



ארגון יהודי עולמי להשבת רכוש (איל"ר)
WORLD JEWISH RESTITUTION ORGANIZATION
(ע.ר.)

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June 15, 2021

His Excellency Mateusz Morawiecki
Prime Minister
Republic of Poland

Dear Prime Minister Mateusz Morawiecki,

The World Jewish Restitution Organization (WJRO) represents Jews worldwide in seeking the recovery of, or compensation for, property wrongfully taken during the Holocaust and its aftermath. Our fourteen member organizations are major international Jewish organizations and Holocaust survivor organizations in Europe, Israel, and the United States.

On behalf of WJRO, we are writing to register our strong objection to a proposed bill (druki nr [1090](#) i [1210](#)) that was recently submitted to Parliament to amend Articles 156 and 158 of the Administrative Procedure Code.

As you know, Poland once was home to the largest Jewish population in Europe. For more than a thousand years, Poland had a thriving, vibrant Jewish community. The Nazis killed approximately 90 percent of Poland's Jewish population during the Holocaust and were also responsible for the methodical theft of their every possession that was an integral part of the genocide. After the Second World War, the Communist regime subsequently nationalized their property in Poland along with that of many other Poles.

Poland joined with 46 other countries in 2009 to endorse the Terezin Declaration, committing to rectify the consequences of wrongful property seizures from Jewish individuals and communities during the Holocaust and its aftermath. Unfortunately however, Poland has not made substantive progress toward meeting the principles of the Terezin Declaration, and remains the only country in the European Union that has not passed comprehensive legislation for the restitution of, or compensation for, private property wrongfully taken during the Holocaust or subsequently nationalized by the Communist authorities. The current legislative proposal, if adopted, would further harm Polish Holocaust victims and survivors who have already suffered so much.

WJRO has called upon the Polish Government for over 25 years to address the issue of private property restitution in a comprehensive, fair, and transparent manner. To date however, our concerns have not been addressed. The Government of Poland has long contended that a comprehensive property restitution law was not necessary because individual claimants had the opportunity to reclaim their property or obtain compensation by challenging unlawful administrative decisions. Only a very limited number of claimants have succeeded on this basis.

WJRO Members: Agudath Israel World Organization; American Gathering of Jewish Holocaust Survivors and Their Descendants; American Jewish Committee; American Jewish Joint Distribution Committee; B'nai B'rith International; Centre of Organizations of Holocaust Survivors in Israel; Conference of European Rabbis; Conference on Jewish Material Claims Against Germany; European Council of Jewish Communities; European Jewish Congress; Jewish Agency for Israel; National Coalition Supporting Eurasian Jewry; World Jewish Congress; World Zionist Organization

Regrettably, the proposed legislation, if adopted would make it virtually impossible for even the limited number of Holocaust survivors and their families, as well as other Jewish and non-Jewish rightful property owners, who might be able to pursue such a case to obtain restitution of, or compensation for property wrongfully confiscated during the Holocaust and Communist periods. It is especially concerning that the proposal is *ex post facto* and would shut down ongoing proceedings. If adopted, claimants who filed under the current requirements of Article 156 and 158, many of whom have been pursuing their claims for years, will now be told that their claims are extinguished. The retroactive nature of the proposed amendment on pre-existing claims is likely unlawful, if not unconstitutional.

Claimants and their families have waited over 75 years for justice resulting from the confiscation or nationalization of their property during the Holocaust or by the Communist government. Among those former owners are Holocaust survivors, and other rightful owners, who fled Poland to escape Anti-Semitism or Communist rule, and to rebuild their lives after the Holocaust. Many of these claimants only started to learn about the history of their property and the limited possibilities for recovery after the fall of Communism in 1989. Also excluded would be many non-Jewish former owners and their families living in Poland as well as in countries outside Poland. New, insurmountable legal conditions should not be imposed in 2021 that make it impossible to recover their property or receive just compensation.

We urgently request your engagement on this matter and to voice your forceful opposition to this proposed legislation. We stand ready to speak with you and work together to achieve a timely and just resolution of these issues, while remaining Holocaust survivors are still alive.

Sincerely,



Gideon Taylor,
Chair of Operations
World Jewish Restitution Organization

cc: H.E. Piotr Wilczek, Ambassador of Poland to the United States of America
H.E. B. Bix Aliu, Chargé d'Affaires, a.i. of the United States of America in Poland
H.E. Cherrie Daniels, Special Envoy for Holocaust Issues, United States Department of State
H.E. Tal Ben-Ari Yaalon, Chargé d'Affaires, a.i. of the State of Israel in Poland
H.E. Dan Haezrachy, Special Envoy for Holocaust Era Restitution, State of Israel
H.E. Leslie Scanlon, Ambassador of Canada to Poland
H.E. Irwin Cotler, Special Envoy on Preserving Holocaust Remembrance and Combatting Antisemitism, Canada
H.E. Anna Clunes, Ambassador of the United Kingdom to Poland
H.E. Lord Eric Pickles, Special Envoy for Post-Holocaust Issues, United Kingdom
H.E. Lloyd Brodrick, Ambassador of Australia to Poland
H.E. Delphine Borione, Ambassador at Large for Human Rights, France
H.E. Frédéric Billet, Ambassador of France to Poland
Mr. Robert Bloch, World Jewish Restitution Organization
Ms. Samantha Wynne, International Policy Manager, World Jewish Restitution Organization