

It is gratifying to see the continued interest on the important issue of compensation and restitution of Holocaust era properties in Eastern Europe by the US Congress and by the Helsinki Commission in particular. The holding of this briefing with Ambassador Bell illustrates your commitment to maintaining a focus and pressure on this critical moral issue.

The World Jewish Restitution Organization was established in 1992 to seek compensation and restitution from countries other than Germany and Austria. The Claims Conference, established in 1952, has as its mission obtaining compensation and restitution from Germany and Austria. The WJRO has played a central role in securing Holocaust restitution and compensation from numerous countries in Europe and in particular was pivotal to the agreement with Swiss Banks in 1998.

The international world scene has changed immeasurably since the last formal hearing on this issue in July 2002. Our country has continued to fight terrorism with unparalleled vigor and has won a war in Iraq. Alliances with certain countries have been strengthened and others have become more fragile. However, all our battles and challenges are derived from our commitment to fundamental rights and values. Rights and values that must be at the forefront of all our efforts and endeavors.

We have also seen the composition of European institutions change. We all agree that integration into the united Europe is, and must be, more than fulfilling certain economic agreements and military pacts. A country must take its place in sharing and implementing certain basic values concerning human rights, democracy and the rule of law. Clearly all countries that seek to participate in a united Europe are obligated to pursue a course of action that will result in a measure of justice for the victims of the Holocaust.

It has been recognized that the method in which a country establishes and implements a law or mechanism for the restitution of private and communal Jewish property seized by the Nazi regime (or its allies) is indicative of that country's commitment to securing for itself a place in Western world. Unfortunately, the limited attempts made to enact property restitution in former Communist countries are often more indicative of a lack of political will than economic constraints.

The US Government, both through the US administration and the US Congress, has consistently set the benchmark for restitution in Central and Eastern European countries. Most recently Deputy Secretary of State Richard Armitage has declared that "following the fall of the Berlin Wall, possibilities opened for the US Government and others to resume work on securing justice for Holocaust victims....we are convinced that the greatest effort we can make is to try to make a measure of justice to the survivors of the Holocaust. The United States Government remains committed to work for the human dignity that is the hallmark of our country." [1]

In addition, in April 19, 1995 a letter signed by Newt Gingrich (Speaker of the House), Richard Gephardt (House Minority Leader), Benjamin Gilman (Chairman, House Committee on Foreign Relations), Lee Hamilton (Ranking Member, House Committee on Foreign Relations), Robert Dole (Senate Majority Leader), Thomas Daschle (Senate Minority Leader), Jesse Helms

(Chairman Senate Committee on Foreign Relations), and Claiborne Pell (Ranking Member, Senate Committee on Foreign Relations) stated:

"It is the clear policy of the United States that each [Belarus, Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Moldova, Poland, Romania, Russia, Slovakia and the Ukraine] should expeditiously enact appropriate legislation providing for the prompt restitution and/or compensation for property assets seized by the former Nazi and/or Communist regimes. We believe it is a matter of both law and justice."

The Organization for Security and Cooperation in Europe has consistently advocated for all member states to deal with this issue in a comprehensive and non-discriminatory way. In fact in July 2001 at the Paris Meeting of the OSCE, it urged:

"The OSCE participating States to ensure that they have implemented appropriate legislation to secure the restitution and/or compensation for property loss by victims of Nazi persecution and property loss by communal organizations and institutions during the National Socialist era to Nazi victims or their heirs(s), irrespective of the current citizenship or place or residence of victims or their heir(s) or the relevant successor of communal property."

However, as you are aware our struggle is far from over. During the 14 months since your last hearing, we have seen only minimal progress from the status that we outlined in July 2002. We urge the Commission to remind both those OSCE participant countries that are not fulfilling their obligations as to the necessity for comprehensive private and communal property restitution and in addition, to ensure that this important issue is raised is placed on the agenda of US Congressional hearings relating to the implementation by newly accepted NATO countries of their responsibilities. In addition, this issue should be raised at the forthcoming meeting of the OSCE in Poland where human rights will be discussed and that this issue is constantly monitored by the Helsinki Commission through the holding of frequent hearings. We look forward to working together to ensure progress in a timeframe that will deliver a measure of justice to Holocaust survivors and their heirs.

1. Speech of Deputy Secretary of State Richard Armitage at the Borad Meeting of the Claims Conference on July 2001.

