

U.S. Sens. Baldwin, Rubio: Welcome State Department report on helping Holocaust survivors and their families receive justice

Posted on Wednesday, Jul 29, 2020

>> **WisPolitics is now on the State Affairs network. Get custom keyword notifications, bill tracking and all WisPolitics content. [Get the app or access via desktop.](#)**

WASHINGTON, D.C. – Today, the U.S. Department of State released a report on the state of restitution of Holocaust-era assets. This report was required by legislation introduced by U.S. Senators Tammy Baldwin (D-WI) and Marco Rubio (R-FL), the *Justice for Uncompensated Survivors Today (JUST) Act*. It is the U.S. government's first-ever comprehensive review of its kind and discusses the progress and challenges among certain European countries on the return of—or restitution for—wrongfully confiscated or transferred Holocaust-era assets.

The *JUST Act* requires the State Department to report on certain countries' commitment to adopt national laws and policies to help Holocaust survivors and Jewish communities identify and reclaim their properties as part of their endorsement of the *2009 Terezin Declaration on Holocaust Era Assets*. The *JUST Act* also requires the report to specifically include what actions those countries are taking to resolve the claims of U.S. citizens. Today's report enhances U.S. efforts to urge Central and Eastern European countries to achieve progress on this issue, building on America's commitment to ensuring justice for Holocaust victims and their families.

“This critical report details the important steps being taken toward justice, at long last, for Holocaust survivors and the families of Holocaust victims,” **said Senator Baldwin**. “These individuals have waited far too long to recover, or receive

compensation for, what is rightfully theirs. By highlighting this issue as an American foreign policy priority and recognizing that there is still more work to do, we will spur further action in countries that are falling short of their obligations to bring about justice for Holocaust survivors, victims, and their families.”

“Restitution for those individuals whose property was seized during the Holocaust is long overdue. This important report details the progress of countries in meeting their commitments to Holocaust survivors and their families. We must continue to press our friends and allies in Europe and ensure survivors are provided the justice they deserve and are able to live out their days in dignity,” **said Senator Rubio.**

While the Holocaust was one of the most horrific atrocities in world history which resulted in the genocide of six million Jews, it was also one of the greatest organized thefts in history by the Third Reich and the Axis Powers. Large scale brutality and unprecedented looting of businesses, land, residences, and cultural/religious properties left Holocaust survivors and families of Holocaust victims with lost or stolen assets, in which they have never received proper restitution for.

The *JUST Act* built on the international *Terezin Declaration on Holocaust Era Assets and Related Issues of 2009*, which affirms that the protection of property rights is an essential component of a democratic society based on the rule of law and recognizes the importance of restituting or compensating Holocaust-related confiscations made during the Holocaust-era between 1933-45. Unfortunately, many nations that endorsed this declaration, including many of our NATO allies, have not fully addressed the restitution of Jewish communal, private and heirless property.

The *JUST Act Report* depicts what Central and Eastern European countries that have endorsed the Declaration have done, or still need to do, in order to serve justice to Holocaust survivors and the families of Holocaust victims. Key findings of this report include:

- A number of countries that endorsed the *Terezin Declaration* have not passed laws to facilitate the restitution of immovable property for survivors and victims' families.

- o Poland, which had the largest European Jewish community before the outbreak of World War II (approximately 3.3 million), is the only European Union member state with significant Holocaust-era property issues that has not enacted comprehensive legislation on national property restitution or compensation covering Holocaust confiscations.
 - Political resistance in many countries has impeded the implementation of restitution legislation or otherwise hindered the resolution of Jewish communal property claims, including in: Poland, Latvia and Croatia.
 - In the countries that have implemented reforms to facilitate the restitution of immovable property for survivors and victims' families, those who are claiming restitution are facing discrimination based on citizenship and residency, or are otherwise unable to benefit due to overly complicated administrative barriers.
 - Many Jewish communities continue to face obstacles in regaining ownership of the synagogues, schools, and community centers that once sustained religious and communal life.
 - Restitution or compensation for immovable private property with Holocaust victims, who have no living heirs with their entire family deceased, has seen little progress compared to any other aspect of Holocaust-era restitution. Obtaining settlements for these victims could help address necessities for survivors in need and ensure ongoing education about the causes and consequences of the Holocaust.
- o 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* while others had earlier adopted legislation.
- o Nations which have yet to adopt heirless property legislation include Belarus, Bosnia Herzegovina, Bulgaria, Croatia, the Czech Republic, Estonia, Latvia, Lithuania, Luxembourg, Moldova, Montenegro, Poland, Russia, Slovenia and Ukraine.

The report notes many positive trends worth highlighting, including:

- In the realm of movable property, while there is more work to do to identify looted art and facilitate a fair solution for its return to rightful owners or their heirs, five countries – Austria, France, Germany, the Netherlands, and the United Kingdom – have made progress and established dispute resolution

panels to resolve art claims.

- Germany allocated significant funds to both public and private museums for provenance research and requires public museums to participate in the claims process before receiving federal funds.
- Lithuania is cooperating with New York's YIVO Institute for Jewish Research to preserve pre-war archival collections.
- 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. Additionally, Poland has statutorily mandated Holocaust education requirements for students beginning in the fifth grade and continuing through the end of high school.

The full report is available [here](#).

An online version of this release is available [here](#).

###