Synagogue and the Trondheim Synagogue, as well as Jewish museums and cultural centers in Oslo and Trondheim. The funds facilitated the preservation and maintenance of Jewish cemeteries in Oslo, Trondheim, and Bergen. Funds from the Settlement also supported the partial restoration of an Oslo synagogue confiscated in 1942 during the Nazi occupation and converted into a commercial space; it is now the home of the Oslo Jewish Museum. Although not part of the Settlement, the government has provided additional funding and in-kind resources since 2006 to ensure the physical security of the Oslo Synagogue and all visitors and worshippers who visit it.

### **Movable Property: Nazi-Confiscated and Looted Art, Judaica, and Jewish Cultural Property**

With few exceptions, Jews in Norway who did not manage to flee prior to the Nazi occupation lost virtually all movable property. Although the decree by the Norwegian government-in-exile provided for full restoration or compensation for confiscated property, the post-war Norwegian government adopted policies that effectively precluded compensation for lost personal property. These policies included taxes, administrative fees, and probate costs that reduced the value of the property or the amount recovered so that by the time all these factors were taken into account in the valuation of the confiscated assets, very little was left. From 1945 to 1987, a total of 7.8 million Krone (equal to roughly \$1.1 million) was awarded to survivors and heirs for Jewish movable property confiscated by the Nazis. This amount was less than the administrative fees charged by governmental agencies for probate. As noted, the terms of the Settlement provided redress by ensuring that a lump sum payment was available to individual claimants or their heirs that applied equally to lost movable and immovable property, both personal and commercial.

While art and other cultural property plundered from Jews during the Nazi occupation have generally been accounted for and compensated, the artworks that entered Norway through the art trade during and since the Holocaust for the most part have not. According to experts with the Conference on Jewish Material Claims Against Germany, Norwegian museums do not generally do provenance research on their collections, though the National Library did examine its collection during the work of the restitution committee in 1996-1997.

To the extent it was practical, the post-war government returned all extant Jewish cultural property of which it was aware to the Jewish community, including synagogues and cemeteries in Oslo and Trondheim. Also returned were some of the Torahs, Judaica, and other Jewish artifacts that were safeguarded by members of the Jewish community, as well as by sympathetic non-Jewish individuals and several Christian churches, during the Nazi occupation.

Remaining claims for lost or confiscated Judaica and Jewish cultural property were satisfied as part of the collective payments to the Jewish community under the Settlement.

### **Access to Archival Documents**

Members of the public generally enjoy unimpeded access to historical documents pertaining to the Holocaust. Norway has relatively broad freedom of information laws and regulations, and researchers from the Center of Studies of the Holocaust and Religious Minorities have reported that the relatively few barriers based on privacy or national security have not had any tangible impact on their research. The government also has made many records and statistics available online, which greatly facilitates historical, economic, and sociological research.

### **Education, Remembrance, Research, and Memorial Sites**

According to the International Holocaust Remembrance Alliance (IHRA), the government and Norwegian society at large have made dedicated efforts over the last two decades to remember the Holocaust and promote religious tolerance. This is reflected in the diversity of educational, research, and remembrance activities throughout the country. Norway became a member of IHRA in 2003 and served as chair in 2009. Norway has commemorated International Holocaust Remembrance Day on January 27 since 2002. In Oslo, the annual commemoration takes place at the national memorial – known as the “Site of Remembrance” – where the country’s Jews were forced onto ships for deportation to concentration and extermination camps abroad. The Prime Minister or another senior cabinet official traditionally speaks at the event. Prime Ministers Jens Stoltenberg (January 2012) and Erna Solberg (January 2017) used this event to offer formal apologies for the treatment of Norwegian Jews during the war.

Several museums in Norway feature the Holocaust as the primary or a significant focus of their permanent exhibition. The museum at the Holocaust Center maintains a permanent exhibition on the Holocaust, supplemented by numerous temporary exhibits pertaining to religious intolerance and other instances of genocide. The Falstad Center is home to a museum focusing on the Holocaust in Norway. The Oslo Jewish Museum and the Trondheim Jewish Museum have exhibits detailing the Norwegian Holocaust and anti-Semitism, as well as Jewish history and heritage in the country. Other prominent organizations providing education, research services, archival, and memorial services are the Mosaic Community and the Center of Studies of the Holocaust and Religious Minorities, both in Oslo. There are a number of other memorials and monuments commemorating the Holocaust throughout Norway; for example, in the city of Trondheim, there is a memorial park containing the sculpture of Cissi Klein, a 13-year-old Jewish girl from Trondheim who was murdered at Auschwitz-Birkenau.

According to IHRA, the Norwegian education system and Norwegian society as a whole contribute to Holocaust awareness in the country. The current curriculum for secondary education mandates the inclusion of Holocaust studies, and there is an increasing emphasis on providing teacher training related to the Holocaust and other genocides. Some schools participate in study tours to former Nazi concentration and death camps in Germany and Poland. The government also provides funding and resources for public education related to anti-Semitism and religious intolerance through its “Action Plan Against anti-Semitism



2016 – 2020” and its “Action Plan Against Hate Speech,” which are administered by the Ministry of Culture with support from the Ministry of Education and the Ministry of Justice.



## POLAND

World War II began in Europe with the invasion of Poland by Nazi Germany on September 1, 1939. Between 1939 and mid-1941, Nazi Germany occupied western Poland, while the Soviet Union, by agreement with Nazi Germany, occupied eastern Poland. In June 1941, Germany invaded the Soviet Union, bringing all of Poland under Nazi occupation.

The Nazi occupation of Poland was brutal, costing the lives of millions of Jewish and non-Jewish Poles. According to the United States Holocaust Memorial Museum (USHMM), the Nazis established at least 700 ghettos and a network of concentration and death camps throughout occupied Poland. Scholars estimate that of Poland's pre-war population of approximately 35,100,000 inhabitants, between 5.5 and 6 million people lost their lives during World War II (WWII), among them approximately three million Jews. [Note: Numbers vary in part due to lack of pre- and post-war census data, population transfers across borders, and post-war border shifts, as well as Communist-era censorship and restrictions to archival sources.]

The USHMM's Holocaust Encyclopedia estimates that at least three million Jewish Poles were murdered during the occupation, along with 1.8 to 1.9 million non-Jewish Polish citizens. Polish sources generally give a higher figure for non-Jewish Polish deaths, about three million. Poland's Institute of National Remembrance states that, "before the outbreak of the war, about three million Jews lived in the territory of the Polish state, amounting to about 10 percent of the population of Poland at that time. From that number, only about 300 thousand Jews survived." A further 1.5 million Poles were deported as forced laborers.

The Polish Government-in-Exile, formed in 1939 and based in London, joined the Allied powers, sponsored resistance to the Nazi occupation, and provided information to the Allies about crimes the Nazis perpetrated in occupied Poland. While some individual Polish citizens participated in the killing of Jews, some others engaged in efforts to save Jews, at great personal risk, given that the Nazis treated such acts as punishable by death. Yad Vashem has identified 6,992 Polish citizens as rescuers – known as Righteous Among the Nations – more than in any other country.

Much of Poland was destroyed during the war, including Warsaw, which the Nazis levelled after the 1944 Warsaw Uprising. In addition to the devastating human loss, material losses were estimated at more than \$48 billion in pre-war dollars and included the destruction of historical antiquities and national treasures. At the end of the war, the Soviet Union annexed about a third of Poland's pre-war eastern territory, forcing millions of Poles to abandon their property and move west. The post-war Communist regime then nationalized private property and industry and complicated future property restitution efforts by building public infrastructure, public housing, and state-owned industries on wrongfully seized private and communal land.

Polish citizens lost significant property and assets during WWII and the Communist era. The Nazi occupying regime specifically targeted Polish Jews for extermination and expropriation of all of their assets during the Holocaust. While the Polish government maintains that it has implemented wide-ranging legislation, Poland is the only European Union member state with

significant Holocaust-era property issues that has not passed a national comprehensive private property restitution law. Holocaust survivors and their descendants who are American citizens report that the processes required to reclaim their private real property through the Polish court system or through settlements with the national or local governments are lengthy, cumbersome, costly, and largely ineffective. Some have expressed frustration that even after the property is restituted, challenges by tenants or others prevent the full utilization of their property.

The government estimates that it has resolved about 45 percent of the approximately 5,500 claims filed for Jewish communal property; about half of the adjudicated cases were rejected. Poland has not passed a law to address heirless Holocaust-era property.

Poland has made a serious commitment to Holocaust commemoration. The government funds historical museums and monuments and eight state memorial museums at former Nazi concentration and death camps.

### **Immovable Private, Communal/Religious, and Heirless Property**

#### Private Property

In the 1960s, the government signed bilateral agreements in which Poland transferred money to certain foreign governments to cover foreign citizen claims for private property losses sustained after 1939. Among these agreements was the 1960 U.S.-Poland indemnification agreement, based on which Poland transferred \$40 million to the U.S. government to cover claimants who were U.S. citizens at the time their property was wrongfully seized. This agreement did not cover those who were Polish citizens at the time their property was seized and only later became naturalized U.S. citizens; it therefore excluded most Polish Holocaust survivors and their families.

In 1999, the Polish government proposed a private property bill that would have provided a percentage of the current fair market value to anyone who had lost property during WWII or the Communist period. The Polish parliament, however, amended the bill to limit its application only to current Polish citizens, and the bill was vetoed in 2001 by then President Kwasniewski as a result. The Polish government reports that as of April 2019, it has paid approximately \$2.29 billion in compensation to claimants of various nationalities via an assortment of legal instruments and procedures legislated since 1989, including the physical return of some original or in-kind property. Of this \$2.29 billion, according to the government, approximately 4.5 billion zloty (\$1.2 billion) went to settlements arising under the 2005 “Bug River” law, and 1.2 billion zloty (\$338.7 million) went to settlements under legal provisions specifically governing Warsaw (both are further described below).

[Note: For cases involving private rather than communal property, the government does not generally track the religion of claimants; these figures therefore include restitution to Holocaust victims and other victims of WWII and the Communist period.]

In 2005, in response to a decision of the European Court of Human Rights, Poland enacted the “Bug River” law providing for compensation for private property lost by Polish owners who

resided in territory that became part of present-day Lithuania, Belarus, or Ukraine as a result of Poland's post-WWII border changes. The legislation obligated the government to create a register of all eligible claimants and pay compensation at 20 percent of a property's value at the time of taking. Eligible claimants were property owners (or heirs) who were Polish citizens on September 1, 1939, who left the affected territory, and who retained their Polish citizenship. Holocaust survivors, their families, and any others who did not retain their Polish citizenship were excluded. By the December 2008 filing deadline, 91,845 claims had been submitted under the law. The Ministry of Interior and Administration reported that by the end of February 2019, the government had paid compensation for 74,058 claims worth approximately 4.5 billion zloty (\$1.2 billion).

Poland does not have a separate mechanism or process to address private property claims other than the "Bug River" or Warsaw areas. The World Jewish Restitution Organization estimates that a total of 2.55 billion zloty (\$680 million) has been paid to claimants for all property within the current borders of Poland for areas outside of Warsaw. Claimants in Poland may pursue restitution through administrative court proceedings or through settlement agreements with municipal governments or the national treasury. In practice, in order to succeed, claimants must seek nullification of Communist nationalizations by demonstrating that a procedural flaw occurred. Some American citizen claimants have reported that the process is cumbersome, lengthy, costly, and ineffective. They report that the process is particularly difficult for heirs to claims that were made by parents or grandparents who died without receiving compensation for their looted, confiscated, or nationalized property.

In 2016, Poland's Constitutional Tribunal upheld legislation passed in 2015 designed to prevent those publicly owned properties in Warsaw that previously had been privately owned from being returned to their pre-Communist era owners. The law sought to terminate 70-year-old claims that had remained unresolved due to the inability to determine the parties to the proceedings. Some outside observers, as well as American citizen claimants and their lawyers, reported that the administration of the law makes it almost impossible for claimants successfully to reclaim their property. Specifically, some claimants have said that the law did not allow enough time to complete succession (inheritance) proceedings in Polish courts, which the law requires, despite the fact that in other circumstances Polish inheritance law recognizes heirs as determined under U.S. law.

In March 2017, parliament passed a law establishing a government commission to investigate accusations of corruption in private property restitution in Warsaw. The law authorized the commission to: (1) issue a decision confirming a restitution decision; (2) partially or entirely annul a restitution decision and issue a different decision; (3) annul a restitution decision in its entirety and send the case back to the appropriate institution for review; (4) publicly declare that a restitution decision was made in violation of the law if circumstances made it impossible for the commission to reverse a decision they determine was made illegally; and (5) discontinue current restitution cases. In June 2018, the commission reported it had reviewed 593 restitution cases and issued 74 decisions during its first 12 months of operation. The commission chair estimated the commission's actions returned property valued at approximately 700 million zloty (\$184 million) to the City of Warsaw. Administrative and court decisions have slowed as a result of this review process, causing some outside observers – including lawyers representing

Holocaust survivors or their heirs – to argue that the commission had a negative effect on private and communal property restitution cases.

In 2017, the Justice Ministry proposed a new comprehensive, national private property restitution law. The draft law would have: (1) blocked any physical return of remaining properties (whether privately or publicly owned); (2) provided compensation in cash or government bonds of 20 to 25 percent of the property's value at the time of taking; and (3) set a one-year filing period for claims. The draft law limited claimants to current Polish citizens who had been Polish citizens at the time their property was seized or their direct heirs. Some outside observers expressed concern that the proposed legislation would have effectively excluded foreign claimants, many of whom were Holocaust survivors or their heirs. In 2018, the chair of the Standing Committee of the Council of Ministers withdrew the legislation on the grounds that it needed further revision and analysis, including with regard to questions about its potential costs and compliance with national and international law.

### Communal and Religious Property

Poland has laws enabling the restitution of certain communal religious property. The process, while incomplete, has allowed for the return of many synagogues.

Four joint commissions oversee communal religious property restitution claims that were submitted by the filing deadlines, one each for the Jewish community, the Lutheran Church, and the Orthodox Church, and one for all other denominations. (A fifth joint commission related to property of the Catholic Church is addressed below.) The commissions function in accordance with legislation providing for the restitution of property to religious communities nationalized during or after WWII. The law governing such restitution does not, however, address communal properties that the Communist regime sold or turned over to new private owners after WWII. The Ministry of Interior and Administration and the respective religious community each appoint representatives to the commissions. Although the law provides that decisions by the commission on communal property claims may not be appealed, the Constitutional Tribunal ruled in 2013 that parties could appeal commission decisions in administrative courts. The Department of State is not aware of any reports of parties filing such appeals.

The 1997 Act on the Relations between the State and Jewish Religious Communities in the Republic of Poland regulates the restitution of Jewish communal property. According to the Ministry of Interior and Administration, as of December 2018, the Jewish communal property restitution commission had partially or entirely resolved 2,810 of the 5,554 claims filed by the Jewish community by the 2002 filing deadline. According to the Foreign Ministry, the commission has awarded 88 million zloty (\$23 million) in compensation to Jewish religious communities since its establishment. Some Jewish community representatives report that the pace of Jewish communal property restitution is slow, involves considerable legal expense, and often ends without recovery of property or other compensation for claimants.

By comparison, the Catholic Church joint property commission had resolved all but 216 of its 3,063 claims by 2011. According to the Ministry of Interior and Administration, the remaining religious community property commissions resolved 87 communal property claims in 2018,

leaving unresolved more than 3,000 of the 7,000 claims filed by other religious groups. At the end of 2018, the commissions had partially or entirely resolved 989 of 1,200 claims by the Lutheran community, 268 of 472 claims by the Orthodox Church, and 87 of 170 claims by all other denominations.

The laws on religious communal property restitution do not address the issue of disputed communal properties that are now privately owned, and outside observers argue that the government has left several controversial and complicated cases unresolved. For example, a number of buildings and residences were built on land that included Jewish cemeteries destroyed during or after WWII. Experts on communal property assess that all of the straightforward Jewish communal property cases have been resolved; they note that the Jewish communal property restitution commission is unable to proceed with most of the remaining claims, as the government does not agree that the properties fall under the definition of a religious communal property. Several claims awarded to the Jewish community during the last two years remained unpaid as of mid-2019.

### Cemeteries

The devastation and human toll of Nazi-perpetrated crimes during the Holocaust left most of Poland's more than 1,200 Jewish pre-WWII cemeteries with no surviving Jewish population to care for them. The restitution of Jewish cemeteries on land owned by local municipalities or the national treasury falls under the Jewish communal property joint commission. Cemeteries are returned to the local Jewish community if one exists nearby, or to the Union of Jewish Communities in Poland if no local community remains. The Union transfers these burial grounds to the Foundation for the Preservation of Jewish Heritage in Poland, a partnership of the Union and the World Jewish Restitution Organization. Some Jewish community representatives have argued that Jewish cemeteries are part of Poland's cultural heritage and that the national government should take over ownership, restoration, and preservation of such sites around the country. In December 2017, the national parliament allocated 100 million zloty (\$28.7 million) to restore, preserve, and maintain the Warsaw Jewish Cemetery.

A 1959 law on cemeteries and burials requires that a religious community give permission before its cemetery area can be used for any other purpose. However, conflicts persist over the use of Jewish cemeteries that were nationalized during the Communist era. For example, in 2018, an issue arose regarding the commercial utilization of parts of a historic cemetery in Siemiatycze that was no longer listed as a cemetery in current land records.

In July 2017, the General Inspector of Monuments of the Ministry of Culture and National Heritage (Culture Ministry) provided official guidelines to all provincial governors and inspectors of monuments for strengthening the protection of Jewish cemeteries. In August 2017, the Act on Stewardship of Historical Monuments was amended to require that provincial inspectors of monuments approve the sale, exchange, donation, or lease of land owned by the national or local governments that encompasses or includes historic cemeteries in order to prevent commercial construction on the sites of former Jewish cemeteries. Also in 2017, the Culture Ministry – in cooperation with the National Heritage Board of Poland, the POLIN Museum of the History of Polish Jews, the Jewish Historical Institute, the Chief Rabbi of Poland,

the Rabbinical Commission for Cemeteries, the Union of Jewish Communities in Poland, and the Foundation for the Preservation of Jewish Heritage in Poland – began the first full inventory and verification of historical boundaries of all Jewish cemeteries in Poland. In 2018, the Culture Ministry instituted a project to place markers designating the boundaries of Jewish cemeteries and to place a memorial stone featuring a plaque declaring the site to be a Jewish cemetery. By February 2019, the Culture Ministry had completed the project for six Jewish cemeteries out of an estimated 1,200 in the country.

### Heirless Property

Poland has not passed a law to address the significant amount of private property left heirless by the Holocaust. Instead, heirless property is governed by Polish inheritance law, which requires that such property be returned to the local municipality or national treasury. According to the government, Poland began immediately after WWII to reconcile the legal status of property left by owners, including Jews who were killed during the Holocaust, under a series of decrees regulating derelict and abandoned property, as part of the overall nationalization of private property under the post-war Communist regime.

### **Movable Property: Nazi Confiscated and Looted Art**

The Culture Ministry's Department for Cultural Heritage Abroad and Wartime Losses is responsible for the recovery of Nazi-looted artwork, libraries, and cultural heritage items taken from inside the post-WWII borders of Poland. The Department for Cultural Heritage Abroad maintains a catalogue of some 100,000 such objects and an online "Database of Objects Lost as a Result of World War II" containing more than 60,000 items. The catalogue does not note whether the objects were destroyed, survived, or were looted from Jews. There have been a number of successful restitutions of artworks from abroad to Poland in recent years.

The Culture Ministry is responsible for handling claims by foreign governments for art inside Polish state-owned museums that may have been looted, but it is not clear that this includes Nazi-looted art from other countries or claims by private parties. Such artworks are in Poland as the result of the Nazi art market during the war. The Department of State is not aware of any claims by foreign parties for Nazi-looted art in Polish museums.

### **Judaica and Jewish Cultural Property**

There is no law in place covering the restitution of Jewish-owned cultural and religious movable property. Cultural institutions in Poland generally do not conduct provenance research on their own collections and, in the few cases where they have done so, did not make the findings publicly available. In 2012, the Yearbook *Muzealnictwo* (Museology) published a set of guidelines outlining how provenance research in regard to looted cultural objects should be carried out. According to art restitution experts, while the guidelines were received by Polish museums, no concrete actions followed. The total amount of confiscated or destroyed Jewish owned cultural property in Nazi-occupied Poland has not been documented and is therefore unknown.



Much of the Judaica that ended up in what is now Polish territory was turned over by the Polish government to the Jewish Historical Institute in Warsaw. According to the Conference on Jewish Material Claims Against Germany (Claims Conference), some artworks and artifacts that originally belonged to foreign Jewish communities are held there. In particular, the Jewish community in Thessaloniki, Greece has requested the return of Nazi-looted ritual objects and artifacts. Periodically, the Institute has exhibited certain items, and the Institute includes on its website: “A significant part of the collection of sacred art of the Jewish Historical Institute is the legacy of Greek Jews murdered in the extermination centers at Auschwitz and Majdanek.”

### **Access to Archival Documents**

Poland has an extensive and accessible network of local and national archives. Jewish community representatives reported no issues with free access to archival documents. The United States Holocaust Memorial Museum reports good cooperation with archives in Poland, including the Head Office of the State Archives, the Institute of National Remembrance – Commission for the Prosecution of Crimes against the Polish Nation, the Emanuel Ringelblum Jewish Historical Institute in Warsaw, the Auschwitz-Birkenau Memorial and Museum in Oswiecim, Warsaw’s POLIN Museum, and a number of regional and university archives.

### **Education, Remembrance, Research, and Memorial Sites**

Poland has made a serious commitment to Holocaust commemoration; the government funds museums and monuments, including eight state memorial museums at former Nazi German concentration and extermination camps operated in occupied Poland. Poland planned to host a major international commemoration event in January 2020 to observe the 75th anniversary of the liberation of the Auschwitz-Birkenau concentration and death camps.

Poland has statutorily mandated Holocaust education requirements for students beginning in the fifth grade and continuing through the end of high school. According to an official at the POLIN Museum, the Ministry of National Education’s Holocaust education requirements specify that students in grades five through eight should be able to do the following: characterize Nazi German policy in occupied Europe; explain the extermination of Jews, Roma, and other ethnic groups; and cite examples of heroism of Poles who saved Jews during the Holocaust.

At the high school level, students should be able to present the ideological background leading to the extermination of Jews and other ethnic and social groups by Nazi Germany; characterize the stages of the extermination of Jews (discrimination, stigmatization, isolation, and annihilation); recognize the main places of extermination, including Auschwitz-Birkenau, Treblinka, and Sobibor; describe the attitude of Jews towards the Holocaust, including the Warsaw Ghetto Uprising; and characterize the attitudes of Polish society and the international community towards the Holocaust, including the “Righteous Among the Nations,” by using examples. A report by Poland’s Ministry of Foreign Affairs provides further details on the Holocaust education requirements in public schools.

The Ministry of National Education appointed a Holocaust Education Advisory Council in January 2018. The council is managed by the ministry’s Plenipotentiary for Polish-Jewish

Relations and is composed of experts in the field of Holocaust education. The government also organizes and/or funds several Holocaust education programs outside of school, including exchange programs for teachers organized by Yad Vashem and the Auschwitz-Birkenau Museum.

Some outside observers argue that the time allotted for Holocaust education – one to two hours per year per grade – is insufficient for students to understand the Holocaust, its causes, and consequences. Additionally, some argue that the government has inserted a specific historical narrative into the curriculum, such as mandating that teachers only use the examples of Righteous Among the Nations awardees when discussing the actions of Polish citizens during the Holocaust.

Poland's 1999 Act on the Protection of Former Nazi Death Camps extended legal protection to eight Holocaust memorials in Poland and established state or local museums at each site. These include the Auschwitz-Birkenau State Museum, the State Museum at Majdanek, the Museum and Memorial Site in Sobibor, the Museum and Memorial Site at Belzec, the Stutthof Museum, the Gross-Rosen Museum in Rogoznica, the Treblinka Museum, and the Museum of the Former German Kulmhof Death Camp.

The Culture Ministry supervises and finances seven of the eight museums and provides support for the Museum of the Former German Kulmhof Death Camp. Additionally, the Culture Ministry funds several Holocaust memorial-related museums, including the POLIN Museum in Warsaw, which recounts the 1,000-year heritage of Jews in Poland, and the Ulma Family Museum of Poles Saving Jews in World War II, located in Markowa. The Culture Ministry is also working on plans for two additional Holocaust memorial museums, including the Warsaw Ghetto Museum and the KL Plaszow Memorial Site at the former KL Plaszow Nazi labor camp, in Krakow. From 2017 to 2018, the Culture Ministry allocated 287 million zloty (\$76 million) in grants for projects related to Jewish culture, of which 161 million zloty (\$42.3 million) was allocated for Holocaust museums and memorials.

Poland is a member of the International Holocaust Remembrance Alliance. In 2000, then-Prime Minister Buzek announced the establishment of the International Auschwitz Council, which advises the country's Council of Ministers on the preservation and function of the Auschwitz-Birkenau Memorial and Museum and other Holocaust memorials. Top national government officials, including the President and the Prime Minister, participate in annual remembrance ceremonies, including International Holocaust Remembrance Day on January 27 and the commemoration of the Warsaw Ghetto Uprising on April 19.

### **Welfare of Holocaust (Shoah) Survivors and other Victims of Nazi Persecution**

Poland allocates public funds to support Holocaust survivors. In 2014, Poland enacted a law that provides a monthly pension to Holocaust survivors from the country, wherever they reside, equivalent to the amount the government provides to pensioners in Poland. The 1991 Act on Combatants and Victims of War and Post-war Repression authorized allowances for eligible WWII combatants and victims of repression. As part of that law, survivors who were incarcerated in ghettos, concentration camps, labor camps, and death camps were eligible to

receive cash benefits, including pension and disability allowances. The Foreign Ministry reported in mid-2019 that the government had paid 28.4 billion zloty (\$7.5 billion) in pensions and disability since the law was enacted. These benefits are also available for qualified survivors who were Polish citizens during the Holocaust and later emigrated, although some lawyers representing eligible U.S. citizens have reported that it is difficult to apply for these benefits. Difficulties include evidentiary requirements for survivors who already have been recognized as survivors by Germany, the Claims Conference, or Israel. The requirement to produce additional documentation is particularly difficult for Holocaust survivors who may have lost their documents during the war. Additionally, certain categories of victims – including people who survived in hiding – are excluded.

Many Polish citizens benefitted from an agreement negotiated by the U.S. government with the German government in July 2000 that included compensation for certain slave and forced laborers. Of the 10 billion DM (worth approximately \$5 billion at that time) Germany paid out worldwide under this agreement, the Polish government received 1.812 billion DM (approximately \$906 million, using 2000 conversion rates) for payments to surviving former slave and forced laborers still living in Poland as of 2000. According to the final report of Germany's "Remembrance, Responsibility and Future Foundation," the Polish partner organization implementing the agreement in Poland made payments to 483,902 people. Experts estimate that the vast majority of beneficiaries were likely non-Jewish forced laborers, based on the relatively small number of Jewish slave laborers believed to have survived the war and still be alive and resident in Poland in 2000.

## **PORTUGAL**

Portugal was a neutral country during World War II (WWII). The government extended favorable trade terms to Great Britain, with which it had a centuries-old treaty, but continued supplying goods and tungsten – an essential material for the arms industry – to Nazi Germany until mid-1944. The Nazis paid with gold bullion looted from countries they had conquered and, it is suspected, from victims of the Holocaust. An estimated 40,000 Jews passed through Portugal between 1940 and 1941 fleeing Nazi persecution. Portuguese diplomats in certain European posts, including Aristides de Sousa Mendes, facilitated their escape – often in violation of official policy. There are approximately 3,000 to 4,000 Jews in Portugal today.

### **Immovable Private, Communal/Religious, and Heirless Property**

Portugal endorsed the Terezin Declaration in 2009 and the related Guidelines and Best Practices in 2010. Immovable property from Jews or other targeted groups was not confiscated in Portugal during WWII, and the Department is not aware of outstanding issues or claims related to such property. In 2012, a member of the Portuguese government stated that, “to our best knowledge, there was no immovable property confiscated or otherwise wrongfully seized in Portugal during the Holocaust Era, between 1933 and 1945.” Nongovernmental organizations and local Jewish community groups also reported no significant outstanding Holocaust-era claims, including by foreign citizens. The government has general laws and mechanisms in place that could be used to compensate former property owners if any such case were to arise.

### **Movable Property: Nazi Confiscated and Looted Art**

Experts estimate nearly 100 tons of Nazi gold ended up in Portugal. Almost half of this gold is believed to have been stolen from the treasuries of European countries that fell to the Nazis. In 1998, the government convened a commission (via Resolution of the Council of Ministers No. 57/98) to examine the gold transactions between Portugal and Germany between 1936 and 1945, chaired by the president and prime minister. The commission concluded in 1999 that there was “no basis for additional restitution” following the payment made by Portugal in 1960 for gold transactions carried out between Portuguese and German authorities between 1936 and 1945. The commission determined that Portugal did not knowingly handle gold looted from Holocaust victims and, as a result, there was no obligation to pay compensation. Jewish groups criticized the commission’s conclusions.

Unlike the research into Nazi gold, there has been very little attention to the fate of Nazi-confiscated art that went through Portugal or possibly stayed in the country. Museums in Portugal do not conduct provenance research, although at least one painting has been reportedly identified as having been taken from Jews in France.

Portugal is a signatory to the International Council of Museums Code of Ethics. The country joined the International Holocaust Remembrance Alliance as the organization’s 34th member country in 2019.

### **Access to Archival Documents**

The Department is not aware of any difficulties with access to archival documents. The United States Holocaust Memorial Museum has experienced excellent cooperation with both the National Archives and the archives of the Portuguese Ministry of Foreign Affairs.

### **Education, Remembrance, Research, and Memorial Sites**

Holocaust education is part of the general history curriculum for elementary schools and high schools. The Ministry of Education provides a 15-hour Holocaust history course for teachers.

On International Holocaust Remembrance Day January 27, the Portuguese parliament holds a ceremony to honor Holocaust victims and raise genocide awareness. Senior government officials attend this event. Schools and some public institutions also commemorate this day. The Memoshoa Foundation, a Portuguese NGO that focuses on Holocaust education, holds conferences and seminars throughout the country in collaboration with local municipalities and schools.

There are memorial sites throughout Portugal to honor the Jewish community and pay tribute to Holocaust victims and survivors. An example is the Sahar Hassamaim Synagogue, the oldest synagogue in the country, located on Sao Miguel Island in the Azores Autonomous Region. Although no longer used as a synagogue, Sahar Hassamaim serves as a library and museum for the preservation of Jewish history in the country.

### **The Welfare of Holocaust (Shoah) Survivors and Other Victims of Nazi Persecution**

Holocaust survivors in Portugal are entitled to the same social welfare benefits as other Portuguese citizens. According to the President of the Lisbon Jewish Community, there are currently no known survivors of the Holocaust residing in Portugal.

## **ROMANIA**

Romania, under pro-Nazi dictator Ion Antonescu, joined the Axis alliance in November 1940 and collaborated in the persecution and extermination of Jews. Quantifying the deadly impact of the Holocaust on Romanian Jews is complicated due to the numerous border and population shifts prior to and during World War II (WWII), with most experts evaluating population totals and deaths by area. For instance, in the summer of 1940, Romania was forced to cede territory to Hungary and the Soviet Union that contained more than half of its approximately 750,000 Jews. Following the June 1941 Nazi invasion of the Soviet Union, Romania seized back the ceded Soviet territories and occupied a larger area in Ukraine, to which it deported well over 100,000 Romanian Jews. Some 250,000 Romanian and Ukrainian Jews died in areas under Romanian control between 1941 and 1944. In 1942, the Romanian regime initially agreed to turn over to Nazi Germany the 300,000 Jews still within Romania, but then refused to do so, resulting in their survival.

The U.S. Holocaust Memorial Museum (USHMM) estimates that 220,000 Romanian Jews died in the Holocaust, which includes at least 90,000 Jews deported by Hungary from northern Transylvania. Other Romanian sources, such as the International Commission for the Study of the Holocaust in Romania, estimate a higher number – between 280,000 and 380,000. Of the 25,000 Roma deported to Transnistria, at least 11,000 perished.

The World Jewish Congress (WJC) estimates that between 9,300 and 17,000 Jews live in Romania today. In the 2011 census, 3,271 individuals declared themselves to be Jewish. The main organization representing the country's Jewish community is the *Federația Comunităților Evreiești Din România* (Federation of Jewish Communities in Romania).

In 1997, the Federation of Jewish Communities in Romania and the World Jewish Restitution Organization (WJRO) established the Caritatea Foundation, which assumed responsibility for preparing and submitting claims to the National Authority for Property Restitution (ANRP) for confiscated Jewish property. According to the Foundation, however, the process is complicated by ambiguities in Romania's restitution laws, a general preference for courts to settle cases, short deadlines for documents, and overly bureaucratic procedures. Claimants may be directed to government-managed archives to obtain required documents, but the archives generally require long processing times that often result in missed submission deadlines.

### **Immovable Private, Communal/Religious, and Heirless Property**

Private property seized during the Holocaust included farmland, forests, food processing plants, mills, distilleries, homes, apartments and buildings. Romania passed laws to reverse the confiscation of Jewish and Roma property soon after the fascist regime was deposed in August 1944. Legislation included Law No. 641/1944 (regarding the abolition of anti-Semitic measures) and Law No. 607/1945 (regarding the annulment of certain contracts that transferred property during exceptional circumstances). Since the country's 1989 revolution, some claimants have pursued court cases to seek restitution of private property under Law 641/1944, which entitles Jews to seek restitution of certain properties confiscated during the Holocaust. There is no known statistical data covering restitution cases filed under Law 641/1944, but anecdotal

evidence suggests that the courts have granted restitution or compensation in only a small percentage of these cases.

Claims by some foreign citizens relating to war damage and nationalization were settled through bilateral agreements with foreign governments (e.g., United States, Canada, and the United Kingdom). Restitution began to take place after the fall of the Communist regime in 1989, although post-Communist restitution laws effectively often excluded Holocaust-era confiscations. Laws enacted in the 1990s for private and communal property restitution sometimes overlapped or conflicted and were not well enforced.

In the last decade, Romania has passed several broad laws on private property restitution. Following a decision by the European Court of Human Rights, Romania passed Law No. 165/2013 to rectify systemic problems with its restitution program for private property confiscated by the Communist regime. In 2016, subsequent legislation prioritized the processing of private property claims made by Holocaust survivors and resolved technical issues that had been delaying the return of certain Jewish communal properties.

The 2016 legislation was adopted following the recommendation of a working group established by then-Prime Minister Cioloș with participation by the Federation of Jewish Communities in Romania and the WJRO. The working group under the previous government did not convene after February 2019. At that time, it was in the process of considering proposals that could help unblock or expedite the processing of remaining private and communal property claims, as well as proposals to make the application for a pension program less burdensome to Holocaust survivors who no longer have Romanian citizenship. Under the new government, proposals covering these issues were under review as of late 2019.

During the Holocaust, the regime seized cemeteries, synagogues, schools, hospitals, and other types of Jewish communal or religious property. Under Romanian law, the Jewish community is entitled to receive compensation for buildings and land confiscated or nationalized between September 6, 1940, and December 22, 1989. The Caritatea Foundation has obtained restitution or compensation for 40 percent of the communal properties it identified. Lack of access to archival documents and the destruction of some archival collections limited the Foundation's ability to file claims for all the identified communal properties before the 2006 deadline. Romania's National Authority for Property Restitution reports a much higher percentage of successful claims (up to 90 percent).

Legislation passed in 2016 clarifies the Caritatea Foundation's rights to 55 Jewish communal properties, such as schools and burial societies that were incorporated separately from properties owned by the country's pre-Holocaust central Jewish communities. This 2016 legislation also resolved a technical issue that had delayed 40 of the Caritatea Foundation's claims for properties that the Jewish communities were compelled to "donate" to the state during the Communist era.

Romanian law established a point system for compensation in private and communal property cases where restitution was not possible. Religious groups can use the points only to bid on other properties in auctions organized by the National Commission for Real Estate Compensation. The Commission validates compensation decisions of other local or central

authorities, including those of the Special Restitution Commission within the National Authority for Property Restitution, which decides on restitution claims filed by religious denominations and national minorities. As is done with private property, these laws establish a 240-day period during which claimants must submit additional evidence in their cases when requested by the entity in charge of resolving their restitution claim. If a claimant cannot meet the deadline, the administrative authority may reject the case. The authority may extend the deadline by an additional 120 days if the claimant can prove he/she made a concerted effort to obtain the evidence (usually in the possession of other state authorities), although was unable to do so.

The 1947 Treaty of Paris requires Romania to return heirless and unclaimed property to the Jewish community. Romania enacted legislation in 1948 (Law No. 113) designed to implement the Treaty by transferring property belonging to victims of racial or religious persecution to organizations that would benefit remaining members of the community. According to a 2016 report by the European Shoah Legacy Institute, the law “was never fully or meaningfully implemented.”

### **Movable Property: Nazi Confiscated and Looted Art**

During the Holocaust, government officials, including representatives of the National Bank of Romania, were responsible for the confiscation of artwork, jewels, foreign currency, bank accounts, and share certificates, as well as for the forced conversion of Romanian currency and forced sale of precious metals at lower exchange rates or prices. Law 641/1944 allowed for the restitution of movable property confiscated during the Holocaust. However, historians and representatives of the Jewish community report that the government has not implemented these provisions. These sources assert that valuable objects were either withheld by corrupt officials or transferred to the National Bank of Romania. The Jewish community has raised this issue, but the Bank asserts that no records are available. Historians speculate the evidence was likely destroyed. Experts from the Conference on Jewish Material Claims Against Germany assert that Romanian cultural institutions do not conduct provenance research on their art collections.

### **Judaica and Jewish Cultural Property**

The Department is not aware of any outstanding issues with Judaica and Jewish cultural property. Some ceremonial objects and Torah scrolls that were preserved are currently located in the Jewish Museum in Bucharest.

### **Access to Archival Documents**

The Caritatea Foundation has reported that lack of access to archival documents makes supporting restitution claims particularly challenging. In many cases, the Foundation was not able to obtain required documentation from the National Archives demonstrating proof of ownership in time to meet the deadlines imposed by restitution laws.

In February 2019, Romania’s parliament adopted a bill declassifying documents related to the Jewish community that are in the custody of the National Archives and the archives of the



general secretariat of the government for the period 1938-1989. As of mid-2019, resources were not yet in place to identify and select relevant documents for declassification.

### **Education, Remembrance, Research, and Memorial Sites**

Romania joined the International Holocaust Remembrance Alliance (IHRA) in 2004 and held the chairmanship in 2016-2017. A key achievement during its chairmanship was the adoption of the IHRA working definition of anti-Semitism in May 2016, followed by Romania's national adoption of the definition in May 2017. The IHRA website ([www.holocaustremembrance.com](http://www.holocaustremembrance.com)) provides details about post-Terezin Declaration developments in Romania, including the preservation of killing sites and the acknowledgement of the Romanian role in the Holocaust.

The government commemorates National Holocaust Remembrance Day on October 9, marking the day in 1941 when the Romanian authorities began deporting the country's Jews to Transnistria. Schools and some public institutions also commemorate International Holocaust Remembrance Day on January 27. In May 2019, government representatives participated in the March of the Living at the Auschwitz-Birkenau Memorial and Museum in Poland. Plaques are present at train stations located in areas from where Jews were deported during the Holocaust. Memorial sites relevant to the country's Holocaust history are also present in several cities.

The Elie Wiesel Institute for the Study of the Holocaust in Romania, located in Bucharest, has carried out research on the Holocaust since 2005. The Institute implements a range of commemorative and educational projects, including training for teachers and educational resources for schools and exhibitions. The Ministry of Education organizes a national student contest every two years dedicated to the memory and history of the Holocaust.

Not all textbooks include accurate information about the Holocaust in Romania, and teaching Holocaust history is mandated only in the seventh grade. The high school course "History of the Jews – The Holocaust" is optional, and few students choose to take it. In March 2019, the Ministry of Education, the U.S. Holocaust Memorial Museum, and the Wiesel Institute agreed on an arrangement that lays the groundwork for introducing high quality, historically accurate lessons on the history of the Holocaust and the Jewish people in Romania into the public school curriculum. The Ministry of Foreign Affairs and the Wiesel Institute also hold regular trainings on the country's Holocaust history for police officers.

In June 2019, the Wiesel Institute requested that the Romanian government approve the transfer of a lot adjacent to the Grigore Antipa Museum of Natural History in Bucharest to build a museum dedicated to the Holocaust. This request was not approved, but in September 2019, Romania's parliament passed a bill transferring a building in downtown Bucharest to the Wiesel Institute for use as a museum.

The Wiesel Institute has reported cases of local authorities who allowed streets, organizations, schools, and libraries to be named after persons convicted of Holocaust-related war crimes or crimes against humanity. Most public history museums do not include information on the country's Holocaust history in their permanent exhibitions, and exhibitions at some of these

museums praise Ion Antonescu, the pro-Nazi dictator who governed Romania from 1940 to 1944 and, after the war, was convicted of war crimes and executed.

### **The Welfare of Holocaust (Shoah) Survivors and Other Victims of Nazi Persecution**

Romanian and foreign citizens who were persecuted based on ethnic or religious criteria between 1940 and 1945 are entitled to a monthly pension. The amount of the pension varies, depending on the type and length of persecution endured. A law that went into effect in July 2019 allows Holocaust survivors who reside in foreign countries and are eligible for compensation in Romania to prove that they were victims of racial and ethnic persecution based on official documents released by institutions of the country of residence. The law also exempts Holocaust survivors residing in foreign countries from physically submitting their applications for compensation at the pension offices in Romania and allows them to use other means of communication in order to apply. For survivors who left at a young age and do not speak Romanian, submission of the application and additional documents in Romanian creates barriers. Roma survivors have also experienced challenges. Historians and Roma civil activists reported that a significant proportion of the remaining Roma survivors who applied for pensions were denied because of administrative barriers and requirements.

## **RUSSIA**

Russia endorsed the Terezin Declaration in 2009, but due to a lack of data, it is difficult to assess the degree to which Russia has implemented restitution laws. There are no known laws or special mechanisms enabling the return of, or compensation for, private property or heirless property confiscated or nationalized during the Holocaust era. In 2010, Russia enacted laws on objects of cultural value and on the transfer of nationalized religious property to religious organizations.

Despite having the requisite legal framework in place for return of religious property, restitution of such property to the Jewish community has been slow in practice and few claims have been submitted. Gaining access to archival documents or data on potentially sensitive topics related to political persecution or repression, including the Holocaust and Jewish history, remains difficult. While it is complicated to assess how many Jews died in the Soviet Union during World War II, given that large numbers were evacuated to or fled to the interior of the Soviet Union after 1939, local sources estimate that up to 2 to 2.5 million Jews perished, including approximately 120,000 in the territory of the present-day Russian Federation. (Information on Holocaust victims is available at [www.ushmm.org](http://www.ushmm.org).) The Federation of Jewish Communities estimates that about one million Jews currently live in Russia, which exceeds the most recent government census tally of 200,000.

### **Immovable Private, Communal/Religious, and Heirless Property**

Russia's 2010 law "On the transfer to religious organizations of property of religious purpose, which is in the state or in municipal property" defines the procedure for transferring such property to religious organizations and allows the possibility for religious communities to claim property that was nationalized by the Soviet Union. The law stipulates that it does not apply to museum objects and collections included in the Museum Fund of the Russian Federation or to documents of the Archival or National Library funds. Reportedly, until this law's enactment, there was no clear legal mechanism for returning property to religious organizations despite the Russian government's stated policy since the fall of the Soviet Union in favor of returning such property. According to the 2017 Immovable Property Restitution Study by the European Shoah Legacy Institute (ESLI), as of 2007, the bulk of religious property (approximately 3,500 buildings) had been returned to the Russian Orthodox Church, while a small number of buildings had been returned to Jewish communities. The head of the Russian Orthodox Church welcomed the adoption of the 2010 law as a step toward restoring justice for the Jewish community.

While Russia has enacted the requisite legal framework to enable restitution of religious property, some Jewish communities have faced significant challenges in practice and have filed relatively few claims overall. This is especially true in places where significant Jewish premises, monuments, and cemeteries exist but where no community remains to pursue such claims. A representative from the Jewish Community Center of St. Petersburg provided one example of a case in which a local Jewish community was successful in regaining access to religious premises. Namely, in 2011, a historic synagogue that had been nationalized by the Communists was returned to the Jewish community in Bryansk.

There is no legislation or special mechanism in the country that addresses the restitution of or compensation for private property; the same is true for heirless property.

Cemeteries in Russia are public property, and local authorities are responsible for the protection, maintenance, and security of tombstones and graves. Despite this obligation, some Jewish cemeteries in areas lacking large or well-organized Jewish communities are not well maintained or protected from acts of vandalism.

### **Movable Property: Nazi-Confiscated and Looted Art**

After WW II, Soviet Trophy Brigades brought enormous numbers of artworks, library collections, and archives into the USSR, mostly to Moscow, from the Soviet-occupied areas of Germany and its allies as “compensatory restitution” for the huge losses of cultural property inflicted on Soviet territory. These “trophy” objects included items that had been plundered from Jews and other victims of the Nazis. Many, though not all, such items were returned to the governments of certain countries in the 1950s and 1960s.

In 1998, Russia adopted a federal law “On the objects of cultural value transferred to the USSR as a result of the Second World War and located on the territory of the Russian Federation.” The law stipulates “protection of the specified cultural values from plunder, prevention of their illegal export outside of the Russian Federation, as well as unlawful transfer.” However, the law contains many exceptions under which no restitution is possible, including art that “belongs” to legal entities or museums. In addition, the law specified that some art may stay in Russia as “partial compensation for damage caused to the cultural heritage of the Russian Federation as a result of the looting and destruction of its cultural property by Germany and its military allies.”

Russia initially expressed support for restitution of looted art and announced the return of one artwork following the issuance of the 1998 Washington Conference Principles on Nazi-Confiscated Art (Washington Principles). The Russian ambassador to the United States in 1998 also made a statement supporting the return of looted art, urging “the entire world community to do everything possible to locate these cultural values and return them to the countries from which they were stolen.” Since 1998, there has been some inventorying of looted property at Russian museums and libraries. Some of this information is recorded in public databases, while the rest of the information remains largely inaccessible.

Despite a law passed by the Duma and signed by President Putin in 2000 in support of some of the major provisions of the Washington Principles, Russia retains Nazi-confiscated art. The Department of State is unaware of any special, government-assisted process for identifying such works or handling claims. Chabad of the United States has a long-running case in U.S. courts seeking recovery of the Schneersohn collection. Some of these religious books and manuscripts were nationalized by the Soviet Union shortly after the 1917 Bolshevik Revolution, while others were first seized by the Nazis in Poland during World War II and later taken from the Nazis by the Red Army.

## **Judaica and Jewish Cultural Property**

Much Judaica looted by the Nazis and their allies was among the vast numbers of items brought to Russia after the war. In addition to the holdings of the Russian State Military Historical Archive in Moscow (RGVA), Judaica brought to Russia is known to include Torahs and ceremonial objects. RGVA returned some Judaica to the governments of France, Belgium, the Netherlands, Luxembourg, and Austria. RGVA reportedly has scanned parts of the Schneersohn collection it retains but has not made the documents accessible. Meanwhile, the Russian State Library, which houses the majority of the Schneersohn collection, has made the books available online.

## **Access to Archival Documents**

According to the GULAG History Museum and NGOs in Russia that conduct research on the Holocaust, ease of access to archives depends on the sensitivity of the topic and the entity requesting archival materials. Access to archival documents on sensitive topics related to political persecution or repression, including the Holocaust and Jewish history, can be particularly difficult. Individuals and NGOs viewed by the government as being critical of the government found it difficult to obtain data from archives.

## **Education, Remembrance, Research, and Memorial Sites**

Russia was among the group of states at the United Nations that initiated the effort to establish International Holocaust Remembrance Day. The government commemorates the day on January 27 with speeches by high-ranking government officials. In 2014, Russia enacted a law making it a criminal offense to glorify Nazism or spread information contradictory to the government's official stance about the Soviet Union's role in World War II. This law plays a role in the Russian government's effort to shape the public's memory of the Holocaust.

Most museums in Russia dedicated to Jewish culture or to the memory of victims of the Holocaust are private. The government, however, has created several memorial sites dedicated to the Holocaust. The Memorial to the Jews of Pushkin was created in 1991 and is part of the Pushkin Holocaust Memorial Site honoring those who died in 1941 during the Siege of Leningrad (St. Petersburg). In 1992, Russia established the Holocaust Research and Educational Center, which reportedly was the first organization in post-Soviet Russia dedicated specifically to the commemoration of victims of the Holocaust. The Jewish Museum and Center of Tolerance opened in Moscow in 2012, the result of a multimillion-dollar project supported by Jewish and non-Jewish benefactors, foundations, and local authorities. At this museum in June 2019, President Putin opened the first-ever Moscow monument to the victims of the Holocaust. The focus of the monument is on Jewish heroes of resistance in concentration camps and ghettos during WWII. Later the same month, a monument honoring the victims of the Holocaust was opened in Mineralnye Vody City.

After negotiations in 2010 between the Russian government and the Jewish community, the Ministry of Education and Science of the Russian Federation included the topic of the Holocaust in the history curriculum of secondary schools across the country. Also in 2010, the Academy

for Advanced Studies and Professional Retraining of Education Workers and the Holocaust Center in Moscow developed a program for leading educators and social studies teachers entitled "Lessons on the Holocaust: A Path to Tolerance." It included 72 teacher training hours for 60 teachers from 10 Russian counties.

### **The Welfare of Holocaust (Shoah) Survivors and Other Victims of Nazi Persecution**

The Russian government does not provide special compensation, subsidies, or monetary assistance to Holocaust survivors. However, pursuant to a 1999 Russian law, the Russian government does not tax compensation payments to Holocaust survivors in Russia made by foreign compensation funds. The Conference on Jewish Material Claims Against Germany supports Holocaust survivors in Russia.

## **SERBIA**

The Government of Serbia remains committed to the objectives of the Terezin Declaration and has laws and mechanisms in place that have addressed the restitution of or compensation for wrongfully seized or nationalized private property, communal/religious property, and heirless property. In practice, there were obstacles to timely filing under the 2006 and 2011 laws addressing communal/religious property and private property, respectively, while Jewish community representatives in Serbia report general satisfaction with the filing process for heirless and unclaimed property under a 2016 law.

Prior to World War II, the total number of Jews throughout the Kingdom of Yugoslavia was approximately 78,000, including 4,000 stateless Jews from Germany, Austria, and Czechoslovakia. Of the 17,200 Jews who lived in what is now the Republic of Serbia before the war, 15,060 died during the Holocaust. According to the World Jewish Congress, Serbia is currently home to between 1,400 and 2,800 Jews.

In April 1941, Nazi Germany established a military occupation administration in Serbia. An indigenous regime and police force were nominally supervised by a puppet Serb government under former Yugoslav General Milan Nedic. During the summer of 1941, Nazi military and police authorities interned most Jews and Roma in five detention camps. One of these camps, known as Semlin (what is now Staro Sajmiste), was located across the Sava River from downtown Belgrade in an area that was then part of the Independent State of Croatia.

In response to insurgencies largely led by the Serb nationalist Chetnik movement, Hitler in 1941 ordered the shooting of 100 hostages for every ethnic German death in Serbia and the Banat region. Nazi military and police units used this order as a pretext to shoot virtually all male Serbian Jews (approximately 8,000 persons); approximately 2,000 actual and perceived communists, Serb nationalists, and democratic politicians of the interwar era; and approximately 1,000 male Roma.

In the autumn of 1941, Nazi security police began rounding up Jewish women and children in Serbia and incarcerating them in the Staro Sajmiste detention camp. Between March and May 1942, German security police killed about 6,280 persons, including virtually all of the camp's remaining Jews who were mostly women and children, using a mobile gas van sent from Berlin. After these murders, the commander of the Security and Police and Gestapo in Serbia cabled to Berlin that Serbia was *Judenfrei* or "free of Jews."

### **Immovable Private, Communal/Religious, and Heirless Property**

Nazi authorities seized Jewish property beginning in May 1941, shortly after they invaded Yugoslavia. In May 1945, Yugoslavia passed Law 36/45 ("Handling Property Abandoned by its Owner during the Occupation and Property Seized by the Occupier and his Collaborators"), which provided for widespread restitution and compensation. However, the communist government came to power shortly thereafter and nationalized most assets. Successor governments did not begin any restitution process until the 2006 Law on the Restitution of

## Property to Churches and Religious Communities and the 2011 Law on Property Restitution and Compensation.

The 2006 law regulates the return of communal religious property of churches and other religious communities in the country confiscated after March 1945, thereby excluding properties taken during World War II. In cases where restitution is not possible, alternate forms of compensation are provided, such as substitute properties or monetary payments. The law specified a 2008 deadline to submit claims. According to the World Jewish Restitution Organization (WJRO), the Jewish communities of Serbia identified 609 pre-war properties belonging to the Jewish community and submitted paperwork for 520 communal property claims under the 2006 law. As of April 2019, property returned to the Jewish communities under the 2006 law includes 8,719 square meters (93,850 square feet) of “objects” (buildings), 28 hectares (70 acres) of agricultural land, and 2.3 hectares (5.6 acres) of unbuilt land. The Serbian Restitution Agency estimates the value of these properties at €1.5 million (\$1.68 million).

The 2011 law provided for the return of private property, with a two-year window for filing claims. The law allowed for the restitution of properties to former owners or their descendants or, in cases where restitution was not possible, financial compensation in the form of bonds up to a maximum of €500,000 (approximately \$560,000) per claimant with terms ranging from 10 to 15 years, depending on the claimant’s age. The value of financial compensation could be reduced, however, because the law authorized an overall maximum level of compensation for all private property. Properties that were sold, privatized by companies, turned into diplomatic or cultural facilities, or a number of other categories were generally exempt from restitution. The deadline for claims under this law was March 2014, and some heirs of Holocaust victims did file claims. The WJRO noted, however, that the two-year period to file claims was insufficient because it did not take into account the difficulties for elderly Holocaust victims or their descendants, both in Serbia and throughout the world, to become aware of the opportunity to submit claims, obtain all required documents, and secure needed assistance for submitting claims.

As of April 2019, total returned property under the 2011 law includes 6,725 total “objects” (4,655 business offices, 1,004 apartments, and 1,066 buildings), 433 hectares (1,070 acres) of unbuilt land, 5,648 hectares (13,957 acres) of forest land, and 53,266 hectares (131,623 acres) of agricultural land. The government does not keep records noting the religious or ethnic affiliation of claimants under this law.

In February 2016, Serbia became the first country following the 2009 Terezin Declaration to pass a law aimed at returning unclaimed and heirless Jewish property taken during the Holocaust and/or subsequently nationalized during communist rule. Known as the “Holocaust Heirless Property Law,” it provided a three-year window for Serbia’s 10 Jewish communities to file claims for restitution of or compensation for eligible private property that had belonged to Jewish owners before the Holocaust and who perished and left leaving no heirs. The deadline to file claims was February 28, 2019. Serbia’s Jewish communities were primarily responsible for researching and filing the claims within their respective jurisdictions. Although the local Jewish communities would benefit from ownership of any restituted heirless property, they would also serve as repositories for those properties in the event that a legitimate heir was to come forward



in the future. In contrast to Serbia's other restitution laws, the 2016 law protects heirs' rights to claim restitution indefinitely, if they were unaware or unable to establish a claim before the law's deadline.

The law defines "heirless property" as any property that was not the subject of a legitimate claim for restitution. The Jewish community must prove that the former owner of the property was a member of the community and the property was confiscated during the Holocaust. Any property that had been sold in subsequent years to a private owner is exempt from restitution or financial compensation.

In addition to providing a mechanism for restitution claims, the law also designated 25 annual payments of €950,000 (approximately \$1.05 million) from the Serbian government to the Federation of Jewish Communities in Serbia (*Savez Jevrejskih Opština Srbije* and known as "Savez") to support the revitalization of Serbian Jewish life. The first payment to Savez was made in 2017. The use of these funds, and of funds derived from rents on returned property, is strictly confined to activities as defined by Article 22 of the law. Such activities include, for example, education and research on the Holocaust, financial support to Holocaust survivors, financial support to Serbia's Jewish communities, student scholarships, humanitarian aid, and strengthening ties between Serbia's Jewish communities and communities abroad.

The law mandates that 20 percent of total proceeds from the law be remitted to Serbia's Holocaust survivors domestically and abroad for at least 10 years after entry of the law into force. The Serbian government did not provide support to Holocaust survivors prior to the 2016 law. In 2017, Savez sent letters to hundreds of Holocaust survivors in 27 countries to notify potential recipients of their benefits. Savez and the WJRO publicized an application for survivors to apply for annual payments by July 31 in both 2017 and 2018. Savez reported that during the first year after adoption of the Holocaust Heirless Property Law, updating and verifying the list of living Holocaust survivors of Serbian origins was a significant task. In 2018, Savez made payments to 493 survivors.

The law also requires the appointment of a supervisory board with representatives from the country's Jewish community, the WJRO, and a chairperson appointed directly by the government to oversee management of funds and incomes generated by the restitution law. The board is primarily responsible for auditing use of the annual financial payments from the government to Savez. After more than a year of advocacy by the U.S. and Israeli embassies in Belgrade, as well as the WJRO, the government established a supervisory body of five members and appointed a chair in March 2018. The board produces periodic reports on property with the help of an independent auditor. Additionally, the board works with Savez (which has two representatives on the board) to resolve concerns about privacy and information disclosure as well as address community concerns or challenges regarding report conclusions.

Most stakeholders in the Jewish community report general satisfaction with government responsiveness and facilitation in claims processing under the law. Serbia's Restitution Agency reports that the country's Jewish communities filed 1,683 total claims under the Holocaust Heirless Property Law, of which 70 percent had been processed as of April 2019. To date, returned property under the law includes 109 "objects," which are defined as buildings, business

premises, apartments, and garages. The total area of these premises is 7,803 square meters (83,991 square feet), as well as 640 hectares (1,581 acres) of agricultural land, and 442 square meters (4,758 square feet) of unbuilt land. The Restitution Agency estimates the value of these properties at €17.5 million (\$19.6 million).

The Restitution Agency reports no claims for strictly Jewish cemeteries or burial sites under any of the three property restitution laws. They noted that because many cemeteries with Jewish remains were also used by members of other faiths, it would be difficult or impossible to return such properties to individual religious groups. Savez reported that the majority of Serbia's Jewish cemeteries were not confiscated and remained in the possession of local Jewish communities, and confirmed that it also was unaware of any pending claims for restitution of burial sites. Savez representatives also noted that many cemeteries had been neglected because of the decimation of Serbia's Jewish population during the Holocaust. Restitution Agency representatives separately reported a similar issue with a cemetery in the mid-sized city of Sabac; the cemetery had been returned to the municipality, which now maintains it in the absence of a local Jewish community to claim and care for it.

### U.S. Citizen Claims

Some U.S. citizen claimants under the 2011 general restitution law expressed dissatisfaction that the majority of claims were eligible for financial compensation at less than the anticipated value. As of the summer of 2019, the Department had not been made aware of any pending American citizen claims under the 2016 Holocaust Heirless Property Law, although Savez reports that of the 493 Holocaust survivors receiving benefits, 30 survivors were living in the United States. American citizen claims for property under the 2016 law are subject to the same process as for all other claimants.

### **Movable Property: Nazi-Confiscated and Looted Art, Judaica, and Jewish Cultural Property**

Serbia's Restitution Agency reported receiving no claims with regard to confiscated movable property, art, Judaica, and Jewish cultural property dating from the Holocaust era. Representatives from the agency expressed doubt that there were many, if any, such items left in Serbia to be the subject of any claims, but noted that any items held by the National Museum would be exempt from restitution. Savez representatives reported that they were unaware of any claims related to looted art or any instances of Jewish ritual objects being kept in private art collections. There appears to be little to no research available within Serbia on the provenance of holdings in state museums or galleries. The 2016 Holocaust Heirless Property Law is specifically limited to items that were taken in Serbia and excludes looted art that was brought into the country. This exclusion has raised concerns by restitution experts and curators who believe looted art from abroad could be in the country's institutions.

### **Access to Archival Documents**

The 2016 Holocaust Heirless Property Law directed archives and institutions of local governments and provinces to comply expeditiously with requests for information, and dictated

that potential claimants/applicants would generally not be charged fees for services related to archival research. The U.S. Holocaust Memorial Museum enjoys good cooperation in Serbia and has ongoing projects with the Military Archives of the Ministry of Defense and an ongoing digitization project in the historical archives in the cities of Subotica and Novi Sad.

Jewish community representatives have reported general satisfaction with access to archival materials after the passage of the 2016 law. The Jewish Community of Belgrade commented that they enjoyed a collaborative relationship with the local archives staff while they researched and processed some 700 property restitution claims. Some local communities outside of Belgrade noted difficulties accessing smaller municipal archives, and Savez reported that access depended to a certain degree on the capacities and staffing of local offices and on the local bureaucracy.

After reports that some Jewish communities faced difficulties accessing local archives, U.S. Embassy Belgrade staff visited three municipal archives in 2018 to advocate for more responsiveness to the groups' requests for information. As of mid-2019, Savez reported that all local Jewish communities had sufficient access to archival documents to file their claims in a timely manner.

### **Education, Remembrance, Research, and Memorial Sites**

Holocaust education, research, and remembrance activities are some of the permissible uses of the annual government payments to the Jewish community under the Holocaust Heirless Property Law.

Serbia joined the International Holocaust Remembrance Alliance (IHRA) in 2011 and holds several annual commemorations at Holocaust sites around the country. Senior government officials generally attend these commemoration ceremonies, including the Prime Minister and President. An annual ceremony is held to mark International Holocaust Remembrance Day on January 27 at a monument near the location of the Staro Sajmiste concentration camp in Belgrade. A separate commemoration takes place on December 16 each year specifically to mark the National Remembrance Day of Roma Killed in WWII at the Jabuka execution site near the city of Pancevo. Annual ceremonies are also held in January to commemorate the Novi Sad Massacre, also known as the Novi Sad Raid, during which occupying Hungarian fascist forces rounded up and killed an estimated 3,000-4,000 local Serbs, Jews, and Roma from January 21-23, 1942.

A separate ceremony is held each October to honor the victims of the Jajinci mass execution site, which was used by the Nazis between 1941 and 1944 to kill more than 60,000 Jews, Roma, communists, political dissidents, and others fighting the occupation. In 2014, the City of Belgrade established an annual Day of Remembrance for Holocaust victims on May 10, which is the day in 1942 that the last group of Jewish women and children were killed at Staro Sajmiste.

Information on the Holocaust and on Nazi crimes committed during World War II (including throughout the territory of the former Yugoslavia) is part of the standard curriculum in Serbian public schools. Additional third-party materials are authorized and available to teachers for optional, more in-depth modules on the Holocaust.

There are several Holocaust concentration camps, labor camps, and extermination sites in Serbia. While memorial statues, parks, and commemoration ceremonies mark several Holocaust locations, Serbia lacks a comprehensive approach to memorializing or properly recognizing its Holocaust sites. The shooting grounds of Jajinci, for instance, are marked with a memorial park to commemorate the 65,000-80,000 Serbs, Jews, and others killed there on the southwest outskirts of Belgrade during World War II. A monument of remembrance is located near the site of the Staro Sajmiste extermination camp in Belgrade, although some portions of the grounds are dilapidated and subject to squatting and commercial use. The Topovske Supe camp site in the heart of Belgrade stands completely abandoned. Military barracks that housed nearly all of Belgrade's Jewish adult male population before their extermination in 1941 are decayed; a plaque that once marked the spot is missing; and a major real estate developer owns a portion of the site with plans to build a shopping center.

Although a commission to establish a formal memorial center at Staro Sajmiste had been active for nearly 10 years, regular monthly meetings ceased in September 2018. As of late 2019, the Ministry of Culture and Information was drafting a law that would formally establish a memorial center, funding, and oversight bodies for the site. The law is also expected to acknowledge the Topovske Supe site, but it is unclear how much protection, funding, and memorialization will be provided.

## **SLOVAKIA**

An early ally of Nazi Germany, the newly independent Slovakia joined the Axis powers in 1940 after declaring independence from Czechoslovakia in 1939. In 1942, Slovakia became the first Axis partner to consent to the deportation of its Jewish residents. According to a December 1940 census cited by the U.S. Holocaust Memorial Museum, there were about 88,951 Jews in Slovakia at that time.

The first anti-Jewish law, restricting Jews to the practice of only certain professions, was passed in April 1939. A 1940 Land Reform Act confiscated 100,000 hectares (250,000 acres) of land owned by nearly 5,000 Jews and turned it over to the state. A law adopted in April 1940 mandated the expropriation of Jewish property and its transfer to non-Jewish ownership – a process known as “Aryanization.” In November 1940, a second law mandated the dismissal of Jewish employees and led to the liquidation of 10,000 Jewish businesses and the transfer of an additional 2,300 enterprises to non-Jewish ownership. Parliament passed a “Jewish Code” on September 9, 1941, based on the Nuremberg Laws, which excluded Jews from the economy and virtually all aspects of public life. Wartime Slovak propaganda boasted that the Code was the strictest set of anti-Jewish laws in Europe.

In 1941, the Slovak and Nazi German governments reached an agreement for the mass deportation of Jews from the territory of Slovakia to Nazi-occupied Poland. Between March and October 1942, 57,000 Jews were deported to the Auschwitz-Birkenau concentration and death camp and other camps in occupied Poland; only a few hundred survived. The Slovak authorities paid Nazi Germany 500 Reichsmark (RM) per Jew deported, driving the total cost of deportation to more than RM 30 million. In exchange, the Germans permitted Slovakia to retain all confiscated property. After Germany invaded the country in August 1944 to crush the anti-fascist Slovak National Uprising, another 13,500 Jews were deported, and hundreds more were murdered by Nazi and Slovak fascist special forces.

An estimated 68,000 to 71,000 Slovak Jews were murdered during World War II (WWII), comprising more than 80 percent of the pre-war Jewish population. Survivors who returned after the war faced renewed anti-Semitism and difficulty regaining stolen or confiscated property. Many chose to emigrate. Immediately after the war, the restored Czechoslovakia issued Decree No. 5/1945 and passed Act No. 128/1946, which invalidated all property transfers occurring under pressure of Nazi occupation between 1939 and 1945. The Slovak National Council, however, resisted implementation of the law and suspended its entry into force. Czechoslovakia fell under Soviet Communist control in 1948, and all restitution efforts halted for the next 40 years. On January 1, 1993, Czechoslovakia split into two sovereign states, the Czech Republic and the Slovak Republic.

Slovakia remains largely committed to the goals and objectives of the Terezin Declaration on Holocaust restitution. The country enacted laws partially facilitating the restitution of or compensation for certain immovable private and communal/religious property in the 1990s. However, several provisions in the relevant laws limited both the amount of property returned and the number of eligible and successful claimants. As a result, many survivors and their families have faced difficulties in recovering their property or receiving compensation. Since

Slovakia endorsed the Terezin Declaration in 2009, no new laws have been passed relating to the restitution of private or communal/religious property.

### **Immovable Private, Communal/Religious, and Heirless Property**

After the end of the Communist regime in November 1989, the Czechoslovak parliament introduced legislation regarding both private and communal property restitution, including heirless property, albeit with limitations that affected both the amount of property returned and the number of eligible claimants. The legislation was subsequently carried over into Slovak law.

The private property restitution regime, relating to both property expropriated during the Holocaust and property seized during the Communist era, was introduced in 1991 in Czechoslovakia through Act No. 87/1991 on Extra-Judicial Rehabilitation (and amendments) and Act No. 229/1991 on the Regulation of Property Relations to the Land and Other Agricultural Property (and amendments). These acts related to restitution of property such as buildings, land, and agricultural property expropriated between the beginning of the Nazi occupation (1939) and the Velvet Revolution (1989). Both laws offered the possibility of compensation and restitution for expropriated property. Claimants who chose restitution of the actual property where the property had appreciated in value were, however, obligated to pay the current owner the difference between the original and the current value. The legislation also required that claimants be citizens with permanent residence in the country, which limited the number of eligible and successful claimants.

Representatives of the Central Union of Jewish Religious Communities in the Slovak Republic (UZZNO) have maintained that in some cases, non-Jews who had acquired Jewish property during the Holocaust and subsequently lost it to Communist nationalization after 1948 were successful in obtaining restitution of that property under the referenced 1991 laws. Jewish representatives also reported difficulties with obtaining restitution for agricultural land because of extreme parcel fragmentation caused by the local inheritance system and poor documentation, challenges that also applied to non-Jewish applicants for restitution.

Since the laws introducing the restitution regime for private property did not include provisions for the disposition of property for which no heirs could be identified, the Slovak government and the Slovak Jewish community in 2000 established a Joint Commission to review heirless property and other remaining restitution issues. The commission consisted of Slovak government representatives and 10 Jewish representatives: seven from the Slovak Jewish community, including UZZNO; one each representing the American Jewish Committee and B'nai B'rith International; and one jointly representing the World Jewish Congress and the World Jewish Restitution Organization.

Experts contracted by the Joint Commission reported that Jewish movable property and real estate (excluding agricultural lands) that changed ownership due to racial laws, liquidation, or expropriation and transfer to non-Jews during the period 1939-1945 was valued at approximately 8.5 billion Slovak Crowns (\$185 million in 2002). The estimate was based on original documentation from the Nazi expropriation process and included the value of Jewish enterprises

sold to non-Jews, blocked bank deposits, unpaid insurance policies, and the value of certain movable assets, such as livestock.

In 2002, the Slovak government and the Jewish community reached an agreement under which the Jewish community would accept 10 percent (approximately \$18.5 million) of the aforementioned sum as a settlement. The agreement also created the Council for the Compensation of Holocaust Victims in the Slovak Republic, which was composed of government officials and members of the Jewish community. For a period of 10 years, the Council distributed the settlement funds for the following purposes: (1) to individuals whose assets were neither returned nor indemnified in any way; (2) for social-health care projects with special consideration for the needs of Holocaust survivors; (3) for the reconstruction, renewal, and maintenance of Jewish monuments in the Slovak Republic; (4) for projects dedicated to the dignified memory of Holocaust victims; and (5) for support of Jewish social, cultural and education activities.

Up to one-third of the fund was earmarked for compensation to individuals whose assets were never returned or indemnified in any way. This included compensation for Holocaust victims or their heirs (regardless of their current permanent residency status) whose confiscated properties were located in the part of Slovak territory that was ceded to Hungary through an agreement brokered by Germany and Italy in 1938. Of the approximately 1,300 claims registered by the December 31, 2003, deadline, mostly by descendants of Slovak Jews living in the United States and Israel, 580 claimants were deemed eligible. Their payments ranged from \$1,100 to \$34,000, with the average payment \$16,000. Many applications were rejected for lack of sufficient evidence. The remainder of this part of the fund was used to make one-time payments of about \$3,000 each to 122 claimants who were Slovak citizens and who were initially rejected from another Holocaust-related compensation program provided under Act no. 305/1999 on the Mitigation of Certain Injustices to Persons Deported to Nazi Concentration and Prison Camps. In 2012, the remaining balance from the fund, approximately one-third of the principal amount, was transferred from the Council to UZZNO, which continues to use it for funding social and healthcare services for survivors, for the upkeep of religious monuments, and for awareness/education projects.

Regarding communal property restitution, in 1993 Slovakia enacted Act No. 282/1993 on the Mitigation of Certain Injustices Caused to Churches and Religious Communities. The law covered property confiscated between 1945 and 1990, but a special provision permitted Jewish communities to file claims dating back to 1938. The state, municipalities, and private citizens were obliged to return religious and communal properties to their rightful owners. A follow-up Restitution Law No. 161 enacted in 2005 permitted religious communities to file claims also for agricultural and forest land and administrative buildings, including non-religious property. The 2005 law also reopened the claims process under Act No. 282/1993, as potential claimants may not have been aware of the opportunity to seek restitution, leaving many claims unsatisfied.

UZZNO filed communal property claims on behalf of the Jewish community in areas where there was no longer an active Jewish presence. The organization filed 500 property claims; 300 of these claims were satisfied, most which were for Jewish cemeteries. UZZNO described the process of communal property restitution as uneven across the country. Restitution in

Bratislava occurred relatively swiftly, but in eastern Slovakia – which had a large Jewish presence before the Holocaust but a very small community in the 1990s and 2000s – there were difficulties in returning buildings to the community. In addition, critics reported that municipalities were frequently pleased to return derelict synagogues, but problems arose when the buildings in question were being used for municipal services. There is an ongoing dispute before Slovak courts over heirless land for which the Jewish community continues to seek restitution.

### **Movable Property: Nazi-Confiscated and Looted Art**

Compared to other European countries, where auctions of valuable works of art confiscated from Jewish citizens were well documented, Slovakia has no such public records. Works of art owned by Slovak Jews were usually stolen by private individuals and Nazi sympathizers, rather than in a coordinated government confiscation effort. UZZNO acknowledges the absence of relevant archival documents.

In 1999, the Slovak government directed the Ministry of Culture to prepare a database of works of art taken from the territory of Slovakia during and after WWII, which was undertaken in cooperation with the Slovak National Gallery and the Slovak National Museum. In May 1999, the Ministry of Culture requested that all state institutions with art collections scrutinize the acquisition process of their collections and report any works of art that had previously belonged to Jewish citizens who were deported from the territory of present-day Slovakia during WWII. Except for one museum, the Lubovniansky Region Museum in Stara Lubovna, all of the organizations responded that they did not have any confiscated or looted art. The Stara Lubovna museum returned to its rightful owner artwork it had identified as confiscated. Although the government repeated its request to state institutions in 2007 after a meeting of Slovak government representatives with local and international Jewish organizations, no additional artwork was identified. Nevertheless, some looted art sold at auctions may have entered museum collections. In 2013, the “The Shadow of the Past” exhibition at the Jewish Community Museum showcased 14 works in the Slovak National Gallery that were suspected of being plundered Jewish property, including one by Rembrandt. The original owners are not known.

### **Judaica and Jewish Cultural Property**

As with confiscated and looted works of art, the restitution of stolen Judaica and Jewish cultural property in Slovakia has been complicated by a lack of archival documents. Representatives of UZZNO have reported that most Judaica disappeared without a trace during WWII, stolen by private individuals. The Museum of Jewish Culture, which falls under the Slovak National Museum, currently holds the largest collection of Judaica in the country. Named for architect Eugen Barkany, a pioneer of Jewish heritage preservation in Slovakia, the collection includes more than 3,000 items dating from before and after WWII.

In 2007, Slovak government representatives and Jewish organizations discussed the creation of a website with information on the origin of the items in Slovak museums and galleries and an online database of Judaica in the country; they also discussed making archives related to Holocaust issues available for further historical research. The Ministry of Culture later launched



an electronic version of the central register of the collections of museums and galleries in Slovakia, which was implemented by the Slovak National Museum and the Slovak National Gallery. As of August 2019, work continued on both the register of collection items and the database of Judaica.

The Slovak Jewish Cultural Heritage Center has carried out documentation activities and worked to create a database of Jewish buildings and monuments in Slovakia. The outcomes of the *Synagoga Slovaca* project, a database of photographs and other documents related to Jewish cultural heritage in Slovakia, are accessible and continuously updated online.

### **Access to Archival Documents**

The official archives of the Slovak Republic connected with the period 1933 to 1948 are generally accessible to the public. The Slovak National Archive reports that it has 4,427 boxes of material related to the Holocaust era. UZZNO representatives did not report issues with gaining access to archival documents but noted that an unofficial archive of documents pertaining to Holocaust-era asset confiscations secretly preserved by the wartime governor of the Slovak National Bank went missing in the period after 1990 in what they alleged was a deliberate attempt to complicate restitution efforts.

Since 2005, the Nation's Memory Institute (UPN) has gradually made public the register of liquidated and "Aryanized" Jewish assets from the Holocaust era. The UPN website currently includes the lists of liquidated and "Aryanized" assets, provides basic data on the owner of the enterprise, the nature and location of the business, and information on its liquidator or the non-Jewish recipient who benefitted from the illegal Nazi expropriation.

### **Education, Remembrance, Research, and Memorial Sites**

Slovakia has been an active member of the International Holocaust Remembrance Alliance (IHRA) since 2005, and the Slovak government actively works to promote Holocaust remembrance. Slovakia recognizes International Holocaust Remembrance Day on January 27, and government representatives attend Holocaust remembrance events organized by the Jewish community in Bratislava or Sered on or around that date. Government officials also issue statements mourning the victims of the Holocaust and condemning xenophobia and intolerance.

On December 20, 1990, a joint proclamation passed by the then-Czechoslovak parliament regarding the deportations of Jews from the territory of Slovakia during WWII expressed regret and offered an apology for these events. In 2001, Slovakia's parliament approved the establishment of September 9 as the Memorial Day of Holocaust Victims and Racial Violence, which is the date when the WWII-era fascist regime adopted the Jewish Code.

In 2016, the Slovak government financially supported the opening of a new Holocaust Museum, built on the grounds of the former work and concentration camp in Sered, with a €5 million grant (\$5.5 million). In 2018, the government approved a further €1 million (\$1.1 million) investment to upgrade the museum's campus. The government financially supports school field trips to the museum. In October 2018, the Slovak parliament passed an amendment to codify a new

definition of anti-Semitism and the Holocaust, in line with the IHRA working definition. Slovakia hosted an OSCE Conference on Combatting Anti-Semitism in February 2019 as part of its chairmanship of the organization.

Government activities regarding Holocaust remembrance and education are coordinated through the framework of an Action Plan for Preventing All Forms of Discrimination, Racism, Xenophobia, Anti-Semitism and Other Forms of Intolerance, which was first adopted in 2000 and has been periodically updated since then. In 2011, the government established a standing Committee on Eliminating all Forms of Racism, Xenophobia, Anti-Semitism and Other Forms of Intolerance as part of a Government Council on Human Rights, National Minorities and Gender Equality. The committee, consisting of government employees from relevant ministries and other central government offices, as well as representatives of civil society, meets on a quarterly basis.

### **The Welfare of Holocaust (Shoah) Survivors and Other Victims of Nazi Persecution**

According to the World Jewish Congress, Slovakia currently has about 2,600 Jewish residents. The Conference on Jewish Material Claims Against Germany (Claims Conference) provides Holocaust survivors in Slovakia a monthly allowance of €150 (approximately \$165). Survivors are also entitled to claim reimbursement for expenses related to medical care and social services based on an agreement between the UZZNO and the Claims Conference.

The Slovak government pays a supplementary amount to the monthly pension of Holocaust survivors pursuant to a 1999 Act on the Mitigation of Certain Injustices of Persons Deported to Nazi Concentration and Prison Camps (Act No. 305/1999). In 2000, a National Center of Health and Social Aid was established in Bratislava to provide social services, health care, and assistance to Holocaust survivors in Slovakia as part of the Or Chaim (Light of Life) program. The Center's activities are financed by several international sources (Claims Conference, the International Commission on Holocaust Era Insurance Claims, and others) and also receives funds from the Council for the Indemnification of Holocaust Victims in Slovakia and the Central Union. Social services for Holocaust survivors are also provided at the Ohel David home in Bratislava. The activities of Ohel David are predominantly financed through the Indemnification Council and the Central Union.

## **SLOVENIA**

During the Holocaust, the Nazis and their collaborators killed or deported to their deaths most of the Jewish population of Slovenia. Of the approximately 1,400 Jews who lived in Slovenia in 1940, roughly 1,300 were killed during World War II (WWII). After the war, the Federal People's Republic of Yugoslavia (of which the People's Republic of Slovenia was a constituent republic) nationalized much of the Jewish property seized by the Nazis. Today, there are an estimated 300 people of Jewish descent in Slovenia, including about 20 active community members in Ljubljana and 30 in Prekmurje, a region in northeast Slovenia.

In addition to the 2009 Terezin Declaration, Slovenia endorsed the 2010 Guidelines and Best Practices for Restitution and Compensation. Although Slovenia has a framework for private property restitution, most Holocaust-era property claims in the country are categorized as heirless property for which there is no provision in the law for restitution or compensation. The country also has no legislation covering the return of Holocaust-era Jewish communal property. Private property restitution provisions included in the Denationalization Act of 1991 required claimants to have had Yugoslav citizenship at the time their property was confiscated, and with some exceptions, it generally excluded property confiscated before 1945. As a result, Slovenian Jewish Holocaust survivors and descendants of those who perished were largely unable to benefit from the law's property restitution procedures. In 2018, the World Jewish Restitution Organization (WJRO) and the Ministry of Justice agreed to launch a joint research project to establish the scope and value of heirless properties in the country. The research teams expected to complete the study by the end of 2019.

### **Immovable Private, Communal/Religious, and Heirless Property**

Restitution cases involving private property confiscated after 1946 were subject to procedures under the Criminal Procedure Act. Cases involving private property nationalized by the Communists were subject to restitution procedures under the Denationalization Act of 1991. The 1991 act required claimants to have had Yugoslav citizenship at the time their property was confiscated. Given such requirements, Jewish property owners and their heirs were largely unable to file claims under the act.

Some Holocaust survivors and their relatives, along with Slovene deportees, were able to reclaim property confiscated before 1945, but NGOs and advocacy groups report that the government has not made sufficient progress on the resolution of Holocaust-era claims. These reports come from former citizens who were required to renounce Yugoslav citizenship as a condition for emigrating and Holocaust survivors from Yugoslavia and their heirs who did not return and thus never had Yugoslav citizenship. Some cases involving the restitution of property seized during the Communist era (especially from 1946 to 1958) remain unresolved, but nearly all denationalization cases are finalized.

In many instances, courts had already deemed Jewish property heirless after the war, before the heirs of those who perished were able to return. Moreover, Slovenians who emigrated to Israel between 1948 and 1950 were pressured to renounce their Yugoslav citizenship and forfeit their property to the state as a prerequisite to leaving the country.

Many eligible property owners and their heirs living abroad did not file claims under the Denationalization Act because they did not receive adequate notice before the claims deadline. Those who did file claims faced a process that suffered from a lack of trained personnel and inadequate ownership records, which resulted in a lack of transparency and inconsistent decisions.

The government asserts that nearly all of Slovenia's Holocaust-era restitution claims have been closed. Most Holocaust-era claims are categorized as heirless property, however, for which there is no provision in law for restitution or compensation. The extermination of entire families in Slovenia left substantial property without heirs to claim it.

In 2018, the WJRO and the Ministry of Justice agreed to launch a joint research project to establish the scope of heirless properties in the country. The research teams expected to complete the study by the end of 2019.

The Department is unaware of outstanding restitution claims from U.S. citizen Holocaust survivors or family members of Holocaust victims.

### **Movable Property: Nazi-Confiscated and Looted Art**

The Department is not aware of any outstanding issues with movable property. In 2014, the Ministry of Culture made an inquiry across state museums and art galleries but did not find Nazi-confiscated or looted art. Provenance research has begun through Slovenia's participation in the EU-sponsored project "TransCultAA - Transfer of Cultural Objects in the Alpe Adria Region in the 20th Century," but there continue to be difficulties with access to archival sources such as those concerning the distribution by the Communist regime of art looted during WWII.

### **Judaica and Jewish Cultural Property**

Judaica in Slovenia has for the most part been identified, partly in cooperation with the Center for Jewish Art of the Hebrew University of Jerusalem. The Department is not aware of any outstanding issues with Judaica and Jewish cultural property, and there is no law specifically addressing the restitution of cultural property.

### **Access to Archival Documents**

Slovenian archives are generally open and accessible to the public without restrictions. In 2014, amendments to the Act on the Protection of Documentary and Archival Material and Archives introduced some limitations on the use of personal data and information on individuals. In July 2018, the United States Holocaust Memorial Museum and the Archives of the Republic of Slovenia signed a cooperation contract to grant the museum's representatives access to and the ability to reproduce material in Slovenia's archives.

## **Education, Remembrance, Research, and Memorial Sites**

The government is a member of the International Holocaust Remembrance Alliance (IHRA) and supports IHRA's working definition of anti-Semitism. Government officials attend International Day of Commemoration and Dignity of the Victims of the Crime of Genocide events on December 9. The government also observes International Holocaust Remembrance Day on January 27.

Holocaust education is required in schools. Schools use a booklet published by the Ministry of Foreign Affairs as part of the Holocaust education curriculum to create awareness of the history of Jews and anti-Semitism in Europe before WWII and the atrocities committed during the Holocaust. The material also emphasizes the responsibility to remember the victims of the Holocaust.

The *Mini Teater* (Mini Theater) in Ljubljana, established in 1999, houses the Jewish Cultural Center, which the local Jewish community also uses as a synagogue. The *Mini Teater* seeks to raise Jewish culture and history awareness through Jewish-themed theater performances and its annual Festival of Tolerance. In an April 2019 meeting with the U.S. Special Envoy for Holocaust Issues and WJRO representatives, the Center's director noted preparations for an exhibition on Ljubljana victims of the Holocaust and plans to install "*Stolpersteins*" ("stumbling stones") in the cities of Murska Sobota and Lendava. These stumbling stones are concrete cubes bearing brass plates inscribed with the names and birth and death dates of Slovenian victims of the Holocaust. The Center, which receives no government funding, also includes a museum and the country's only Holocaust memorial.

The national government proclaimed the Maribor Synagogue in the city of Maribor as a museum of national importance, and the city financially supports its operations and maintenance.

The Museum of Tržič administers a museum at the location of the Ljubelj labor camp, the only labor camp in Slovenia during WWII. The Ljubelj camp had approximately 1,300 prisoners at any given time during 1943-1945; inmates worked in appalling conditions with high mortality rates to build the Ljubelj tunnel. At least 14 Jews were documented as prisoners in the Ljubelj camp. Ministry of Justice contacts assessed the current museum is in poor condition. The government is renovating the museum and plans to add a remembrance room with information on the victims. The government also plans to train tour guides and provide translation of the museum's materials into several foreign languages.

## **The Welfare of Holocaust (Shoah) Survivors and Other Victims of Nazi Persecution**

Ministry of Justice contacts reported that Holocaust survivors, including those living abroad, were eligible to claim social welfare benefits such as health insurance, recognition of pensionable service, entitlement to a pension, compensation for war damages, a monthly annuity, and priority for allocation of social housing through the Act on Victims of War Violence, which has no statute of limitations. Ministry contacts, however, were unaware of any such claims.

## **SPAIN**

Before World War II (WWII), an estimated 4,000 Jews lived in Spain. Aside from a Spanish division of volunteers and conscripts who fought alongside Axis troops during the siege of Leningrad in Russia, Spain did not participate in WWII. The Franco government did sell and exchange supplies with the Axis Powers. Spanish diplomats in a number of European capitals played an important role in facilitating the escape of thousands of Jews. An estimated 20,000-30,000 Jews passed through Spanish territory after 1940 to flee persecution from Nazi-controlled areas of Europe.

At present, an estimated 40,000-50,000 Jews live in Spain, with the majority concentrated in the provinces of Madrid, Barcelona, and Malaga, as well as in the autonomous cities of Ceuta and Melilla. The government supports Holocaust education and remembrance. In recent years, Spain has enhanced activities to raise public awareness and reinforce historical memory regarding the Holocaust.

### **Immovable Private, Communal/Religious, and Heirless Property**

Spain has not enacted immovable property restitution laws, and the European Shoah Legacy Institute's (ESLI) 2017 Immovable Property Restitution Study indicates that private property and communal property were not seized from Jewish communities in Spain during the Holocaust.

### **Movable Property: Nazi-Confiscated and Looted Art**

Spain participated in the 1998 Washington Conference on Holocaust-Era Assets and is a signatory to the International Council of Museums Code of Ethics. The government formed a Commission on Holocaust-era Assets in 1997 to investigate Spain's economic relations with the Third Reich during WWII. In 1999, the Commission's work expanded to include an investigation regarding works of art bought or sold in Spain during the Holocaust. The Commission concluded that, in terms of economic cooperation and movable property, Spain's role was very limited. An estimated one percent of all the art dealers operating in Europe conducted business in Spain during WWII. Some Jewish groups and researchers criticized the Commission's findings; specifically, they pointed out that the Commission did not conduct an investigation regarding the movement of looted works through Spain or sufficiently research existing art collections in Spain to ascertain whether they included works of art looted by Nazi Germany.

The Department is aware of one case involving movable property. In 1939, Nazi officials forced a Jewish woman living in Germany to trade a Camille Pissarro painting, *Rue Saint-Honoré*, in return for safe passage out of Germany. The painting was acquired in 1976 through a private purchase and was incorporated into the collection of Spain's Thyssen Museum in 1993. The woman's heirs filed a lawsuit in federal court in Los Angeles for the return of the painting.

According to a statement issued in November 2018, the museum assessed the painting had been acquired transparently and legally and maintained that the family's restitution claims had been addressed with the German government in 1958. In an April 2019 decision, the appellate court

ruled in favor of the Thyssen Museum on the basis that the painting's ownership was bound by Spanish law, which allows buyers to retain works purchased if they did not possess "actual knowledge" the works had been stolen.

According to the Federation of Jewish Communities of Spain (FCJE), there are very few survivors of the Holocaust residing in the country, and thus the Spanish government addresses restitution claims on a case-by-case basis.

### **Judaica and Jewish Cultural Property**

There is no centralized catalog of pending cases or claims regarding Judaica or Jewish cultural property. The FCJE reported no restitution cases in 2018.

### **Access to Archival Documents**

Regarding archival documents, *Centro Sefarad-Israel* is Spain's public-private institution tasked with fulfilling the country's commitment from the Stockholm Declaration of 2000 to commemorate the victims of the Holocaust. The institution operates as the main resource and portal for Holocaust information, including educational and research resources, testimonials, literature, and access to the European Holocaust Research Infrastructure and other archival institutions. Cooperation between the United States Holocaust Memorial Museum and Spanish governmental archives, particularly the National Archives, has been difficult in recent years, although there was earlier cooperation by some local archives.

### **Education, Remembrance, Research, and Memorial Sites**

Spain is a member of the International Holocaust Remembrance Alliance, and the government supports annual remembrance ceremonies. For the past seven years, Spain's Parliament has held an annual ceremony in conjunction with the FCJE to commemorate International Holocaust Remembrance Day. The 2019 event, "State Act in Commemoration of the Day of Remembrance of the Holocaust and the Prevention of Crimes against Humanity," was convened by Spain's upper house of parliament on January 24 with participation by Spain's Ministers of Justice and Foreign Affairs. In April 2019, the Spanish government approved an executive decree establishing an annual commemoration specifically for victims of the Holocaust. In May 2019, the Minister of Justice visited the Mauthausen concentration camp in Austria to honor and recognize victims of WWII and the Holocaust.

In coordination with the country's Jewish federation, in 2018 the government began offering training programs and seminars to teachers on the Holocaust and issues in combatting anti-Semitism. A network of teaching professionals focuses on promoting additional training and has incorporated Holocaust education into school curricula, according to FCJE. Holocaust education in secondary school curricula continues to expand in accordance with a Ministry of Education mandate. There is also a "Network for Holocaust Memory" established by the Federation of Madrid Municipalities to promote knowledge and consciousness across the 30-plus municipalities in the region of Madrid.

There is state-funded support for promoting Jewish culture and heritage and for the promotion of Holocaust remembrance and religious tolerance. *Centro Sefarad-Israel* promotes cooperation between Spanish society and the Jewish community, with special focus on the values of coexistence based on the lessons arising from the tragedy of the Holocaust. The group also organizes lectures and courses throughout Spain on anti-Semitism and the Holocaust.



## **SWEDEN**

In the 1930s, the Jewish community in Sweden consisted of approximately 7,000 people. Sweden declared an official policy of non-belligerency during World War II (WWII) and served as a refuge for many Jews, some 3,000 of whom migrated to Sweden from elsewhere in Europe in the early part of the war. Sweden helped rescue Jews mainly from Nazi-German occupied Norway (900 people) and Denmark (approximately 7,200 Jews and 700 of their non-Jewish relatives – almost the entire Danish Jewish community). Swedes also worked within the warring states to save Jews from internment. One Swedish diplomat in Budapest, Raoul Wallenberg, saved tens of thousands of Hungarian Jews by providing them with protective passports. The Swedish Red Cross undertook an operation known as the “White Buses” and negotiated the release of more than 15,000 concentration camp inmates in Germany and occupied Czechoslovakia. Although the operation was initially targeted at saving citizens of Scandinavian countries, citizens of other countries were also rescued.

The Government of Sweden is dedicated to the goals and objectives of the Terezin Declaration. The government, museums, and banks have taken steps to return Holocaust victims’ assets; the government provides access to archives; and it supports Holocaust remembrance in the education system. There are no reports of any unresolved property restitution claims. In June 2019, the government initiated an assessment of Swedish compliance with the objectives of the Terezin Declaration in response to concerns among Swedish state museums over their ability to repatriate art acquired under questionable circumstances (more expansive than only Nazi-confiscated artifacts). The government will report its findings in October 2020. Sweden plans to host a head of government-level event in October 2020 focused on Holocaust remembrance and combatting anti-Semitism. The event will mark 20 years since the 2000 Stockholm Declaration, the founding document of the International Holocaust Remembrance Alliance.

### **Immovable Private, Communal/Religious, and Heirless Property**

No private or communal immovable property of targeted groups was confiscated in Sweden in conjunction with WWII and the Holocaust. As a result, Sweden does not have specific restitution legislation that applies to private or communal/religious immovable property.

According to the government, no Holocaust-era litigation or restitution claims regarding immovable property have, at any time, been initiated or submitted in Sweden or to Swedish authorities outside the country. In June 2019, the Swedish government instructed the National Heritage Board to assess whether there is a need to take special action to clarify and facilitate Sweden’s compliance with the objectives the country undertook in endorsing the 1998 Washington Principles on Nazi-Confiscated Art and the 2009 Terezin Declaration. The assessment is to be carried out in consultation with the state museums, the Financial Management Agency, the Royal Library, the National Archives, the Jewish Central Council, the Association of the Holocaust Survivors, and other relevant actors. The National Heritage Board must present its findings to the Ministry of Culture no later than October 16, 2020. If the National Heritage Board determines there is a need for action, proposals are to be submitted to the government on appropriate measures describing the organizational, legal, and financial consequences to the State and museums.

### **Movable Property: Nazi-Confiscated and Looted Art**

Sweden has no legislation that specifically addresses heirless movable property belonging to victims of the Holocaust. As a result, such property is treated as any other heirless property and transferred to the State Inheritance Fund, which liquidates the estate. The State Inheritance Fund grants funding each year to civil society organizations, with a particular focus on people with disabilities. The law regulating the fund does not earmark grants for assistance to needy Holocaust survivors, but the fund has provided grants to at least one Holocaust education project.

Starting in 1997, a government commission investigated the disposition of Jewish assets in Sweden and Jewish property brought into Sweden before or during WWII. The commission investigated, among other things, whether Sweden's central bank or commercial banks received looted gold and whether stolen Jewish property entered Sweden as part of trade exchanges with Nazi Germany. The commission, which published its report in 1999, did not find proof that such actions had taken place but could not rule out the possibility that they had occurred in small quantities or in limited circumstances.

The commission established reliable evidence that the government, in a small number of cases, disposed of Jewish assets when it liquidated Nazi German assets as obligated by the 1946 Washington Agreement. The government provided restitution to claimants affected by these actions in the decades immediately following the war. In response to requests by Jewish groups, a number of Swedish banks in the 1960s voluntarily created a fund for victims of Nazism, which was distributed by the Red Cross. The fund's endowment was based on the estimated total value of unclaimed assets in Swedish banks that could have belonged to victims of the Holocaust.

The commission also investigated what happened after WWII to unclaimed Jewish assets deposited in Swedish banks. In 1998, the commission published a list of banking assets unclaimed since the end of WWII and unknown to heirs of Holocaust victims. Swedish banks subsequently made payments to the assets' rightful heirs, where possible. In 1998, bank assets of 7 million kronor (approximately \$875,000 in 1998) were distributed to almost 600 accounts, which belonged to expatriate account holders. According to the commission, only "a few" accounts belonged to victims of the Holocaust. Most accounts belonged to descendants of emigrants to North America. Assets for which no owners or heirs could be located were transferred to the General Heritage Fund. The commission found no cases in which Swedish banks had failed to honor rightful claims and no accusations of Swedish banks making unreasonable demands for proof.

The 1999 government inquiry found that "dealings in looted art in Sweden during WWII were relatively modest, viewed in an international perspective." Although there were reports of looted art and jewelry entering Sweden during that time, including reports from the U.S. embassy in Stockholm, the inquiry could neither prove nor disprove the veracity of such reports.

Since the release of the report, heirs to victims of the Holocaust have made restitution claims for looted art in Sweden in two cases, both of which were resolved to the stated satisfaction of the claimants. In 2009, the Modern Museum (*Moderna Museet*) in Stockholm settled a dispute with

the heirs of Otto Nathan Deutsch regarding a painting that disappeared following Deutsch's flight from persecution in Nazi Germany in 1939 and which the museum purchased from a Swiss gallery in 1961. In 2018, the Modern Museum reached a settlement with the heir of Alfred Flechtheim to return a painting of his that the National Museum of Fine Arts (*Nationalmuseum*) purchased from a Nazi party member in 1933 or 1934. Flechtheim's heir is a U.S. citizen.

### **Judaica and Jewish Cultural Property**

The Department is aware of no reports of looted Judaica or Jewish cultural property present in Sweden.

### **Access to Archival Documents**

Claimants generally have access to archival documents that could be relevant to prove ownership. The Swedish Constitution guarantees the right of access to all unclassified public documents, and the government and the courts abide by this right in practice. The United States Holocaust Memorial Museum reports good cooperation with Swedish governmental archives.

### **Education, Remembrance, Research, and Memorial Sites**

The government supports and conducts annual ceremonies of remembrance and commemoration. August 27 is Raoul Wallenberg Day, commemorating the Swedish diplomat who saved tens of thousands of Jews from the Holocaust in Hungary. The Swedish Ministry of Foreign Affairs hosts a memorial lecture, and a Raoul Wallenberg Award is given to a person who has worked against racism, discrimination, and injustice during the year. In central Stockholm, there is a memorial to approximately 8,500 of the European Jews who suffered at the hands of the Nazis during WWII. The Jewish Museum in the Old Town of Stockholm tells the story of Swedish-Jewish history.

The government places significant importance on Holocaust education and the struggle against racism and intolerance. Education about the Holocaust and other Nazi crimes, as well as human rights more broadly, is part of the required public education curriculum. The government provides funding for teaching training and educational resources. No Nazi concentration or extermination camps existed in Sweden, but the government funds student and teacher trips to such sites in other countries.

The Forum for Living History is a Swedish government agency commissioned to promote democracy and human rights, and it also focuses on Holocaust remembrance. Reports and studies published by the Forum deal with various forms of modern intolerance amongst young Swedes.

In 2000, then Prime Minister Göran Persson announced Sweden's official Holocaust Remembrance Day of January 27 and declared: "Our quest must be to increase our efforts to pass on the legacy of our past to future generations. We must be able to say to our children, 'There is always a choice. Not to choose is also a choice.'" Prime Minister Persson, in cooperation with the U.S. Special Representative of the President and Secretary of State on Holocaust-Era Issues,

convened the International Forum on Remembrance of the Holocaust in January 2000. It was attended by 46 governments, including 23 heads of state or prime ministers and 14 deputy prime ministers or ministers. The Stockholm Declaration was endorsed at the end of the conference. The declaration supports Holocaust education, remembrance, and research, and includes commitments on commemoration days, educational initiatives, and the opening of relevant archives. At the same time, Prime Minister Persson announced the creation of the International Holocaust Education Task Force to promote Holocaust education in school systems around Europe and the world. That body is the forerunner of today's International Holocaust Remembrance Alliance.

In October 2020, it will be 20 years since the Stockholm International Forum on the Holocaust and the establishment of what would become the International Holocaust Remembrance Alliance. The government plans to host a high-level international forum in Sweden focused on remembrance of the Holocaust and combatting modern anti-Semitism.

### **The Welfare of Holocaust (Shoah) Survivors and Other Victims of Nazi Persecution**

State welfare authorities provide comprehensive social welfare, including full medical and health coverage, to all citizens, including to victims of Nazi persecution. The Jewish Community of Stockholm and the Jewish Community of Malmo also provide homecare services to Holocaust survivors and other victims of Nazi persecution.

## **SWITZERLAND**

During World War II (WWII), approximately 300,000 people crossed the border into Switzerland from Nazi-occupied countries. Of the refugees, around 30,000 were Jews. An estimated 24,500 mainly Jewish civilians, however, were turned away. To review its wartime policies, the government set up an “Independent Commission of Experts on the Second World War,” which started its work in 1996 and produced a report that was welcomed by the government in 1999. Switzerland continues to dedicate resources and implement programs toward the goals it endorsed in the Terezin Declaration, as well as promote Holocaust education and remembrance.

According to the Gamaraal Foundation, an organization established in 2014 that provides Holocaust education to the wider public and financial assistance to Holocaust survivors, there are approximately 450 Holocaust survivors among Switzerland’s 18,000 Jews. The Conference on Jewish Material Claims Against Germany (Claims Conference) currently provides funding for social welfare benefits to 64 Holocaust survivors through the Swiss Welfare Jewish Organization.

### **Immovable Private, Communal/Religious, and Heirless Property**

The Swiss government stated in its 2012 Green Paper on Immovable Property that immovable property was not confiscated or otherwise wrongfully seized in Switzerland during WWII, and thus “legislation and administrative measures regarding specifically immovable (real) property were not adopted or prepared.” Separately, a U.S. Department of State interagency task force in 1997 detailed ways in which the Swiss Central Bank knowingly converted Nazi-looted gold bullion stolen from countries occupied by Nazi Germany into Swiss francs and that these funds assisted German war efforts. Historical investigations undertaken by the Independent Commission of Experts in the 1990s came to similar conclusions about the role of the Swiss Central Bank and included anecdotal evidence that Swiss banks and insurance companies were implicated in immovable property transactions involving Jewish property and assets elsewhere in Europe.

In 1998, the Department of State’s Special Representative of the President and Secretary of State on Holocaust-Era Issues and the World Jewish Congress identified more than 20,000 bank accounts as belonging to Jews who had moved their money to Swiss private banks for safekeeping. These funds were never returned to them or their heirs. In 1998, class action lawyers and the World Jewish Restitution Organization reached a \$1.25 billion settlement with defendant Swiss private banks for their handling of Jewish-owned bank accounts, including the Union Bank of Switzerland (UBS) and Credit Suisse. The settlement resolved all outstanding restitution claims against Switzerland (i.e., against the Swiss state, cantons, private persons, and businesses) involving nearly all forms of wealth, including real estate, cash, shares, precious metals, and jewelry, among others. Of the \$1.25 billion awarded, \$800 million was earmarked for repayments to victims or targets of Nazi persecution (such as Jews, Roma/Sinti, Jehovah’s Witnesses, and others) whose money had remained in Swiss bank accounts after the war. Another \$425 million was distributed to other classes in the settlement agreement, including victims who were forced laborers or were allowed entry into Switzerland but were abused or

mistreated; victims who were forced laborers at German companies (as the proceeds were sent to Switzerland); and an allocation was made on account of those victims who had the proceeds of their looted assets pass through Switzerland.

While the Swiss government did not take part in the settlement, it co-created a \$300 million special memorial fund for Holocaust victims with the Swiss Bankers' Association. The fund drew on contributions from the country's private sector to offer assistance to Holocaust survivors and relatives of victims whose assets lay dormant in Swiss banks since the war.

### **Movable Property: Nazi-Confiscated and Looted Art**

While the 1998 Swiss bank settlement covered the vast majority of restitution claims, looted art did not fall under the agreement. As a signatory to the 1998 Washington Principles, Switzerland continues to support the identification of Nazi-looted art. Following the adoption of the Washington Principles, the Swiss government established the Contact Bureau for Looted Art, with the Federal Council commissioning the Federal Department of Home Affairs and Foreign Ministry, in collaboration with the cantons and the Swiss Museums Association, to draw up a memorandum to achieve "just and fair solutions" concerning restitution claims of Nazi-looted art. The memorandum outlined several possible actions to take if investigations determined the existence of Nazi-looted art in Swiss institutions. Possible actions included the return of the artwork to the former owners or their surviving heirs or tying the return of the artwork to a loan or donation of the work to the institution that uncovered its provenance.

According to the Director of the Fine Arts Museum of Bern, that museum's acceptance of the controversial Cornelius Gurlitt bequest in 2016, which comprises hundreds of artworks once held in Germany by the son of a Nazi art dealer, has increased awareness about Nazi-looted art in Switzerland. Since the bequest, the Swiss government allocated more funding and expertise to address the issue, with the Federal Office for Culture for the first time designating \$2 million to Swiss museums for conducting provenance research during the years 2016 to 2020. In addition, the Fine Arts Museum of Bern asked the commission that was created in Germany to review other parts of the Gurlitt collection to determine if any of its bequests involved Nazi-confiscated art. So far, 12 provenance research projects have been completed, and an additional 14 projects were announced in November 2018. The office published online the findings of its completed provenance research. The Foreign Affairs and Home Affairs ministries also published a progress report on the Swiss government's work in the field of Nazi-looted art for the period 2011-2016, which detailed the Swiss National Museum's return of a silver drinking vessel in 2012 to the heirs of Jewish art collector Emma Budge, whose collection in Hamburg, Germany, was seized by Nazi authorities and auctioned for Nazi profit.

There remains much art in Switzerland that has not yet been researched, but in the decentralized Swiss system, many museums and art collections are under the purview of the cantons rather than the federal government or are maintained by private organizations and private individuals.

## **Judaica and Jewish Cultural Property**

The Switzerland Independent Commission of Experts on the Second World War completed its research in 2001. The commission found no Holocaust-era looted Judaica or Jewish cultural property, including sacred scrolls, synagogue and ceremonial objects, libraries, manuscripts, archives, or Jewish community records in Switzerland.

The Jewish Cultural Reconstruction was created after WWII to handle the distribution of cultural property found in the American zone of Germany that was considered heirless. It operated under the Jewish Restitution Successor Organization that was authorized by the United States to handle the return of property that had been owned by Jews. Switzerland received 7,843 books from the Jewish Cultural Reconstruction, including part of the Breslau collection that had been stored in the U.S. Army's collection point in Wiesbaden, Germany, and which was deposited into the Geneva, Zurich, and Basel libraries. The Switzerland Independent Commission of Experts was not specifically tasked with researching Judaica that might have entered the country during the war; however, information regarding Judaica also did not surface in the course of the Commission's work. Various museums in Switzerland hold isolated Judaica pieces in their collections. Some provenance research has been conducted, but to the Department of State's knowledge, none of it has been made public.

## **Access to Archival Documents**

The University of Bern and the Fine Arts Museum of Bern train provenance researchers on Nazi-looted art, while several universities, including the University of Bern and the University of Basel, conduct research on the Holocaust and other Nazi crimes. The Federal Archives maintain records of Swiss institutions' research on looted art for public access. Switzerland also contributes reports to the German Lost Art Internet Database to document Nazi-looted art.

Swiss institutions such as the Archives for Contemporary History in Zurich maintain an archival access agreement with the U.S. Holocaust Memorial Museum. The Federal Archives are open to all individuals, regardless of nationality and profession, and are accessible for restitution claim research.

## **Education, Remembrance, Research, and Memorial Sites**

Each year, the Federal Service for Combating Racism finances numerous projects for preventing religious prejudice and educating the public about the Holocaust. For example, in 2018, the Federal Service for Combating Racism provided the Osses Theatre in the canton of Fribourg with a small grant to adapt "Anne Frank: The Diary of a Young Girl" to a stage performance to raise public awareness of the history of the Holocaust and to enable reflection and debate on racism, religion, and discrimination. Several school performances for adolescents took place, which were followed by discussions with directors and young professional actors. Mediation activities accompanied the performances, including an exhibition called "Anne Frank – A Story of Today," which was organized by the Anne Frank House in Amsterdam.

Although not a requirement, many schools provide Holocaust education. The government commemorates International Holocaust Remembrance Day on January 27.

Switzerland is a member of the International Holocaust Remembrance Alliance and chaired the organization between March 2017 and March 2018. In January 2018, at the federal government's initiative, Lausanne's University of Teacher Education introduced Holocaust study topics into its curriculum.

According to research cited in the 2015 International Holocaust Remembrance Alliance Country Report on Switzerland, there are a total of 54 Holocaust remembrance sites in the country, which take the form of plaques, synagogue and cemetery monuments, public art works, parks, and street names. In 2011, a Holocaust museum dedicated to Jewish refugees was founded in Riehen in the canton of Basel. There are also plans under way to establish a Holocaust remembrance hiking trail in the canton of Appenzell Ausserrhoden.



## **TURKEY**

Turkey has legal mechanisms to address Holocaust-era property returns, although with no known current cases, these mechanisms remain untested. As a country that was not occupied by Axis powers during World War II (WWII) and that maintained a policy of active neutrality during the war, Turkey played a role in facilitating the transportation of Jews fleeing Europe, while also maintaining business relationships with Nazi German firms. Turkey has no known immovable or movable property cases from this period.

There are approximately 16,000 Jews in Turkey, according to the Jewish Community of Turkey, the primary organization representing the community. No Holocaust survivors are currently living in the country.

### **Immovable Private, Communal/Religious, and Heirless Property**

The Jewish community notes that, while there are no known Holocaust-era immovable property claims within Turkey itself, individual Turkish Jews who reside in European countries once controlled by Nazi or Nazi-allied governments (some of whom were rescued through the efforts of Turkish diplomats) may present their claims through the appropriate mechanisms in those countries. Local scholars were only aware of a handful of cases, mostly in France, in which Turkish Jews sought and received compensation for damages to property and goods during the war. They are not aware, however, of any current claims being pursued by survivors or their descendants.

### **Movable Property: Nazi-Confiscated and Looted Art**

Turkish Holocaust scholars and sources within the local Jewish community are unaware of any claims related to Nazi-looted art or other movable property in Turkey. While admitting the possibility that private individuals may hold such property and recognizing that Nazi-confiscated and looted art is a global problem, these sources were neither aware of the presence of such pieces in the country nor of their transit through it.

One known instance relates to movable property seizures from the Holocaust era and the use of Nazi gold to buy war materials from Turkey during WWII. The U.S. National Archives documented the sale of looted gold provided by Germany's then-Central Bank, the Reichsbank, for foreign currency to fund diplomatic, espionage, and propaganda activities. Under its policy of "active neutrality," Turkey supplied materials to both Axis and Allied countries during the war. American experts estimated Nazi Germany transferred to Turkey between \$10 and \$15 million (approximately \$140-\$215 million in current value) in gold during the war.

Post-war efforts to locate Nazi Germany's external assets, including gold, indicated as much as \$71 million worth of assets were in Turkey in 1946. Turkey's eventual declaration of war against Nazi Germany complicated the Allies' ability to liquidate those assets to aid in the reconstruction of Europe. Shifting geopolitical priorities and prolonged negotiations eventually led to a 1952 agreement to settle the Allies' claims on German assets (particularly gold) in

Turkey with the government for \$1 million. In return, Allied governments relinquished their claims on Nazi German assets in Turkey.

### **Judaica and Jewish Cultural Property**

According to the members of the local Jewish community, there are no known Judaica or Jewish cultural property items in Turkey looted from Europe during the Holocaust era. The community emphasized that any potential claims could be pursued with the government – specifically, with the Ministry of Culture as the first point of contact – in the event an item was brought to their attention. Representatives from the Jewish Museum of Turkey emphasized they can account for all items in their collection and trace items' origins to communities in Turkey or reputable partners.

### **Access to Archival Documents**

Local representatives are unaware of any challenges in accessing archival documents from Turkish sources that would be relevant to proving ownership of looted immovable, movable, or Jewish cultural properties. Jewish community representatives noted that Ottoman-era records and genealogical data provided through Turkish population registers are available and can be helpful when conducting lineage research. Other contacts note that Ministry of Foreign Affairs' records for the WWII period largely remain closed, citing security grounds. They add that opening them could provide additional details about Turkish Jews and non-Turkish Jews who traveled to or through Turkey during that time, as well as shed new light on the role Turkish diplomats played in aiding Jews escaping from Europe.

### **Education, Remembrance, Research, and Memorial Sites**

Turkey was one of the co-sponsors of the 2005 UN resolution designating January 27 as International Holocaust Remembrance Day. The government commemorates International Holocaust Remembrance Day on January 27, participates in several other acts of remembrance, and is an observer in the International Holocaust Remembrance Alliance (IHRA).

There is no official Holocaust-related curriculum in Turkey. Former participants in Turkey's delegations to IHRA point to this absence as one of the reasons Turkey has not moved beyond observer status in the organization. These contacts also indicated that the Foreign Ministry attempted to work with the Ministry of Education at various points to develop a Holocaust education curriculum. However, the efforts did not result in tangible progress.

Private organizations supported by external donations initiated a number of programs to directly reach students and train teachers in Holocaust education, but these programs are limited in scope. Recently, the Civil and Ecological Rights Association (SEHAK) neared completion on a three-year project with the Anne Frank House to design a Holocaust education curriculum in Turkish, hold regional trainer and educator seminars, host educational exhibitions, and organize an international conference. Several contacts also said reading lists, particularly in private secondary schools, include Holocaust-related material as part of their recommended (but not required) reading options. Despite these positive steps, the absence of a systematic Holocaust

education curriculum is a significant shortcoming, and existing activities only reach a limited number of teachers and students.

There are no known permanent Holocaust memorials in Turkey. For the past five years, the Governor of Istanbul hosted a commemoration ceremony to mark the sinking in 1942 of the Struma, a ship with nearly 800 Jewish refugees transiting the Black Sea from occupied Romania to then-Mandatory Palestine. Turkish officials attend that commemoration event along with Jewish community representatives, including the Chief Rabbi and members of the diplomatic community. In addition, for the past five years, the Turkish Ministry of Foreign Affairs co-hosted an annual International Holocaust Remembrance Day event with Ankara University. Similar events take place in Istanbul where the country's Jewish community is largely centered, and the government releases a public statement each year to mark the day.

The Jewish Museum of Turkey primarily focuses on the cultural history of the community. In doing so, it also commemorates the actions of Turkish diplomats who saved the lives of Turkish Jews as well as others during WWII. According to the curators of the exhibition, more than 100,000 Jews passed through Turkey while fleeing Europe, and Istanbul was an important center of rescue activity. The exhibition features the story of Selahattin Ulkumen, recognized as Righteous Among the Nations by Yad Vashem, as well as other Turkish diplomats who provided Turkish passports to citizens and possibly noncitizens as they escaped from Europe. The museum also features an educational outreach program.

## **UKRAINE**

During the Holocaust, the Nazis, their allies, and collaborators murdered 1.4 to 1.6 million Jews in Ukraine and destroyed hundreds of communities around the country, particularly in the western and central regions. Before and after the Holocaust, the Jewish community faced repression at the hands of the Soviet regime, including nationalization of communal and private property and destruction and neglect of religious sites. Wartime displacement to the Soviet interior and post-war emigration of Jews further impacted surviving Jewish community members' ability to protect Jewish cultural heritage sites and property.

Estimates regarding the size of the current Jewish population vary. The State Statistics Service estimated the Jewish population at 103,600 in the last available census in 2001. The Association of Jewish Organizations and Communities (VAAD) reported that as of mid-2019, there were approximately 300,000 persons of Jewish ancestry in the country. The country's prominent Jewish organizations include VAAD, the Jewish Confederation of Ukraine, the United Jewish Community of Ukraine, the Federation of Jewish Communities of Ukraine, the Religious Union for Progressive Jewish Congregations of Ukraine, and the Ukrainian Jewish Committee.

### **Immovable Private, Communal/Religious, and Heirless Property**

Ukraine has no specific legislation regarding the restitution of Holocaust-era private property or heirless property, and the new government has not announced any plans to introduce such legislation. Citizens and non-citizens can file claims in court, but the Department of State is not aware of any ongoing or successful cases.

Under the 1994 U.S.-Ukrainian Agreement on the Protection and Preservation of Cultural Heritage, the Ukrainian government undertook, subject to the availability of funds, to "protect and preserve the cultural heritage of all national, religious, or ethnic groups that reside or resided in its territory and were victims of genocide during the Second World War." The government pledged to ensure protection and preservation of cultural heritage for those groups unable independently to do so.

The 1991 Law on the Freedom of Conscience and Religious Organizations and a number of government decrees allow Jewish religious groups to seek restitution of previously confiscated places of worship. According to current law, only religious organizations are eligible for restitution of property nationalized during the Soviet period. In addition, only places of worship and religious artifacts immediately necessary for religious services are subject to restitution. Restitution of other forms of communal property (e.g., school buildings and community centers) formerly owned by religious organizations is not regulated by current legislation. Religious buildings and property currently under state ownership may be returned to religious organizations.

In most cases, local municipalities make the decision of whether to return religious buildings or property. The central government decides whether to return those properties designated as national heritage sites.

Numerous Jewish congregations have negotiated successfully with governmental authorities for worship space. However, the resolution of more complex religious property restitution cases remains slow. VAAD has identified approximately 800 synagogues confiscated by the Soviet regime. Between 1992 and 2019, the government returned about 60 of them to the Jewish community. Inadequate enforcement of court decisions often hampers efforts to identify Jewish sites and delineate the historical boundaries of older Jewish cemeteries.

The slow pace of restitution is partly a reflection of the country's economic situation, which limits funds available to relocate occupants of previously seized religious property. However, the Ukrainian government estimates that the majority of synagogues for which specific claims have been pursued have been handed over to the Jewish religious organization that made the claim. Other confiscated religious properties for which restitution has been sought are occupied by state institutions or have previously been transferred to private ownership; Jewish and civil society organizations have questioned the legality of such transfers. At times, disagreements among Jewish community representatives complicate the resolution of restitution issues.

The All-Ukraine Council of Churches and Religious Organizations, the country's largest interfaith group, has repeatedly called on parliament to impose a moratorium on the privatization of previously confiscated religious buildings under state and religious community ownership. A 1998 government resolution commits regional state administrations to pursue the restitution of unused or misused places of worship to religious organizations. However, this resolution depends on implementation by local authorities, which has been uneven.

In 1998, Ukraine issued an ordinance prohibiting construction on and privatization of previous and current Jewish cemeteries. Nevertheless, there are reports of construction occurring on land and in areas that were once Jewish cemeteries. In 2008, the Jewish community in Vinnytsya reached an agreement with the city administration over the excavation of a building foundation on the site of a former Jewish cemetery. The city arranged for the reburial of the human remains exposed by the digging. Periodic digging to erect market kiosks disturbed the sanctity of a historic Jewish cemetery in Lviv. The city made preparations to create a memorial park on the remaining, undeveloped part of the cemetery but explained it could not relocate the market because some of the buildings at the market had become private property, albeit under nontransparent circumstances. In February 1999, the country's president instructed the State Property Fund to take measures to ban the transfer of property formerly owned by religious communities to private (i.e., non-religious) owners.

In February 2018, the Volyn Oblast Appellate Court rejected a petition by the Union of Councils for Jews in the Former Soviet Union (UCSJ) to remove a private industrial facility from the grounds of a Jewish cemetery near Toykut village in Volyn Oblast.

The UCSJ, meanwhile, expressed concern over the possible continuation of construction of a high-rise building at the site of a World War II Jewish ghetto in Lviv. In 2016, a court suspended the project after human remains were reportedly found and removed at the construction site.

Jewish community representatives continue to experience difficulties with the Ternopil district government with regard to property restitution. The Ternopil District Council has ignored local Jewish community requests to return a prayer house confiscated during the Soviet regime.

In April 2018, Ukraine revived the Interagency Commission to Realize the Rights of Religious Organizations. The commission had been established in 2008 to address complex restitution issues and promote dialogue between the government and religious groups; it had been inactive since 2012. Some observers expressed concerns about the commission's effectiveness and the transparency of its procedures.

### **Movable Property: Nazi-Confiscated and Looted Art**

Ukrainian law does not regulate the restitution of Nazi-confiscated and looted art to private individuals, and the new government has not indicated whether it plans to introduce such legislation. Pursuant to the 1998 Washington Principles on Nazi-Confiscated Art, the Central State Archive of Supreme Bodies of the Government of Ukraine has digitized and presented online a significant portion of records from the *Einsatzstab Reichsleiter Rosenberg*, the Nazi agency involved in looting cultural property in Nazi-occupied countries during World War II. The Conference on Jewish Material Claims Against Germany (Claims Conference) sponsored the project.

Some experts say Ukraine lacks an established process for claims and the legal structure that would permit restitution abroad of items registered in Ukrainian state museums and institutions, as well as mechanisms to search abroad and receive back items taken from Ukraine.

The Department of State is aware of at least one case in which a U.S. citizen is seeking the return of a painting currently located in a Ukrainian museum.

### **Judaica and Jewish Cultural Property**

The majority of Torah scrolls confiscated by the Soviet regime are now owned by the Ukrainian government and remain with the country's National Archives. Jewish community leaders estimate the Ukrainian government is in possession of about 1,000 scrolls and their fragments. In 2007, the President of Ukraine issued a decree to transfer the scrolls to the Jewish community; however, the Law on the National Archival Fund and Archives allows their transfer to congregations only for temporary use. In 2009, the National Archives returned 357 fragments of Torah scrolls that were beyond repair to the Jewish community for burial according to Jewish tradition. The UCSJ suggested that the National Archives should keep the remaining unsalvageable fragments of the historic scrolls available for proper academic research before returning them to the Jewish community for burial. In 2010, the Kyiv municipal government permitted the city's Jewish community to retain 18 Torah scrolls it had received for temporary use from the Central State Historical Archive. In 2013, the Kyiv Economic Appellate Court rejected a petition by the Archive to revoke the municipal government's decision.

## **Access to Archival Documents**

The National Archives are a repository of archival documents pertaining to Jewish properties in Ukraine. The materials are generally accessible to the public. The United States Holocaust Memorial Museum (USHMM) reports it has good cooperation and strong support from the archival administration in all central and regional state archives. Both the State Archives Service of Ukraine and the Security Service of Ukraine's Archive have cooperation agreements with the USHMM.

## **Education, Remembrance, Research, and Memorial Sites**

The government sponsors annual remembrance ceremonies for Holocaust victims and non-Jews who risked their lives to save Jews from extermination. High-level national and local government officials participate in annual commemorations, including International Holocaust Remembrance Day, memorial events at Babyn Yar and at other Holocaust sites throughout Ukraine, and ceremonies honoring those designated by Yad Vashem as Righteous Among the Nations.

Holocaust history is a mandatory part of the high school curriculum. The USHMM has worked closely in recent years with the Center for the Study of Genocides and Mass Atrocities at Taras Shevchenko University in developing academic study on the Holocaust.

Since the fall of Communism in Europe, the Ukrainian government has supported the opening of Holocaust memorials on the sites of massacres and mass graves around the country. In 2012, a major Jewish community center opened in Dnipro. The new facility includes the Jewish Memory and Holocaust in Ukraine Museum and the Tkuma Institute for Holocaust Studies.

The Tkuma Institute, the Kyiv-based Ukrainian Center for Holocaust Studies, and the Judaica Institute promote Holocaust history research and education.

In 2016, the government commemorated the 75th anniversary of the September 29-30, 1941, massacre at which the SS and Nazi police and their auxiliaries murdered 33,000 Jews at Babyn Yar, a ravine west of Kyiv. In the months following the massacre, German authorities killed thousands more Jews and non-Jews at the site, including Roma, Communist officials, Soviet prisoners of war, and Soviet civilians. It is estimated that some 100,000 people in total were murdered there. Before the 2016 commemoration ceremony, the government enhanced the memorial site with landscaped alleys paying tribute to Jewish victims and non-Jewish Ukrainians who saved Jews. Government and local Kyiv leaders have expressed support for creating a Holocaust museum at the site.

At the same time, some Jewish history preservation groups have expressed concern that one such initiative by the Babyn Yar Memorial Holocaust Center, a private organization with significant foreign funding, might promote an inaccurate historical narrative, for example by distorting the nature and extent of anti-Semitism in modern Ukraine in order to sow discord. Several Jewish leaders and historians have stated that they would be willing to support the project only if planning and content reflected input from all Ukrainian voices.

In 2010, the Lviv city government hosted an international design competition for memorials to mark three Holocaust-related sites in Lviv. One of these, a memorial space at the site of a historic synagogue complex, the Golden Rose Synagogue (also known as the Nachmanowicz Synagogue or the Turei Zahav Synagogue) that was largely destroyed by the Nazis, was inaugurated in 2016. Other design projects included a memorial complex at the site of the Yanivsky concentration camp and the unrestored section of an ancient Jewish cemetery destroyed by the Nazi and Communist regimes. Opinions are divided within the Jewish community over concepts for the Babyn Yar and Yanivsky memorials.

### **The Welfare of Holocaust (Shoah) Survivors and Other Victims of Nazi Persecution**

Approximately 2,600 Holocaust survivors live in Ukraine. The Department of State is not aware of any Ukrainian government welfare programs for Holocaust survivors. The American Jewish Joint Distribution Center (JDC) has a network of assistance centers providing support to elderly Jews, with a focus on Holocaust survivors, through funding from the Claims Conference.



## **UNITED KINGDOM**

At the start of World War II (WWII), the Jewish population in the United Kingdom (UK) was approximately 370,000-390,000 people. During WWII, with the exception of the Channel Islands, the UK successfully resisted invasion by Nazi Germany and, as a result, property owned by Jews in the UK was not looted or seized. Though British immigration policy made no distinction between refugees and immigrants prior to the war, the government eased its immigration policy for certain Jewish refugees, and British aid organizations provided those fleeing persecution with financial, housing, and educational support. As a result, by September 1939, the Jewish population increased by 70,000.

Following the November 1938 “Night of Broken Glass” (*Kristallnacht*) across Germany, Austria, and parts of Czechoslovakia, the British government sped up its immigration process for refugees by issuing travel documents on the basis of group lists rather than individual applications. Jewish and non-Jewish organizations funded the operation. The *Kindertransport* (Children’s Transport), a unique humanitarian rescue program, operated between November 1938 and September 1939. Approximately 10,000 children from Germany, Austria, Czechoslovakia, the Netherlands, and Poland were brought to the UK. The majority were Jewish. British citizens took in the children following an appeal for foster homes on the BBC Home Service. The final *Kindertransport* from Germany departed on September 1, 1939, when Germany invaded Poland, and the UK and other allied countries declared war. The last known *Kindertransport* from the Netherlands departed on May 19, 1940, when the Dutch army surrendered to Germany. Many children were orphaned by the war and either remained in the UK or emigrated to other countries.

The UK endorsed the Terezin Declaration in 2009, and the Guidelines and Best Practices in 2010 and have played a leading role on Holocaust education, remembrance, and research. In 1998, the UK hosted the London Gold Conference to finalize disposition of Nazi-confiscated gold from a number of European countries. Under an agreement negotiated by then-Special Representative of the President and Secretary of State on Holocaust-Era Issues Stuart Eizenstat, it was agreed that participating countries would donate the value of their gold to assist Holocaust survivors. In 2000, the British government established the Spoliation Advisory Panel to consider cultural object claims in the possession of UK museums or galleries. In 2009, Parliament passed the Holocaust (Return of Cultural Items) Act, making it possible for national institutions to return such objects. In 2010, the UK government appointed the first UK Envoy for Post-Holocaust Issues, responsible for the government’s strategic approach to Holocaust issues, including implementation of the Terezin Declaration. In 2015, the government commissioned a report on Holocaust remembrance and education in the UK, which resulted in a commitment to build a new Holocaust Memorial and Learning Center in central London. The UK also has a wide array of educational trusts, charities, and museums to commemorate and educate on the atrocities of the Holocaust.

### **Immovable Private, Communal/Religious, and Heirless Property**

The Department of State is not aware of issues in regard to Holocaust-era immovable property claims in the UK. According to the UK government, no communal property was confiscated in

the UK during WWII. The government also stated that it was unclear whether there was any heirless WWII-era property in the UK.

Between 1948 and 1957, the UK offered an *ex gratia* scheme to compensate victims of Nazi persecution from Germany, Hungary, Romania, and Bulgaria whose property had been taken by the UK government under the 1939 Trading with the Enemy Act. [In 1939, Britain re-established its Trading with the Enemy Act that had been in place during World War I. The law froze assets located in Britain belonging to the “enemy.” This included the assets of persons from countries which had been invaded by the Axis powers but also included assets of Jews fleeing from continental Europe.] Funds they were not able to reconstitute were turned over to a “Nazi Victims Relief Trust.” From 1959 to 1961, the Trust paid persons who “had been persecuted before 1945 on racial, religious, or political grounds in European countries at war with the UK” awards of up to £1,500 (the equivalent of \$4,215 in 1960), with the majority consisting of £500 (the equivalent of \$1,405 in 1960).

### **Movable Property: Nazi-Confiscated and Looted Art**

The United Kingdom endorsed the 1998 Washington Conference Principles on Nazi-Confiscated Art. Very little looted art appears to have been brought to the UK. However, in 2000, the government established the Spoliation Advisory Panel to consider claims from owners or their heirs to items held by British national institutions. The panel’s proceedings are an alternative to litigation. In 2009, the Holocaust (Return of Cultural Objects) Act was signed into law to allow 17 national institutions to return items that were lost, stolen, looted, or seized from 1933 to 1945 to the rightful owners or their heirs. Prior to this, national institutions were under a binding statutory obligation not to deaccession such items. The 2009 Act extended to England, Wales, and Scotland, but not to Northern Ireland. There are no national institutions in Wales to which the act applies, and there are no national institutions in Northern Ireland. The 2009 Act featured a 10-year sunset clause; consequently, in July 2019, the government renewed the Holocaust (Return of Cultural Objects) Bill indefinitely. Since its inception in 2000, the Spoliation Panel has advised on 20 claims and 23 cultural items. Of these, 13 claims have been successful, and seven have been rejected.

The UK government has sought to build greater cooperation among states to examine how the process of returning stolen artworks could be accelerated. Experts from across the UK and Europe participated in the 2017 UK government-hosted “70 Years and Counting: The Final Opportunity?” conference and focused on efforts to identify and return works of art lost during the Nazi era.

### **Judaica and Jewish Cultural Property**

The United Kingdom received 20 percent of the heirless items distributed by Jewish Cultural Reconstruction after WWII. Items were provided to institutions such as the Jewish Museum in London. The National Museum Directors Conference’s “searchable list of objects with incomplete provenance for the period 1933 to 1945” also lists museums with Judaica holdings. The British Library holds up to 12,000 books seized from German libraries and institutions between June 1944 and 1947 that may include looted Judaica. Libraries at major universities,

such as the Cambridge University Library, the Trinity College and Girton College libraries, and the Bodleian Law Library at Oxford University hold large Judaica collections.

### **Access to Archival Documents**

UK national museums have undertaken detailed research of their collections to identify objects from the Holocaust-era with uncertain provenance. The Collections Trust has made this research available online, and it is actively maintained by editors from the 47 contributing museums on behalf of the Arts Council of England. The UK also has access to the Commission for Looted Art in Europe, an expert nonprofit representative body dedicated to the issue. The two main auction houses, Christie's and Sotheby's, have restitution departments to determine the provenance of pieces sold via their establishments.

The U.S. Holocaust Memorial Museum cooperates programmatically with a number of UK institutions, including the London-based Wiener Library, which holds one of the world's most extensive archives on the Holocaust and Nazi era. The Wiener Library contains more than one million items, including published and unpublished works, press cuttings, photographs, and eyewitness testimony. The Library, with government funding, maintains a digital copy of the International Tracing Service archive, which is open to the public. The Library also offers access to digital resources for educational purposes. The Holocaust Research Centre at the Royal Holloway, University of London, partners with the University of Southern California's Shoah Foundation Institute for Visual History on an archive of nearly 52,000 video testimonies in 32 languages and from 56 countries.

### **Education, Remembrance, Research, and Memorial Sites**

The UK joined the International Holocaust Remembrance Alliance (IHRA) in 1998 and was the first country to adopt the IHRA's working definition of anti-Semitism in December 2016. The UK government established an office dedicated to Holocaust issues in 2010. In 2015, the government established the Prime Minister's Holocaust Commission to recommend additional steps to ensure that the memory of the Holocaust is preserved. The Commission was tasked with finding ways to ensure that every generation has the resources and access to survivor testimony to learn how the acceptance of hatred and discrimination led to the most horrific violence. Then-PM David Cameron established the UK Holocaust Memorial Foundation to implement the commission's recommendations. These included a commitment to building a National Memorial to the Holocaust and Learning Centre in central London; the establishment of an endowment fund to ensure the continuation of Holocaust education; and the promise to audit, record, and safeguard the testimony of survivors and liberators. The government committed £50 million (\$64 million) for the construction of the memorial; additional funding was being sought for the construction of the learning center. The total project estimate is £100 million (\$129 million). The government plans for both the memorial and the learning center to be built in Victoria Tower Gardens, adjacent to the Houses of Parliament in central London. As of September 2019, there was no estimated date of completion for either project.

The UK has many memorials, trusts, charities, and education centers committed to the commemoration and education of the Holocaust. The Holocaust Memorial in Hyde Park is

dedicated to victims of the Holocaust, and International Holocaust Remembrance Day events have taken place there every January since 1983. The Holocaust Educational Trust, established in 1988, works with educational bodies, Parliament, and the media to raise awareness and understanding of the Holocaust. As a result of the Trust's advocacy, in 1991, England became one of the first European countries to make Holocaust education part of the high school curriculum. More than 39,500 students and teachers have participated in the trust's *Lessons from Auschwitz* project, which includes a visit to Poland's Auschwitz-Birkenau Memorial and Museum. The Anne Frank Trust UK works to empower young people to challenge all forms of prejudice and discrimination via educational programs. The Holocaust Memorial Day Trust is a charity established and funded by the UK government to promote and support International Holocaust Remembrance Day on January 27. In 2018, approximately 11,000 local activities took place across the country. The permanent Holocaust exhibition at the Imperial War Museum tells the story of Nazi persecution of Jews and other groups before and during WWII. The National Holocaust Centre and Museum in Nottinghamshire is believed to be the country's only museum dedicated solely to the Holocaust. It seeks to educate children about the Holocaust through an exhibit on children's experiences entitled, *The Journey*.

The UK also has a number of leading teaching and research units. Among them are University College London's Center for Holocaust Education, which combines research with programs specifically designed to enable teachers to meet classroom needs and challenges, and the Holocaust Research Institute at Royal Holloway, University of London.

## **URUGUAY**

Members of organized communities estimate there are between 12,000 and 18,000 Jews currently living in Uruguay.

Since 2013, Uruguay has been an observer member of the International Holocaust Remembrance Alliance. Uruguay encourages the implementation of national policies and programs in support of education and commemoration of the Holocaust. There are no reported property restitution claims or local laws on these issues. The Government of Uruguay has expressed a commitment to condemning and preventing any act of hate related to race, ethnic origin, or religion.

### **Immovable Private, Communal/Religious, and Heirless Property**

The Department is unaware of any reports of Holocaust-era immovable property restitution claims in Uruguay.

### **Movable Property: Nazi-Confiscated and Looted Art**

The Department knows of no reports of Nazi-confiscated or looted art or other reports of movable property restitution claims in the country. There is no restitution law in place for looted cultural property.

### **Judaica and Jewish Cultural Property**

According to the Conference on Jewish Material Claims Against Germany and the World Jewish Restitution Organization, Uruguay received 1,670 books from the Jewish Cultural Reconstruction, an organization established by the Conference on Jewish Relations in April 1947 to collect and distribute heirless Jewish property in the American occupied zone of Germany after World War II. Jewish organizations note Uruguay does not appear to be conducting provenance research.

### **Access to Archival Documents**

The Department has received no reports related to the issue of access to archival documents in relation to the ownership of Holocaust-era assets in Uruguay.

### **Education, Remembrance, Research, and Memorial Sites**

Uruguay commemorates International Holocaust Remembrance Day every January 27. In 2019, in its first session on January 25, the parliament held a special session commemorating the Holocaust. In addition, since 2012, a high-ranking government official delivers a nationally broadcast TV and radio address each year in memory of victims. There is a Holocaust memorial and a Holocaust museum in the country.

The Holocaust is part of the primary and secondary school curricula, and there is a mandatory seminar on the Holocaust in teachers' training curriculum. The *Plan Ceibal* (a nationwide,

digital educational platform) included an app to educate high school students about the Holocaust. The government has also taken actions aimed at protecting memorial sites in response to a few cases of vandalism that have occurred.

### **The Welfare of Holocaust (Shoah) Survivors and Other Victims of Nazi Persecution**

The *Fundacion Tzedaka del Uruguay* in Montevideo is the social welfare partner of the Claims Conference in Uruguay. The agency provides social services for vulnerable Jewish victims of the Holocaust era, including home care and an emergency assistance program.

## **APPENDIX A**

### **2009 Terezin Declaration on Holocaust Era Assets and Related Issues**

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Upon the invitation of the Prime Minister of the Czech Republic we the representatives of 46 states listed below met this day, June 30, 2009 in Terezin, where thousands of European Jews and other victims of Nazi persecution died or were sent to death camps during World War II. We participated in the Prague Holocaust Era Assets Conference organized by the Czech Republic and its partners in Prague and Terezin from 26-30 June 2009, discussed together with experts and non-governmental organization (NGO) representatives important issues such as Welfare of Holocaust (Shoah) Survivors and other Victims of Nazi Persecution, Immovable Property, Jewish Cemeteries and Burial Sites, Nazi- Confiscated and Looted Art, Judaica and Jewish Cultural Property, Archival Materials, and Education, Remembrance, Research and Memorial Sites. We join affirming in this

#### **Terezin Declaration on Holocaust Era Assets and Related Issues**

- Aware that Holocaust (Shoah) survivors and other victims of Nazi persecution have reached an advanced age and that it is imperative to respect their personal dignity and to deal with their social welfare needs, as an issue of utmost urgency,
  - Having in mind the need to enshrine for the benefit of future generations and to remember forever the unique history and the legacy of the Holocaust (Shoah), which exterminated three fourths of European Jewry, including its premeditated nature as well as other Nazi crimes,
  - Noting the tangible achievements of the 1997 London Nazi Gold Conference, and the 1998 Washington Conference on Holocaust-Era Assets, which addressed central issues relating to restitution and successfully set the stage for the significant advances of the next decade, as well as noting the January 2000 Stockholm Declaration, the October 2000 Vilnius Conference on Holocaust Era Looted Cultural Assets,
  - Recognizing that despite those achievements there remain substantial issues to be addressed, because only a part of the confiscated property has been recovered or compensated,
  - Taking note of the deliberations of the Working Groups and the Special Session on Social Welfare of Holocaust Survivors and their points of view and opinions which surveyed and addressed issues relating to the Social Welfare of Holocaust Survivors and other Victims of Nazi Persecution, Immovable Property, Nazi Confiscated Art, Judaica and Jewish Cultural Property, Holocaust Education, Remembrance and Research, which can be found on the weblink for the Prague Conference and will be published in the Conference Proceedings,
  - Keeping in mind the legally non-binding nature of this Declaration and moral responsibilities thereof, and without prejudice to applicable international law and obligations,
1. Recognizing that Holocaust (Shoah) survivors and other victims of the Nazi regime and its collaborators suffered unprecedented physical and emotional trauma during their ordeal, the

Participating States take note of the special social and medical needs of all survivors and strongly support both public and private efforts in their respective states to enable them to live in dignity with the necessary basic care that it implies.

2. Noting the importance of restituting communal and individual immovable property that belonged to the victims of the Holocaust (Shoah) and other victims of Nazi persecution, the Participating States urge that every effort be made to rectify the consequences of wrongful property seizures, such as confiscations, forced sales and sales under duress of property, which were part of the persecution of these innocent people and groups, the vast majority of whom died heirless.

3. Recognizing the progress that has been made in research, identification, and restitution of cultural property by governmental and non-governmental institutions in some states since the 1998 Washington Conference on Holocaust-Era Assets and the endorsement of the Washington Conference Principles on Nazi-Confiscated Art, the Participating States affirm an urgent need to strengthen and sustain these efforts in order to ensure just and fair solutions regarding cultural property, including Judaica that was looted or displaced during or as a result of the Holocaust (Shoah).

4. Taking into account the essential role of national governments, the Holocaust (Shoah) survivors' organizations, and other specialized NGOs, the Participating States call for a coherent and more effective approach by States and the international community to ensure the fullest possible, relevant archival access with due respect to national legislation. We also encourage States and the international community to establish and support research and education programs about the Holocaust (Shoah) and other Nazi crimes, ceremonies of remembrance and commemoration, and the preservation of memorials in former concentration camps, cemeteries and mass graves, as well as of other sites of memory.

5. Recognizing the rise of Anti-Semitism and Holocaust (Shoah) denial, the Participating States call on the international community to be stronger in monitoring and responding to such incidents and to develop measures to combat anti-Semitism.

#### The Welfare of Holocaust (Shoah) Survivors and other Victims of Nazi Persecution

Recognizing that Holocaust (Shoah) survivors and other victims of Nazi persecution, including those who experienced the horrors of the Holocaust (Shoah) as small and helpless children, suffered unprecedented physical and emotional trauma during their ordeal.

Mindful that scientific studies document that these experiences frequently result in heightened damage to health, particularly in old age, we place great priority on dealing with their social welfare needs in their lifetimes. It is unacceptable that those who suffered so greatly during the earlier part of their lives should live under impoverished circumstances at the end.

1. We take note of the fact that Holocaust (Shoah) survivors and other victims of Nazi persecution have today reached an advanced age and that they have special medical and health needs, and we therefore support, as a high priority, efforts to address in their respective states the



social welfare needs of the most vulnerable elderly victims of Nazi persecution – such as hunger relief, medicine and homecare as required, as well as measures that will encourage intergenerational contact and allow them to overcome their social isolation. These steps will enable them to live in dignity in the years to come. We strongly encourage cooperation on these issues.

2. We further take note that several states have used a variety of creative mechanisms to provide assistance to needy Holocaust (Shoah) survivors and other victims of Nazi persecution, including special pensions; social security benefits to non-residents; special funds; and the use of assets from heirless property. We encourage states to consider these and other alternative national actions, and we further encourage them to find ways to address survivors' needs.

### Immovable (Real) Property

Noting that the protection of property rights is an essential component of a democratic society and the rule of law,

Acknowledging the immeasurable damage sustained by individuals and Jewish communities as a result of wrongful property seizures during the Holocaust (Shoah),

Recognizing the importance of restituting or compensating Holocaust-related confiscations made during the Holocaust era between 1933-45 and as its immediate consequence,

Noting the importance of recovering communal and religious immovable property in reviving and enhancing Jewish life, ensuring its future, assisting the welfare needs of Holocaust (Shoah) survivors, and fostering the preservation of Jewish cultural heritage,

1. We urge, where it has not yet been effectively achieved, to make every effort to provide for the restitution of former Jewish communal and religious property by either in rem restitution or compensation, as may be appropriate; and

2. We consider it important, where it has not yet been effectively achieved, to address the private property claims of Holocaust (Shoah) victims concerning immovable (real) property of former owners, heirs or successors, by either in rem restitution or compensation, as may be appropriate, in a fair, comprehensive and nondiscriminatory manner consistent with relevant national law and regulations, as well as international agreements. The process of such restitution or compensation should be expeditious, simple, accessible, transparent, and neither burdensome nor costly to the individual claimant; and we note other positive legislation in this area.

3. We note that in some states heirless property could serve as a basis for addressing the material necessities of needy Holocaust (Shoah) survivors and to ensure ongoing education about the Holocaust (Shoah), its causes and consequences.

4. We recommend, where it has not been done, that states participating in the Prague Conference consider implementing national programs to address immovable (real) property confiscated by Nazis, Fascists and their collaborators. If and when established by the Czech Government, the

European Shoah Legacy Institute in Terezin shall facilitate an intergovernmental effort to develop non-binding guidelines and best practices for restitution and compensation of wrongfully seized immovable property to be issued by the one-year anniversary of the Prague Conference, and no later than June 30, 2010, with due regard for relevant national laws and regulations as well as international agreements, and noting other positive legislation in this area.

#### Jewish Cemeteries and Burial Sites

Recognizing that the mass destruction perpetrated during the Holocaust (Shoah) put an end to centuries of Jewish life and included the extermination of thousands of Jewish communities in much of Europe, leaving the graves and cemeteries of generations of Jewish families and communities unattended, and

Aware that the genocide of the Jewish people left the human remains of hundreds of thousands of murdered Jewish victims in unmarked mass graves scattered throughout Central and Eastern Europe,

We urge governmental authorities and municipalities as well as civil society and competent institutions to ensure that these mass graves are identified and protected and that the Jewish cemeteries are demarcated, preserved and kept free from desecration, and where appropriate under national legislation could consider declaring these as national monuments.

#### Nazi-Confiscated and Looted Art

Recognizing that art and cultural property of victims of the Holocaust (Shoah) and other victims of Nazi persecution was confiscated, sequestered and spoliated, by the Nazis, the Fascists and their collaborators through various means including theft, coercion and confiscation, and on grounds of relinquishment as well as forced sales and sales under duress, during the Holocaust era between 1933-45 and as an immediate consequence, and

Recalling the Washington Conference Principles on Nazi-Confiscated Art as endorsed at the Washington Conference of 1998, which enumerated a set of voluntary commitments for governments that were based upon the moral principle that art and cultural property confiscated by the Nazis from Holocaust (Shoah) victims should be returned to them or their heirs, in a manner consistent with national laws and regulations as well as international obligations, in order to achieve just and fair solutions,

1. We reaffirm our support of the Washington Conference Principles on Nazi-Confiscated Art and we encourage all parties including public and private institutions and individuals to apply them as well,
2. In particular, recognizing that restitution cannot be accomplished without knowledge of potentially looted art and cultural property, we stress the importance for all stakeholders to continue and support intensified systematic provenance research, with due regard to legislation, in both public and private archives, and where relevant to make the results of this research, including ongoing updates, available via the internet, with due regard to privacy rules and

regulations. Where it has not already been done, we also recommend the establishment of mechanisms to assist claimants and others in their efforts,

3. Keeping in mind the Washington Conference Principles on Nazi-Confiscated Art, and considering the experience acquired since the Washington Conference, we urge all stakeholders to ensure that their legal systems or alternative processes, while taking into account the different legal traditions, facilitate just and fair solutions with regard to Nazi-confiscated and looted art, and to make certain that claims to recover such art are resolved expeditiously and based on the facts and merits of the claims and all the relevant documents submitted by all parties. Governments should consider all relevant issues when applying various legal provisions that may impede the restitution of art and cultural property, in order to achieve just and fair solutions, as well as alternative dispute resolution, where appropriate under law.

#### Judaica and Jewish Cultural Property

Recognizing that the Holocaust (Shoah) also resulted in the wholesale looting of Judaica and Jewish cultural property including sacred scrolls, synagogue and ceremonial objects as well as the libraries, manuscripts, archives and records of Jewish communities, and

Aware that the murder of six million Jews, including entire communities, during the Holocaust (Shoah) meant that much of this historical patrimony could not be reclaimed after World War II, and

Recognizing the urgent need to identify ways to achieve a just and fair solution to the issue of Judaica and Jewish cultural property, where original owners, or heirs of former original Jewish owners, individuals or legal persons cannot be identified, while acknowledging there is no universal model,

1. We encourage and support efforts to identify and catalogue these items which may be found in archives, libraries, museums and other government and non-government repositories, to return them to their original rightful owners and other appropriate individuals or institutions according to national law, and to consider a voluntary international registration of Torah scrolls and other Judaica objects where appropriate, and

2. We encourage measures that will ensure their protection, will make appropriate materials available to scholars, and where appropriate and possible in terms of conservation, will restore sacred scrolls and ceremonial objects currently in government hands to synagogue use, where needed, and will facilitate the circulation and display of such Judaica internationally by adequate and agreed upon solutions.

#### Archival Materials

Whereas access to archival documents for both claimants and scholars is an essential element for resolving questions of the ownership of Holocaust-era assets and for advancing education and research on the Holocaust (Shoah) and other Nazi crimes,

Acknowledging in particular that more and more archives have become accessible to researchers and the general public, as witnessed by the Agreement reached on the archives of the International Tracing Service (ITS) in Bad Arolsen, Germany,

Welcoming the return of archives to the states from whose territory they were removed during or as an immediate consequence of the Holocaust (Shoah),

We encourage governments and other bodies that maintain or oversee relevant archives to make them available to the fullest extent possible to the public and researchers in accordance with the guidelines of the International Council on Archives, with due regard to national legislation, including provisions on privacy and data protection, while also taking into account the special circumstances created by the Holocaust era and the needs of the survivors and their families, especially in cases concerning documents that have their origin in Nazi rules and laws.

Education, Remembrance, Research and Memorial Sites

Acknowledging the importance of education and remembrance about the Holocaust (Shoah) and other Nazi crimes as an eternal lesson for all humanity,

Recognizing the preeminence of the Stockholm Declaration on Holocaust Education, Remembrance and Research of January 2000,

Recognizing that the Universal Declaration of Human Rights was drafted in significant part in the realization of the horrors that took place during the Holocaust, and further recognizing the UN Convention on the Prevention and Punishment of the Crime of Genocide,

Recalling the action of the United Nations and of other international and national bodies in establishing an annual day of Holocaust remembrance,

Saluting the work of the Task Force for International Cooperation on Holocaust Education, Remembrance and Research (ITF) as it marks its tenth anniversary, and encouraging the States participating in the Prague Conference to cooperate closely with the Task Force, and

Repudiating any denial of the Holocaust (Shoah) and combating its trivialization or diminishment, while encouraging public opinion leaders to stand up against such denial, trivialization or diminishment,

1. We strongly encourage all states to support or establish regular, annual ceremonies of remembrance and commemoration, and to preserve memorials and other sites of memory and martyrdom. We consider it important to include all individuals and all nations who were victims of the Nazi regime in a worthy commemoration of their respective fates,
2. We encourage all states as a matter of priority to include education about the Holocaust (Shoah) and other Nazi crimes in the curriculum of their public education systems and to provide funding for the training of teachers and the development or procurement of the resources and

materials required for such education.

3. Believing strongly that international human rights law reflects important lessons from history, and that the understanding of human rights is essential for confronting and preventing all forms of racial, religious or ethnic discrimination, including Anti-Semitism, and Anti-Romani sentiment, today we are committed to including human rights education into the curricula of our educational systems. States may wish to consider using a variety of additional means to support such education, including heirless property where appropriate.

4. As the era is approaching when eye witnesses of the Holocaust (Shoah) will no longer be with us and when the sites of former Nazi concentration and extermination camps, will be the most important and undeniable evidence of the tragedy of the Holocaust (Shoah), the significance and integrity of these sites including all their movable and immovable remnants, will constitute a fundamental value regarding all the actions concerning these sites, and will become especially important for our civilization including, in particular, the education of future generations. We, therefore, appeal for broad support of all conservation efforts in order to save those remnants as the testimony of the crimes committed there to the memory and warning for the generations to come and where appropriate to consider declaring these as national monuments under national legislation.

#### Future Action

Further to these ends we welcome and are grateful for the Czech Government's initiative to establish the European Shoah Legacy Institute in Terezin (Terezin Institute) to follow up on the work of the Prague Conference and the Terezin Declaration. The Institute will serve as a voluntary forum for countries, organisations representing Holocaust (Shoah) survivors and other Nazi victims, and NGOs to note and promote developments in the areas covered by the Conference and this Declaration, and to develop and share best practices and guidelines in these areas and as indicated in paragraph four of Immovable (Real) Property. It will operate within the network of other national, European and international institutions, ensuring that duplicative efforts are avoided, for example, duplication of the activities of the Task Force for International Cooperation on Holocaust Education, Remembrance and Research (ITF).

Following the conference proceedings and the Terezin Declaration, the European Commission and the Czech Presidency have noted the importance of the Institute as one of the instruments in the fight against racism, xenophobia and anti-Semitism in Europe and the rest of the world, and have called for other countries and institutions to support and cooperate with this Institute.

To facilitate the dissemination of information, the Institute will publish regular reports on activities related to the Terezin Declaration. The Institute will develop websites to facilitate sharing of information, particularly in the fields of art provenance, immovable property, social welfare needs of survivors, Judaica, and Holocaust education. As a useful service for all users, the Institute will maintain and post lists of websites that Participating States, organizations representing Holocaust (Shoah) survivors and other Nazi victims and NGOs sponsor as well as a website of websites on Holocaust issues.

We also urge the States participating in the Prague Conference to promote and disseminate the principles in the Terezin Declaration, and encourage those states that are members of agencies, organizations and other entities which address educational, cultural and social issues around the world, to help disseminate information about resolutions and principles dealing with the areas covered by the Terezin Declaration.

A more complete description of the Czech Government's concept for the Terezin Institute and the Joint Declaration of the European Commission and the Czech EU Presidency can be found on the website for the Prague Conference and will be published in the conference proceedings.

*List of States*

1. Albania
2. Argentina
3. Australia
4. Austria
5. Belarus
6. Belgium
7. Bosnia and Herzegovina
8. Brazil
9. Bulgaria
10. Canada
11. Croatia
12. Cyprus
13. Czech Republic
14. Denmark
15. Estonia
16. Finland
17. France
18. FYROM
19. Germany
20. Greece
21. Hungary
22. Ireland
23. Israel
24. Italy
25. Latvia
26. Lithuania
27. Luxembourg
28. Malta
29. Moldova
30. Montenegro
31. The Netherlands
32. Norway
33. Poland

34. Portugal
  35. Romania
  36. Russia
  37. Slovakia
  38. Slovenia
  39. Spain
  40. Sweden
  41. Switzerland
  42. Turkey
  43. Ukraine
  44. United Kingdom
  45. United States
  46. Uruguay
- The Holy See (*observer*)  
Serbia (*observer*) \*

*\*Editor's note: The Department of State notes that Serbia attended the Conference as an observer but later endorsed the Terezin Declaration. For this reason, Serbia is included in the Department's JUST Act Report.*

Public Law 115–171  
115th Congress

An Act

May 9, 2018  
[S. 447]

To require reporting on acts of certain foreign countries on Holocaust era assets and related issues.

Justice for  
Uncompensated  
Survivors Today  
(JUST) Act  
of 2017.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Justice for Uncompensated Survivors Today (JUST) Act of 2017”.

**SEC. 2. REPORT ON HOLOCAUST ERA ASSETS AND RELATED ISSUES.**

(a) **DEFINITIONS.**—In this section:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Appropriations of the Senate;

(C) the Committee on Foreign Affairs of the House of Representatives; and

(D) the Committee on Appropriations of the House of Representatives.

(2) **COVERED COUNTRIES.**—The term “covered countries” means participants in the 2009 Holocaust Era Assets Conference that are determined by the Secretary of State, or the Secretary’s designee, in consultation with expert nongovernmental organizations, to be countries of particular concern relative to the issues listed in subsection (b).

(3) **WRONGFULLY SEIZED OR TRANSFERRED.**—The term “wrongfully seized or transferred” includes confiscations, expropriations, nationalizations, forced sales or transfers, and sales or transfers under duress during the Holocaust era or the period of Communist rule of a covered country.

(b) **REPORT.**—Not later than 18 months after the date of the enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees that assesses and describes the nature and extent of national laws and enforceable policies of covered countries regarding the identification and the return of or restitution for wrongfully seized or transferred Holocaust era assets consistent with, and evaluated with respect to, the goals and objectives of the 2009 Holocaust Era Assets Conference, including—

(1) the return to the rightful owner of any property, including religious or communal property, that was wrongfully seized or transferred;

(2) if return of any property described in paragraph (1) is no longer possible, the provision of comparable substitute



property or the payment of equitable compensation to the rightful owner in accordance with principles of justice and through an expeditious claims-driven administrative process that is just, transparent, and fair;

(3) in the case of heirless property, the provision of property or compensation to assist needy Holocaust survivors, to support Holocaust education, and for other purposes;

(4) the extent to which such laws and policies are implemented and enforced in practice, including through any applicable administrative or judicial processes; and

(5) to the extent practicable, the mechanism for and an overview of progress toward the resolution of claims for United States citizen Holocaust survivors and United States citizen family members of Holocaust victims.

(c) SENSE OF CONGRESS.—It is the sense of Congress that after the submission of the report described in subsection (b), the Secretary of State should continue to report to Congress on Holocaust era assets and related issues in a manner that is consistent with the manner in which the Department of State reported on such matters before the date of the enactment of the Act.

Approved May 9, 2018.

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LEGISLATIVE HISTORY—S. 447:

CONGRESSIONAL RECORD:

Vol. 163 (2017): Dec. 12, considered and passed Senate.

Vol. 164 (2018): Apr. 24, considered and passed House.

