

**Questions for the Record Submitted to  
Secretary-Designate John Kerry by  
Senator Benjamin L. Cardin (#1)  
Committee on Foreign Relations**

**Question:**

The issue of restitution of or compensation for property wrongly taken during the Holocaust or Communist eras has been an especially vexing issue in the post-communist period. No country has adopted a perfect framework, but many have undertaken meaningful efforts in this area. Moreover, laws adopted in the past two years in the Czech Republic, Lithuania, and elsewhere show that progress can be made even after the passage of a great deal of time.

Unfortunately, Poland stands out in Central Europe for its failure to adopt a general private property compensation or restitution law. For many years, successive governments representing all the major parties in Poland professed to be working on the passage of such a law. Last year, however, the government of Poland reversed its position and asserted that the only remedy for those seeking compensation or restitution would be recourse to Poland's courts -- a process that presents insurmountable obstacles for most victims of property theft and especially victims of the Holocaust, will ultimately be futile for most claimants, and even for a tiny fraction of successful claimant's would be drawn out and needlessly burdensome.

- a) Will you reengage Poland on this important issue of justice with the goal of seeing a general private property law actually adopted?
- b) Will you ensure that the expertise of the Office for Holocaust Issues, which has done such important work, continues to be supported as a critical resource for the European Bureau?

**Answer:**

- a) If I am confirmed, the restitution of or compensation for property confiscated during the Holocaust or Communist eras, which ranges from real

estate to works of art, will remain a high priority. I will continue to press European governments, including Poland, to enact property restitution or compensation legislation if they have not already done so, and, if they have, to ensure that the claims processes they create handle cases transparently and expeditiously with a minimum of bureaucratic impediment. Poland has made progress on restitution of communal properties and has been processing personal property claims through its court system. The State Department will continue to encourage Poland to address property claimants' concerns quickly and fairly.

**Answer:**

b) If I am confirmed, I will continue to ensure that the expertise of the Office of the Special Envoy for Holocaust Issues (SEHI) continues to be supported as a critical resource for the European Bureau.

The State Department is committed to developing and implementing policy aimed at encouraging the return of Holocaust-era assets to their rightful owners, compensation for wrongs committed during the Holocaust, and Holocaust education and remembrance. We encourage Central and East European governments to reconstitute illegally confiscated and nationalized communal and private property to rightful owners and, using the guidelines

of the 1998 Washington Conference Principles on Nazi-Confiscated Art, encourage the restitution of artworks to rightful owners. Also of increasing importance is the welfare of Holocaust survivors—many of whom today live in dire poverty and, because of their experiences during the Holocaust, often have special needs.