

World Jewish Restitution Organization



ארגון יחודי עולמי להשבת רכוש (איל"ר) ע"ה.

**HOLOCAUST-ERA PROPERTY RESTITUTION
KEY UPDATES ON IMMOVABLE AND MOVABLE
PROPERTY RESTITUTION
SINCE THE RELEASE OF THE JUST ACT REPORT**

**Presented at the
Terezin Declaration Conference
NOVEMBER 2022**



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Introduction

It has been almost 80 years since the end of the Holocaust, but sadly survivors and their families continue to wait for the return of their property that was methodically taken from them by the Nazis, their allies, and collaborators as part of the genocide of six million Jews. In addition, many European Jewish communities devastated by the Holocaust continue to wait for the restitution of, or compensation for, synagogues, schools, cemeteries, and other communal properties.

Two years ago, the U.S. State Department released the groundbreaking Justice for Uncompensated Survivors Today (JUST) Act Report, which emphasized that many European countries have not yet met their commitments to Holocaust survivors and Jewish communities to provide restitution or compensation for property that was wrongfully taken from them during the Second World War.

The JUST Act report assessed and described the steps taken since just over thirteen years ago when 47 countries came together at the first Prague conference endorsing the 2009 Terezin Declaration on Holocaust Era Assets and Related Issues committing to rectify the consequences of wrongful property seizures from Jewish individuals and communities during the Holocaust and its aftermath.

For Holocaust survivors, restitution of property is about justice and fairness, an acknowledgement of the destruction of their families and an opportunity to restore and reconnect with at least a part of a life that was so wrongfully taken from them.

Since the release of the JUST Act report there have been developments and progress which serve as a bold call to action for other countries to act urgently to uphold their international commitments. This fall, MEP Goerens tabled a resolution to accelerate the return of plundered property to Holocaust victims and Jewish communities. On International Holocaust Remembrance Day in 2021, the Government of the Grand Duchy of Luxembourg signed a historic agreement on Holocaust era assets, and in February 2022, the Republic of Latvia adopted a significant new law on Jewish communal and religious property restitution.

However, in September 2021 a Polish law amending the Administrative Procedure Code took effect which prevents claimants from challenging administrative decisions older than 30 years, including decisions issued without legal basis or issued in gross violation of the law. In practice, it has become virtually impossible for all former Polish property owners – including Holocaust survivors and their descendants, many of whom have had claims pending for years – to secure redress under the current Polish law for property illegally stolen during the Communist era and which remains in Poland to this day. While we recognize the grievous losses inflicted on Poland by the Nazis and applaud them generously welcoming refugees from the war in neighboring Ukraine, these developments concerning the Administrative Procedure Code illustrate the need for Poland to once and for all settle the issue of wrongfully taken private property by adopting comprehensive national restitution legislation.

We welcome the recent resumption of relations between Israel and Poland and hope that this will encourage progress on achieving justice for survivors and further positive steps on preserving Jewish heritage sites.

When it comes to the United States, there has been powerful affirmation of support by the Biden administration which has made clear the importance that it will place on Holocaust era property restitution issues. Both President Biden and Secretary of State Blinken have committed to prioritize the resolution of Holocaust era property restitution issues. Early last year, the President pledged that “the United States will continue to champion justice for Holocaust survivors and their heirs.” This issue has had broad bipartisan support, including from all previous administrations.

In March 2021, Secretary of State Blinken assured the World Jewish Restitution Organization (WJRO) that he would prioritize resolution of remaining Holocaust-era property restitution issues and support for survivors and Jewish communities devastated by the Holocaust. He noted: “It is troubling and unacceptable that the work of restituting or providing a measure of compensation for property wrongfully seized during the Holocaust is still not complete in so many countries.” Further, he emphasized, that: “We and our dedicated chiefs of mission abroad will continue to work with countries to help them meet their commitments under the 2009 Terezin Declaration.”

Recently, a group of both US House and Senate members pledged their support for a significant increase to the Holocaust Survivor Assistance Program, which provides support — including combating isolation and aiding with physical, mental, and cognitive health — for aging Holocaust survivors and their families.

Despite our past and present accomplishments, more work remains. We know that meetings such as Terezin II can help lead to positively obtaining a certain measure of justice for the property that was wrongfully taken from Holocaust survivors and their families during the Shoah. Holocaust era property restitution and/or compensation can serve as a basis for addressing the material necessities of Holocaust survivors, many of whom continue to live in poverty or near poverty. Aging survivors deserve to live their lives with the dignity they deserve.

Tragically, we are losing survivors every day. Time is of the essence. We must address this dark chapter in human history by facilitating the restitution of Jewish communal, private, and heirless property.

This Update offers brief summaries by the WJRO of key developments since the release of the JUST Act report in July 2020. Updates are listed by country in alphabetical order with a link to the original JUST Act country entry. We have indicated if there are no known recent developments.

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Link to the 2020 JUST Act Report: <https://www.state.gov/reports/just-act-report-to-congress/>

These updates represent the results of the current best-efforts research of the World Jewish Restitution Organization (WJRO) - the leading advocate for property restitution seized during the Holocaust – and are based upon information obtained to date. The WJRO makes no representation as to the accuracy or completeness of the updates, which may contain factual or other errors. Although an attempt has been made to be comprehensive, there undoubtedly is much information that needs to be added.

Albania

No new developments.

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, Albania (p. 11).

Argentina

In 2020, the Simon Wiesenthal Center published a list of 12,000 names of Nazis in Argentina connecting them and Credit Suisse to large amounts of stolen funds that needs to be further researched. Also, the art collection in Imotski, Croatia came from Argentina and may have resulted from smuggling into Argentina. This has not been researched by Croatia or Argentina.

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, Argentina (p. 13).

Australia

No new developments.

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, Australia (p. 17).

Austria

On April 26, 2022, the General Settlement Fund was dissolved pursuant to the General Settlement Fund Law.

In recognition of its historical responsibility towards the persecutees of National Socialism and their descendants, the Austrian Parliament made further changes in the citizen act. As of March 2022, more than 12,000 descendants of former Austrian Jews have already received their Austrian citizenship.

Mauthausen's satellite camp Gusen has been recently purchased by the Federal Republic of Austria.

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, Austria (p. 20).

Belarus

No new developments, but it is unclear whether the commission to track items taken from Belarus has been operative.

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, Belarus (p. 26).

Belgium

On April 4, 2019, the Belgian Parliament unanimously passed a resolution requesting the federal government to open an independent investigation into the role of the National Railway Company of Belgium (NMBS/SNCB) in deporting over 25,000 Jews and more than 350 Roma on 28 convoys from Mechelen to extermination camps and, after completion of the investigation, to consider establishment of a program to provide compensation. Since then, WJRO has advocated for the Government to accept Parliament's request and also to consider establishing a compensation program after the completion of the investigation.

On January 27, 2022 (International Holocaust Remembrance Day), Mobility Minister Georges Gilkinet and Senate President Staéphanie d'Hose announced that the Belgian government ordered a study into the role of the NMBS during the Second World War, to be carried out by the Study and Documentation Centre for War and Contemporary Society (Cegesoma). The study is expected to be finished and sent to the Senate next year. It remains an open question what the government will do with the results of the study, and whether the study will ultimately lead to compensation payments as was the case in the Netherlands and France.

A database of looted art based on postwar claims has now been made public through a link to the website of the Federal Public Service Economy of Belgium. For the first time a painting has been restituted from the Royal Museum of Fine Arts.

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, Belgium (p. 29).

Bosnia and Herzegovina

No new developments, but WJRO is conducting a research project to identify and assess immovable property owned by the Jewish community and individual Jews in Bosnia and Herzegovina before, during, and after the Holocaust. Movable property will also be listed when found in the archival material.

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, Bosnia and Herzegovina (p. 32).

Brazil

No new developments.

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, Brazil (p. 36).

Bulgaria

No new developments, but WJRO has conducted research on what may have been received by the Bulgarian National Bank and other institutions.

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, Bulgaria (p. 39).

Canada

No new developments.

In 2021, the exhibition "Deprived of Rights and Property. The Art Dealer Max Stern" opened at the Düsseldorf Stadtmuseum, but without the involvement of the Canadian curatorial team and the Max Stern Art Restitution Project in protest over the handling of the exhibition by the City of Düsseldorf.

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, Canada (p. 42).

Croatia

On March 17, 2022, the United States and Croatia held a Strategic Dialogue in Washington, D.C., in which the issue of restitution featured prominently. In a joint statement, "The United States welcomed Croatia's commitment to fully empower a Holocaust envoy with a view to intensifying dialogue on all related issues, including property wrongfully seized during the Holocaust." In April 2022, United States Special Envoy for Holocaust Issues Ellen Germain visited Zagreb to follow-up on the Strategic Dialogue.

On October 20, 2022, WJRO, in cooperation with the Croatian government, released the publication of an extensive report that presents a historical analysis and partial list of cultural objects looted from Jews and others by the Croatian fascists – the Ustaše – during the Holocaust and that after World War II were nationalized by the Communist government and distributed to Croatian state institutions. The report was originally delivered by WJRO to the Croatian government in 2020 and has just been accepted by the Ministry of Culture. It is based on the archives of the KOMZA (Commission for the Gathering and Protection of Cultural Monuments and Antiquities) that were made accessible the previous year by the Ministry of Culture of the Republic of Croatia. The COVID-19 pandemic and the 2020 earthquakes in Zagreb also contributed to the delay in the release of the report. The Croatian Ministry of Culture has recently established an expert group on provenance research. The report can be found at: <https://art.claimscon.org/work-provenance-research-archives/croatia-report-restitution-of-moveable-property/>

Although this report represents a significant development, a process for claims has yet to be established and other concerns regarding communal, unclaimed "heirless" and private immovable and movable property remain to be resolved.

Croatia is scheduled to assume the IHRA (International Holocaust Remembrance Alliance) Presidency in 2023, and it is hoped that progress will be made on these issues by then.

Click [here](#) for the link to the U.S. Dept. Of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, Croatia (p. 45).

Cyprus

No new developments.

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, Cyprus (p. 52).

Czech Republic

In October 2020 on the margins of the UN General Assembly, WJRO met virtually with then-Foreign Minister Tomas Petricek, requesting that the Czech Republic once again take up the issue of restitution during its next European Union presidency, during the second half of 2022. In November 2022, the Czech government organized a high-level conference, Terezin II, to follow up the Terezin conference of 2009. In advance of the conference, WJRO participated in planning sessions and worked closely with key partners, including Czech Special Envoy for Holocaust, Interfaith Dialogue and Freedom of Religion or Belief, Amb. Dr. Robert Řehák.

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, Czech Republic (p. 54).

Denmark

No new developments.

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, Denmark (p. 58).

Estonia

No new developments, but WJRO research shows that the main theft of cultural property from the country, that of the Genss library, is primarily in Belarus.

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, Estonia (p. 61).

Finland

No new developments.

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, Finland (p. 63).

France

In February 2022, the French Senate voted for a law to enable the restitution of 15 artworks in the state collections, but a wider law enabling deaccessioning from state museums remains to be passed.

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, France (p. 67).

Germany

The Ministry of Finance has begun an extensive project to digitize and make available the “Wiedergutmachen” records of reparations and restitution. Digitization of tax records relevant to looted cultural property has begun. In addition, the Ministry is sponsoring events and exhibitions in view of the 70th anniversary in 2022 of the Luxembourg Agreements between the Federal Republic of Germany, the State of Israel, and the Claims Conference.

Provenance research and restitution have been spreading within Germany. However, all restitutions are based on acts of goodwill. Claimants do not have any legal right to enforce their claims against a private or public holder of Nazi looted cultural objects. The current coalition agreement intends to strengthen the position by giving the claimant a right of information concerning the current looted art holder. The implementation of such a regulation has yet to be put into place.

German Lost Art Foundation (DZK) has established a Help Desk in Berlin to assist claimants and heirs. There is a good chance that the Help Desk that was initially conceived for a period of two years will continue its work.

In 2019, the Jewish Digital Cultural Recovery Project (JDCRP) was established by the Claims Conference and the Commission of Art Recovery as a foundation under German law. JDCRP's main goal is to reconstruct European Jewish cultural heritage largely extinguished by the Nazis, their allies and collaborators. JDCRP has secured funding from the Claims Conference, the German government, and the EU.

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, Germany (p. 73).

Greece

In the fall of 2021, Russia announced a decision to return the archives of the Greek Jewish communities, archives stolen by the Nazis and then taken by the Soviet Army to Moscow and now in the Russian State Military Archives (RGVA). The decision has not so far been implemented. There has recently also been an increased interest in the Nazi looting of antiquities in Greece.

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, Greece (p. 80).

Hungary

WJRO has been in discussions with the Government of Hungary for many years over the issue of heirless and unclaimed property of the hundreds of thousands of Hungarian Jews who were killed during the Holocaust. Returning this property, or providing compensation, for the benefit of Holocaust survivors and the remaining Jewish community was an explicit obligation of Hungary under the postwar Treaty of Paris in 1947 with the United States and other Allied governments.

In June 2021, representatives from WJRO met virtually with Minister Gergely Gulyás, together with Deputy State Secretary Vince Szalay-Bobrovniczky, Hungarian Ambassador to the United States Szabolcs Takacs, and other Hungarian Government officials, and secured a commitment that the Government would resume discussions toward resolving outstanding Holocaust issues.

In October 2021, representatives from WJRO and the Hungarian Government had a productive meeting in New York to resume negotiations on outstanding Holocaust financial issues. In advance of the meeting, WJRO provided the Hungarians with various materials that summarized and analyzed the historical research on heirless property in Hungary and provided a valuation analysis by an economist based on the work of the Hungarian experts. WJRO is still waiting for the Hungarian government's response.

Following the April 3, 2022, elections, WJRO sent a follow-up letter to Deputy State Secretary Vince Szalay-Bobrovniczky and Hungarian Ambassador to the United States Szabolcs Takacs and also had informal conversations with Szabolcs Takacs, requesting that they continue working together with WJRO to resolve outstanding Holocaust era financial issues now that the elections are over.

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, Hungary (p. 84).

Ireland

No new developments.

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, Ireland (p. 89).

Israel

In July 2022, after more than six years, a deal was negotiated between Israel and Romania that cleared the way for the Romanian government to finally accept official Israeli documentation to provide approximately 7,000 Romanian Holocaust survivors in Israel with pensions.

The Ministry of Culture, the Ministry of Social Equality, and other parts of the government have formed a group to propose legislation and to encourage provenance research. In addition, the National Library of Israel has a new policy supporting restitution of items belong to individual families.

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, Israel (p. 91).

Italy

No new developments.

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, Italy (p. 95).

Latvia

On February 10, 2022, the Latvian Parliament adopted a historic law on religious and communal property restitution, which was the result of efforts led by WJRO and the Latvian Council of Jewish Communities (LCJC). President Egils Levits signed the bill into law on February 21, 2022.

This bill, which completes the process of Jewish communal and religious property restitution in Latvia, provides reimbursement for immovable properties belonging to Jewish religious and communal organizations before the Soviet occupation of Latvia in June 1940, and Jewish heirless property, which could not be previously returned through denationalization laws. This legislation will provide €40 million in funding, to be used to revitalize the Latvian Jewish community, provide social and material assistance to Holocaust survivors from Latvia, and preserve the memory of those who perished. The Latvian Jewish Community Restitution Fund (LEKOREF) is the foundation responsible for managing and distributing the funds over the next ten years.

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, Latvia (p. 100).

Lithuania

In 2011, the Government of Lithuania passed legislation regarding compensation for a portion of confiscated, formerly Jewish-owned communal property in the amount of €36 million to be paid out over a 10-year period and provided approximately \$1.1 million to fund one-time symbolic payments to surviving Lithuanian Jewish Holocaust victims worldwide. The funding for communal property restitution under the 2011 law will be complete by end of 2022.

As of 2022, the “Edward Blank YIVO Vilna Online Collections” Project has effectively been completed.

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, Lithuania (p. 103).

Luxembourg

On January 27, 2021 (International Holocaust Remembrance Day), WJRO joined together with the Government of Luxembourg, the Luxembourg Jewish Community and the Luxembourg Foundation for the Remembrance of the Shoah to sign a historic agreement on Holocaust asset issues.

In this agreement, Luxembourg agreed to:

- Transform Cinqfontaines – which was once the last station and collection point for Jews before deportation to concentration camps – into a living memorial commemorating the stories of Luxembourg’s Holocaust victims.
- Provide symbolic financial acknowledgment to Holocaust survivors who are currently living in Luxembourg or who were persecuted in Luxembourg during the Holocaust.
- Dedicate resources to Holocaust memorialization, remembrance, research, and education.
- Address key restitution issues, including dormant bank accounts, insurance, and looted art, through separate working groups with WJRO and the Luxembourg Jewish Community.

The agreement came together in less than two years after a joint international delegation of WJRO and the US Special Envoy for Holocaust Issues, together with the US Ambassador and the Luxembourg Jewish Community began negotiations. Following a meeting with the Prime Minister Xavier Bettel, Luxembourg established a working group to review open issues of Holocaust-era property restitution – a process culminating in the agreement.

Luxembourg, together with WJRO, the Luxembourg Jewish Community, and the Luxembourg Foundation for the Remembrance of the Shoah continue to work together to implement the agreement. In March 2022, the Luxembourg direct support payment program, administered by the Conference on Jewish Material Claims Against Germany, completed distributing €1,000,000 to Holocaust survivors from 13 countries who had applied to the program by the final deadline of January 31, 2022.

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, Luxembourg (p. 109).

Malta

No new developments.

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, Malta (p. 114).

Moldova

Moldova has not yet restituted nor provided compensation for any Jewish communal properties.

Since 2020, WJRO and the Jewish Community of Moldova have embarked together on a joint research project that builds on the findings of the 2010 US Heritage Commission Report. Early findings of the research have found over 80 Jewish communal properties in Chisinau alone. The next phase of the research is likely to unveil many more sites throughout the country, including dozens of synagogues, community centers, hospitals, and cemeteries.

In July 2021, WJRO contributed to the United Nations Human Rights Council’s Universal

Periodic Review of Moldova, calling upon the Government of Moldova to adopt comprehensive legislation to provide restitution of, or compensation for, property that was nationalized during the communist era, including Jewish communal property.

In September 2022, WJRO met with Foreign Minister Popescu at the United Nations General Assembly in New York which was followed by a high-level roundtable in Moldova in October, in which WJRO also participated.

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, Moldova (p. 116).

Montenegro

No new developments.

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, Montenegro (p. 119).

The Netherlands

During the Holocaust, approximately 107,000 Jews were deported on Dutch National Railway (NS) trains to the transit camp Westerbork, before eventually being transported to other concentration and extermination camps, including Auschwitz and Sobibor.

In August 2019, the NS announced a compensation plan for Dutch Holocaust survivors and their surviving spouses and children who were transported by NS. Since then, WJRO, together with the Centraal Joods Overleg (CJO) and Verbond Belangenbehartiging Vervolgingslachtoffers (VBV), had also been urging NS to adopt its own Committee's recommendation to provide, "in consultation with the groups concerned, a collective expression of recognition" of the suffering and fate of the vast majority of Dutch Holocaust victims who did not survive following transport by NS – only about 5,200 of the approximately 107,000 Jews survived after the transports – and to conduct an in-depth investigation into the role of NS during the Second World War.

In June 2020, the three concerned groups presented a joint memorandum to the NS on a recommended process and use of a collective expression fund and met with then-NS CEO Roger van Boxtel for the first time. Regrettably, instead of consultations, the NS informed the groups and WJRO that it had already decided that its full collective expression would be an award of €5 million to four Dutch memorial centers, without any involvement of WJRO and the Jewish community. The three concerned groups maintain the position that this 'collective expression' from NS is insufficient and was made without adequate consultation.

In 2021, the NIOD Institute for War, Holocaust and Genocide Studies started pre-research into the role of NS in the deportation of Jews during the Holocaust.

A 2020 review of Dutch art restitution policy under the Ministry of Education, Culture and Science by the Advisory Committee on the Dutch Restitution Policy, led by Jacob Kohnstamm, former MP (the "Kohnstamm Committee"), led to reversal of the previous "balance of interests" policy

of the Ministry that had mandated taking into consideration the importance of the looted work to the possessor museum and to a key policy principle of presumption of involuntary loss since 1933. Changes in the Netherlands include establishment of an office under the National Office for Cultural Heritage of the Ministry that acts as a “Help Desk” for claimants and museums, the possibility of retroactive changes in past restitution decisions, a proactive policy to process artworks that are found to have been looted whether or not a claim is filed, increased funding for provenance research efforts and education, and the eventual handing over to Jewish institutional hands those items whose original owners remain unknown.

Claims Conference-WJRO research on libraries in the Netherlands that were looted is now underway.

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, The Netherlands. (p. 122).

North Macedonia

Issues remain regarding private property belonging to individuals who are not citizens of North Macedonia. In 2019 and 2021, Prime Minister Zoran Zaev promised to set up a working group which would include WJRO to discuss unfinished issues on Jewish private property.

WJRO has now conducted research on movable property that was seized in what is now North Macedonia, including that which was taken to the Bulgarian National Bank and other institutions in Bulgaria.

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, North Macedonia (p. 128).

Norway

No new developments.

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, Norway. (p. 131).

Poland

Poland remains the only member state of the European Union without a law to address the restitution of, or compensation for, private property seized by the Nazis and/or later nationalized by the Communist regime. In September 2021 a Polish law amending the Administrative Procedure Code took effect, which prevents claimants from challenging administrative decisions older than 30 years, including decisions issued without legal basis or issued in gross violation of the law. In practice, it will become virtually impossible for all former Polish property owners – including Holocaust survivors and their descendants, many of whom have had claims pending for years – to secure redress under the current Polish law for property illegally stolen during the Communist era and which remains in Poland to this day. In December 2021, the Polish Ombudsman filed a motion

to the Constitutional Court to declare unconstitutional a provision of the amended Administrative Procedure Code that would discontinue pending cases.

WJRO works closely with the Union of Jewish Communities in Poland – partners of the WJRO in the Foundation for the Preservation of Jewish Heritage in Poland (FODZ) – to address the stalled process for restitution of communal properties in the Regulatory Commission. In 20 years, the Regulatory Commission has completed review of just over half of the 5,500 claims filed for Jewish communal property and approximately half of these claims were rejected. WJRO has previously submitted to the Ministry of the Interior and Administration specific recommendations for improving the process of communal property restitution.

The new law providing for a 30-year limit, now passed, on claims also affects restitution of movable property. There has been outside research on artworks and other items looted in other countries that are now in Poland.

The Ministry of Culture has increased the number of staff reviewing artworks to be returned to Poland.

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, Poland (p. 137).

Portugal

No new developments.

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, Portugal (p. 146).

Romania

While Romania has passed laws for private and communal property restitution, there continue to be significant problems with the restitution process, including long delays, overly narrow interpretations of the law, and frequent requests for unnecessary, and often unavailable, additional documentary evidence. Nearly two decades after the 2003 claims deadline, tens of thousands of private property claims and hundreds of Jewish communal property claims remain unresolved. Over the years, WJRO has presented proposals to address problems in the restitution process; however, these proposals have not yet been implemented. Additionally, Law no. 193/2021 was adopted in July 2021, containing a provision where the valuation of certain properties would be arbitrarily reduced by 50%, depending on the category of use at the time of the takeover.

In 2000, the Romanian government adopted a law on special pensions for Romanian citizens who suffered persecution on ethnic or religious grounds between 1940–1945. The Romanian Parliament passed an amendment in November 2016 that extends pension rights to those who no longer have Romanian citizenship. However, few Holocaust survivors could benefit from this legislation because of the burdensome application and the long list of documents which could no longer be obtained. Since February 2020, the Center of Organizations of Holocaust Survivors in Israel negotiated with the Romanian Ministry of Labor to establish a process that would facilitate applications for

survivors now living in Israel. WJRO has also proposed to the Romanian Government specific steps to improve implementation of the law to ensure that the 2020 amendment equally benefits all Romanian survivors, wherever they now live, such as accepting letters from the Conference on Jewish Material Claims Against Germany, certifying that the pensions applicant was a Jewish victim of persecution during the Holocaust. This approach to the pensions issue would follow the example of Romanian legislation passed in May 2016 that establishes prioritized processing of property restitution claims filed by people certified as Holocaust survivors. In September 2021 and January 2022, WJRO met with high ranking representatives of the Romanian Government who assured them that Romania was working to find a way to accept the Claims Conference as a valid certifying agency. In July 2022, after more than six years, a deal was negotiated between Israel and Romania which cleared the way for the Romanian government to finally accept official Israeli documentation to provide approximately 15,000 Romanian Holocaust survivors in Israel with pensions.

In September 2022, WJRO contributed to the United Nations Human Rights Council's Universal Periodic Review of Romania, calling upon the Government of Romania to adopt comprehensive legislation to provide restitution of, or compensation for, property that was nationalized during the communist era, including Jewish communal property.

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, Romania (p. 148).

Russia

In the fall of 2021, Russia announced a decision to return the archives of the Greek Jewish communities, archives stolen by the Nazis and then taken by the Soviet Army to Moscow and now in the Russian State Military Archives (RGVA). The decision has not so far been implemented.

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, Russia (p. 153).

Serbia

In February 2016, Serbia became the first country since the Terezin Declaration was issued to pass a law specifically returning heirless Jewish Holocaust-era property. Passage of legislation culminated over two years of intensive efforts by the WJRO. The law provides €950,000 per year for 25 years in compensation to the Federation of Jewish Communities in Serbia (SAVEZ) to support the revitalization of the Serbian Jewish communities, and in rem restitution (return of a property) to the Serbian Jewish communities of heirless and unclaimed movable and immovable property. Holocaust survivors and their heirs have the opportunity to obtain any of their property that is returned to the Serbian Jewish communities. To date, the value of returned property amounts to €20.6 million.

In April 2021, the Claims Conference, on behalf of WJRO, sent out letters to Serbian Holocaust survivors to notify them that the Serbian Agency for Restitution had returned 117 properties to the Jewish communities of Serbia, and that if any of the listed properties belonged to the survivors, they had an opportunity to come forward and seek their return.

Although the 2016 law also covers movable property taken in Serbia, the Serbian Jewish communities have not filed claims for artworks and other cultural property.

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, Serbia (p. 157).

Slovakia

No new developments.

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, Slovakia (p. 163).

Slovenia

In 2018, WJRO and the Ministry of Justice began a joint research project on heirless and unclaimed property. The narrative part of the study is complete, and the joint research team have been working together to finalize the report, including the underlying data, which is set to be finalized in 2022.

Provenance research on art that began under the TransCultAA Project has suffered setbacks due to the firing of the principal provenance researcher in the country and difficulties with access to archives.

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, Slovenia (p. 169).

Spain

In 2022, the U.S. Supreme Court overruled the decision of the Federal Appellate Court in the case of the Cassirer family's claim for the Camille Pissarro painting in the Thyssen Museum and determined that California state law should prevail rather than Spanish law. This makes it likely that the eventual new ruling will be in favor of restitution, though it is unclear whether Spain will then agree to return the Pissarro painting.

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, Spain (p. 172).

Sweden

There has been no further development of the 2018 proposal made to the Swedish Government by the director of the Moderna Museet and the former director of the National Museum to establish a panel similar to the restitution commissions in Austria, France, Germany, Netherlands, and the United Kingdom.

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, Sweden (p.175).

Switzerland

WJRO has noted the problem created by the change in the regulation of bank safety deposit boxes whereby unclaimed property in such safety deposit boxes now escheats to the banks and then the state, since it is likely that art and other property looted from Jews is in some of them (safety deposit boxes were not included in the Swiss Banks Settlement). It is not clear whether the Swiss Government is doing anything about this.

In response to criticism over the display of Emil Georg Bührle's controversial collection in a new extension of Zurich's Kunsthaus museum, a parliamentary motion was made for "an independent commission which issues recommendations in cases of cultural property lost as a result of Nazi persecution."

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, Switzerland (p.179).

Turkey

No new developments.

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, Turkey (p. 183).

Ukraine

With the assistance of the Ukrainian government, the Claims Conference and the Joint Distribution Committee have managed to continue to distribute pensions to Holocaust survivors in Ukraine and to evacuate those who wish to be moved because of the war.

Most movable cultural property seized in the Soviet Union by the Nazis and their allies was taken from Ukraine and Belarus, while those items that were taken by the Soviet Trophy Brigades – including property from Jewish victims of the Nazis and their allies – as well as items returned by the Western Allies to the U.S.S.R. were generally brought or sent to Moscow and for the most part have stayed in the Russian Federation rather than being returned to Ukraine and Belarus.

In the current war, Holocaust-related archives in Ukraine that were microfilmed by the USHMM are being placed on the internet by the Washington Museum in cooperation with the Ukrainian State Archives to preserve them and make them more accessible. The largest collection of archival records of the Einsatzstab Reichsleiter Rosenberg (ERR) that Moscow subsequently turned over to Ukraine were digitized by the Ukrainian State Archives with the assistance of the Claims Conference and WJRO. In an irony of the war, these German ERR records – records that Germany claims belong to it - are being preserved through being mirrored by an internet website in Germany. A catalogue of Soviet Trophy artworks at the Simferopol Art Museum that was sponsored by the Claims Conference-WJRO and published shortly before the annexation of Crimea by Russia showed that

many of the works had previously been spoliated by the Nazis and their allies from Jews and were brought to Crimea to decorate the spas and vacation spots of the Soviet elite.

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, Ukraine (p. 186).

United Kingdom

It has recently been asserted that the Burrell Collection in Scotland contains artworks that were purchased at forced sales.

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, United Kingdom (p.191).

United States

As noted in the Executive Summary to the JUST Act Report, the United States Congress did not mandate a review of U.S. laws and policies, however, that Executive Summary does address developments in the U.S., and therefore we are including recent domestic developments in the country since the publication in 2020 of the JUST Act Report. In particular, there have been two important Supreme Court decisions concerning claims brought in U.S. courts for restitution and compensation:

1) In the case involving the Guelph Treasure held in the Bode Museum in Germany, the heirs had argued that the Treasure's forced sale violated international law as an act of genocide. But the court found that the only international law covered by the exception to the Foreign Sovereign Immunities Act (FSIA) is property law, and that the seizure of property belonging to a country's own citizens is a domestic matter, and therefore not under the jurisdiction of U.S. law.

2) In the case involving the claim by the Cassirer heirs for a Pissarro painting that is in the Thyssen-Bornemisza Collection in Spain, the court held that in a Foreign Sovereign Immunities Act (FSIA) suit raising non-federal claims against a foreign government, a court should determine the law to apply by using the same choice-of-law rule applicable in a similar suit against a private party. In this case, the U.S. Supreme Court held that the lower court should apply the State's choice-of-law rule, not a federal common law rule, in this instance that of California.

Separately, the state of New York has now mandated that museums put up a notice acknowledging artworks in their collections that were seized, confiscated, or stolen during the Nazi era in Europe.

Uruguay

No new developments.

Click [here](#) for the link to the U.S. Dept. of State's Justice for Uncompensated Survivors Today (JUST) Act Report, July 2020, Uruguay (p. 195).

