

Opening Statements

Opening Ceremony Remarks at the United States Holocaust Memorial Museum Mr. Miles Lerman

**CHAIRMAN, UNITED STATES HOLOCAUST
MEMORIAL COUNCIL
UNITED STATES**

It is proper and most fitting that this conference began with a symbolic ceremony of silent contemplation in the Hall of Remembrance of the Holocaust Memorial Museum where we invoked memory and paid tribute to those who were consumed in the Nazi inferno.

Now let me welcome you to the Washington Conference on Holocaust-Era Assets. The United States Holocaust Memorial Museum is pleased to co-chair with the State Department this historic event.

For the next three days representatives of 44 countries will have the opportunity to explore a just and orderly return of confiscated assets to their rightful owners.

It took over 50 years for the world to come to grips with the fact that the biggest murder of the century; it was also, as my friend Ben Meed reminds us, the biggest robbery in history.

This fact is not limited to one country only. What really shocked the conscience of the world was the discovery that even after the war, some countries tried to gain materially from this cataclysm by refusing to return to the rightful owners what was justly theirs. The refusal to respond to these rightful claims was a great injustice, a moral wrong which can not be ignored.

And this is what brings us together today.

We are here to make sure that these wrongs are corrected in a just and proper manner.

Under Secretary Eizenstat and Edgar Bronfman deserve our gratitude for their unrelenting efforts to bring about full accountability for all wrongs that must be made right.

Among us are countries that on their own volition began this process. These countries are to be complimented for setting the right examples.

The issue of Nazi-era assets is very complex. It will require a thorough research of archival data of the countries involved. Some of these archival repositories are still inaccessible. This is a major obstacle to the discovery process, which we must overcome.

We, at the Holocaust Museum, have made strides in the area. We have gained access to many archival repositories and we hope to be helpful in the discovery process. However, we as a group must use our collective influence to obtain unrestricted access to all archival repositories of this period.

Only then will we be able to resolve the outstanding issues judiciously.

A lot of progress has been made. The agreement which the World Jewish Congress has negotiated with Swiss banks is a step in the right direction.

It is clear that survivors can never be compensated for their decimated families and destroyed lives. They are, however, entitled to a full accounting of all the assets that were confiscated from them or their families. For this, they must be fully compensated.

However, as imperative as the financial settlements are, it is important to bear in mind that the last word on the Holocaust cannot be gold or bank accounts.

The final objective must be remembrance. The lessons of the Holocaust must continue to serve as a reminder and a warning to you, to me and to future generations that will follow.

This is why this conference has decided to deal with ongoing Holocaust education extensively.

Some countries have begun various educational programs and we applaud them for their efforts. However, we must aim to create a global network of Holocaust education that would be both general and country specific.

We at the Holocaust Museum have substantial experience in this field. We work annually with 30,000 teachers on all levels, representing many disciplines. Should this conference endorse an international Holocaust education initiative, we at the Holocaust Museum stand ready

to assist you in any necessary form to make sure that such efforts are fruitful and productive.

I am sure that Yad Vashem, who has vast experience in this field, would be ready to do the same.

Secretary Eizenstat, Judge Abner Mikva, the chairman of this conference, and I are looking forward to working with you to make sure that the next 3 days move us ahead with our goals and objectives and we return to our respective homes with a sense of tangible accomplishments. The memory of the victims demands no less.

Thank you very much.

And now I have the honor to introduce to you a man who has made an enormous effort to make this conference happen.

Ladies and gentlemen, please welcome the Under Secretary of State for Economic, Business and Agricultural Affairs, Stuart Eizenstat.

Opening Ceremony Remarks at the United States Holocaust Memorial Museum Stuart E. Eizenstat

UNDER SECRETARY OF STATE FOR ECONOMIC,
BUSINESS AND AGRICULTURAL AFFAIRS
UNITED STATES

Chairman Lerman, Members of Congress, Elie Wiesel, national delegations, ladies and gentleman: It is a great honor and privilege to address you this evening, here at this American national treasure – the U.S. Holocaust Memorial Museum.

More than five and a half years ago, when President Clinton dedicated this living memorial, he said: "This museum is not for the dead alone, nor even for the survivors who have been so beautifully represented; it is perhaps most of all for those of us who were not there at all, to learn the lessons, to deepen our memories and our humanity, and to transmit those lessons from generation to generation."

As we join together this evening, those eloquent words echo throughout this solemn space. Before I continue, let me pay tribute to my old and dear friend Miles Lerman for both his tireless leadership of this institution and for his willingness to join with me as the co-Chairman of the Washington Conference on Holocaust-era Assets.

In addition, it is a particular honor to be standing with another friend, Nobel Prize winner Elie Wiesel. His remarkable bearing of personal witness to the seemingly unimaginable horror of the Holocaust has shed eternal light on the darkness of that unique tragedy. By doing so, he has brought its enduring lessons to a worldwide audience and through his literature has ensured that his witness is an enduring gift to humanity.

The Washington Conference, like the London Nazi Gold Conference, of one year ago, promises to be a landmark event. It may

well represent the last full opportunity for the international community to gather and write the final chapter in the unfinished business of perhaps the greatest human tragedy of this or any other century. It is yet another of this century's innumerable and seemingly endless tragedies that for nearly fifty years the fate of assets seized during the Holocaust remained largely undiscovered and uninvestigated.

For those who suffered at the hands of the Nazis; for those who lost entire families; for those who survived the Holocaust only to then fall under the iron fist of Communism; for those who have endured years of poverty and misery because of the world's neglect and failure; for those whose lives and deaths are poignantly memorialized in this museum: Our efforts to bring justice are done with a heavy heart and the knowledge that in so many ways, our work comes too late.

For those who, against unimaginable odds, are still alive today, our work must be guided by an urgent resolve to ensure that those who survived the tragedy of the Holocaust will not continue to suffer in poverty and fear.

For those who perished, our efforts must be galvanized by an unrelenting aspiration to uncover the truth and to seek justice for both the living and the dead.

Only then can we provide a last – albeit inadequate – measure of justice for those who died. As painful as it may sometimes be, we must not sweep these issues under the rug of embarrassment, silence and indifference.

The often traumatic efforts over the past several years of so many countries and institutions to come to terms with their conduct during World War II – however overdue – is nonetheless inspiring. The international community, at last, shares a common interest in the quest for justice and the search for truth.

Through our effort, we are together building lasting bridges between yesterday and today; between brutality and humanity; between searing history and enduring memory; between tragedy and rebirth; between darkness and light.

While turning the page on this black chapter of history, we must take from the lessons of yesterday a renewed commitment to usher in a new and brighter century. Our words must provide enduring lessons from this awful experience, guiding all our countries to act with a greater sensitivity to present and future crimes against humanity, even if on a different scale.

Only then will we know if our efforts have had a practical impact. Teaching future generations about the Holocaust and, the theft of

assets will be essential lessons, in all our countries, for future citizens that may see these events as only ancient history.

The sheer presence of this museum – in the Capitol of the world's greatest bastion for democracy – will for generations to come perform the essential task of further educating all peoples about the horrors and the lessons of the Holocaust.

It must remain the abiding responsibility of future generations to ensure that the memory of those who perished at the hands of the Nazis is seared in the collective memory of the world's conscience.

As we make this journey together into a world of greater justice and humanity, where the dignity of each individual is upheld, I am reminded of the passage in Psalms, which says that "the path of the just is as the shining light, that shineth more and more unto the perfect day."

By undertaking a moral accounting, by completing the historical record, by providing restitution, by educating future generations, by righting the wrongs of the past and finally by seeking justice for the living and for the dead, we can walk together in the path to that "perfect day."

Thank you.

Opening Ceremony Remarks at the United States Holocaust Memorial Museum The Honorable Abner J. Mikva

CONFERENCE CHAIRMAN

Chairman Lerman, Stu, members of Congress, distinguished guests and delegates. As I placed the rose in front of the eternal flame tonight, I thought how appropriate it is that before we begin the work of the Conference, we remember those who lived, suffered, died or survived through the unique horrors of the Holocaust. Surrounded as we are here at this museum by solemn reminders of these horrors, and joined as we are by a few people who miraculously survived them, I am struck by the powerful role the past still plays in the present. Over half a century later, the international community shares a responsibility to acknowledge this still contemporary history, to absorb its terrors, preserve the memory of and- provide some small measure of justice to its survivors before it is too late.

By presenting the history of the Holocaust era, painful as it may be, this wonderful museum honors those who suffered, reminds us of our responsibility and educates us on our need to be ever vigilant in our respect for human rights for all groups in order to avoid the terrible consequences of prejudice, intolerance, and hatred.

With the memory of this tragic legacy so vividly before us, let us come together over the next three days with a common goal to tackle these difficult issues openly and constructively. Let us seek solutions while we contribute to a clearer understanding of the historical record. Let us leave behind our own legacy of healing and restitution.

I would like to introduce Elie Wiesel, author, crusader for justice and Nobel Laureate, whose life-long commitment to bearing witness to the Holocaust will itself burn as an eternal flame against darkness everywhere.

Opening Ceremony Remarks at the United States Holocaust Memorial Museum Elie Wiesel

FOUNDING CHAIRMAN, UNITED STATES
HOLOCAUST MEMORIAL COUNCIL
AND NOBEL LAUREATE

Judge Mikva, Stuart Eizenstat, Chairman Lerman, distinguished members of Congress, my good friends.

As you are about to begin a three-day introspection of your national psyche, may I first ask a few questions. Why so late? Why only now? Why this sudden concern for stolen money and fortunes? Why has it taken so long in fulfilling the biblical command that stolen property must be returned to its owners? Why is it that it took an Edgar Bronfman, Stu Eizenstat, Israel Singer, Elan Steinberg? The group is so small. Why is it that all of a sudden things became apparent, thanks to these few people? Where were the others?

Permit me to express my hope that we have not come here to speak about money. We have come here to speak about conscience, morality and memory. Usually, anti-Semites say about us Jews that we speak about lofty things, but we mean money. Just the opposite. Here, we speak about money, but we think of other things. The man who speaks to you belongs to a traumatized generation which is still oscillating between anger and gratitude. Gratitude for what we owe our friends, and anger at those, who, in our times of distress and solitude, have withdrawn into comfortable indifference.

Inspired by moral rather than financial concerns, this conference in this place which is so particular, so important, so essential to our national survival as human beings everywhere, this conference is

important because it illustrates and perhaps embodies an irresistible quest for both justice, as Stuart said, and compassion, as you have said.

But why now? Why is it taking place at such a late date under the moral pressure of public opinion? These questions face us when we deal with the issues that motivated these meetings. You know that.

More than fifty-odd years have elapsed since the Allied victory over Nazism and Fascism uncovered the horrors of Auschwitz, Majdanek and Treblinka. Innumerable testimonies have been published, witnesses interrogated, widely-publicized trials held, criminals prosecuted, and in some cases, punished.

Political scientists, psychologists, philosophers, essayists, psychiatrists and theologians have done much research on what happened in those years of malediction, in the darkest of all kingdoms.

Here and there, people wanted to know everything about all aspects of what we so poorly call the Holocaust. Yet, somehow, its simple economic aspect seems to have been utterly neglected.

Why? Is it that we all felt the memory of the tragedy to be so sacred that we preferred not to talk about its concrete, financial and material implications? Or is it that the task of protecting that memory was so noble, so painful, but so urgent that we simply felt it undignified to think of anything else – and surely not of bank accounts? In truth, we feel reticent to talk about it even now.

Is it that intellectually and morally we could not accept the possibility that the Holocaust was for the killers a combination of both perverse, hate-filled idealism and convenient, cheap robbery?

There may have been another reason as well. In those years, survivors had more urgent problems to solve than to demand restitution. They had to adjust to freedom, life and death – normal death. Their tragedy did not end with the end of the war. It continued long after. On ruins, and haunted by invisible cemeteries, they had to rebuild hope and faith. Those who wanted to go to Palestine could not get British certificates and had to go there illegally. Some returned to their homes and were met by open hostility.

My sister Beatrice went back to Sighet hoping to find me there. Our house was occupied by strangers. In certain cities and villages, local people greeted their former Jewish neighbors with scorn, "What, you are not dead?" and chased them away. So, many left everything behind and went to stay in D.P. camps in Germany and Austria, where they were treated with no special consideration.

Listen to excerpts from a report by The New York Times, dated September 30th, 1945.

"President Truman has directed General Eisenhower to clean up alleged shocking conditions in the treatment of displaced Jews in Germany outside the Russian Zone and in Austria." The report declared that "displaced Jews were held behind barbed wire in camps guarded by our men, camps in which frequently, conditions were unsanitary and the food poor and insufficient. With our military more concerned with other matters, some of the displaced Jews were sick and without adequate medicine," the report stated, "and many had to wear prison garb, or to their chagrin, German SS uniforms. All were wondering," it was added, "if they had been liberated after all, and were despairing of help while worrying about the fate of relatives."

They were, in many cases, the report said, "behind barbed wire in camps formerly used by the Germans for their prisoners, including the notorious Bergen-Belsen camp. Nearly all had lost hope," he stated. "The Germans in rural areas whom the Jews look out upon from the camps were better fed, better clothed, and better housed than the" quote, 'liberated' unquote, Jews, the report declared.

And the report noted – remember, a few months after liberation – "As matters now stand, we appear to be treating the Jews as the Nazis treated them except that we do not exterminate them. They are in concentration camps, in large numbers under our own military guard instead of S.S. troops. One wonders whether the German people, seeing this, are not supposing that we are following or at least condoning the Nazi policy."

And you would expect these refugees, uprooted human beings, to organize immensely complex legal mechanisms capable of obtaining from banks, museums and governments the restitution of what had been theirs? They were treated everywhere as poor cousins, at best. They were not even asked to play a role in the early negotiations with Germany in 1953.

In truth, the search for the missing monies, apartments and collections of art should have been initiated long ago and more elegantly, with a greater measure of grace – by banks and governments themselves. And I speak of neutral countries, as well as of countries which had been occupied by the Germans.

Now we know that some did that, some were gracious – but for the wrong reasons. More precisely, for the benefit of the wrong people. Almost under duress, efforts were being made to ask for the restitution of what had been stolen. In some places, because Jews had asked for the restitution, a new wave of anti-Semitism swept the country. The prophet's outcry to the king, "*Haraz-tachta vegam yarashta*," "You have

committed murder and now you wish to inherit the victim's fortune as well" reverberated in our ears and in our wounded hearts for many years. In Romania, Poland, Lithuania, the Ukraine and elsewhere in the Communist empire, Jewish cultural centers and synagogues, libraries and museums, hospitals and children's homes had been confiscated, demolished, or transformed into storage rooms, stables, shops or offices. And nobody cared. People in high places chose to forget that the "final solution" targeted both collectivities and individuals.

So, how can one not speak with anger?

Oh, yes. What they have done after the war to those who survived – a few of them – it had a double effect on the victims, surely, but also on those whom they have left behind. For a long, very long time, both were forgotten or humiliated.

This conference constitutes proof that there exists now, thanks to a few people that I mentioned – but then it became contagious – there exists a desire to correct the injustices. The fact is that you are here, and that proves that of course, you were not responsible for what happened years ago. But it proves also that you now are committed to this noble, magnificent effort.

I say injustices, but I mean some injustices. The true injustice, the one dealing with the murder of six million Jewish men, women and children, can never and will never be corrected. For them it is too late. For some of their heirs it is not.

It is up to you to provide all needy survivors with comprehensive health insurance and old age homes. Why don't you create a special publishing house to print their testimonies, give the survivors a feeling that their memories are important, that their experience is not lost? What they have to say, no one can say. No one ever will.

Thus, it is really a matter not of money but of moral demand and of commitment to conscience and memory. Memory is our shield. Memory is our fortune, our only fortune. So, let us remember not only the big fortunes, palaces and art treasures. Let us remember also the less wealthy families: the small merchants, the cobblers, the peddlers, the school teachers, the water carriers, the beggars. The enemy robbed them of their poverty.

Even if we could receive, as a gesture of compensation or an act of repentance, all the money in the world, it would not diminish the pain we feel for the death of one Jewish child in Birkenau.

We are here because we remember. And that, in itself, is sufficient to enable us to replace justifiable anger with impossible hope, especially since we must admit that there were good people, too. There

were good people in all of those places, good men and women with kind hearts, good officials with compassionate attitudes. And we are eternally grateful to them, as we are always, on a different level. We say *lehavdil* always to the state of Israel, simply because the state of Israel is here as a home, as a dream that continues to be a dream even in reality.

Now, you are about to begin your discussions. May I tell you that personally I was not and am not involved in this phase of remembrance. We were not rich at home. Romania's former president wanted to make my house into a new museum, but I preferred it to be inhabited by homeless families. My books, those I bought with my pocket money in my childhood are lying in dust somewhere; I don't even know where. Who can give them back to me? Who will give back the prayerbooks, the *tallith* and the *tefilin* my father and I had in our bags when we left for a place named Auschwitz? Who will give back what we have lost as individual Jews and as communities?

I remember – I shall always remember – a little girl, a child with golden hair and blue eyes, so heartbreakingly innocent. She had taken a beautiful scarf with her, a scarf which she had received as a present for Passover. She had no golden earrings, no bracelet, no watch, no jewelry, nothing expensive, nothing special, nothing but that scarf. That was her most cherished possession. You tell me: Are there enough funds in all your banks to compensate her brother for her beautiful scarf and for her golden hair? It is of them that you must think, today and tomorrow, the day after tomorrow, and the day after and the year after when you discuss money.

Thank you.

Opening Remarks

Mr. Miles Lerman

CHAIRMAN, UNITED STATES HOLOCAUST
MEMORIAL COUNCIL
UNITED STATES

Distinguished Dignitaries, Members of the Diplomatic Corps,
Conference Delegates, Ladies and Gentlemen:

Last night at the opening ceremony of the Washington Conference on Holocaust Era-Assets, which was held in the Hall of Remembrance of the United States Holocaust Memorial Museum, we invoked memory and paid tribute to the victims of the Nazi inferno.

We remembered the six million Jews who were murdered for one reason only because they were born Jewish. We paid tribute to the millions of others who perished at the hands of the Nazis.

In our personal introspection, we remembered the fact that the Holocaust did not begin with the mass killings in Eastern Europe. The Holocaust began when Nazi mobs burned and desecrated synagogues throughout Germany and Austria, looted Jewish stores, and humiliated and incarcerated their owners while neighbors and friends remained silent and looked the other way.

The Holocaust began when Germany's social and legal institutions supported a political regime that openly professed total disregard for the sanctity of human life.

These are facts that we must always bear in mind.

Within the next three days, the representatives of 44 Nations will engage in personal soul searching in an effort to undertake a financial and moral audit of their own Nation's conduct in those dreadful days.

We are here to acknowledge and bring to the attention of the world the fact that the Holocaust was not limited to mass murder.

With the Holocaust also came the greatest theft in human history – the theft of money, art, gold, precious manuscripts, insurance policies, and a host of other victims' assets.

It was not merely about murder and theft; it was also about the destruction of a way of life. Indeed, the collective culture of the Jewish people of Europe was devastated. Communal Jewish life in Eastern Europe was totally shattered and irreparably eviscerated.

For decades, some in this room and many others around the world have worked hard to preserve the memory of those who perished in the Holocaust. These guardians of memory deserve our sincere admiration for ensuring that the flame of remembrance will burn brightly into the next century.

But you are looking at a man and a generation that understand that the process of passing the torch must begin. It is only a matter of time before the last Holocaust survivor and witness passes on.

We are fortunate that the children of survivors and their children understand the imperative of continuing the legacy of remembrance.

For the sake of their future, our responsibility in the coming days is to further a process that began in London to bring some justice to the victims, their heirs, and to surviving remnant communities.

We must ask ourselves, how will history judges us? We must ask, was there enough done to save lives, to stop the robbery, to fight the evil that descended across Europe?

Our responsibility must be to examine the conduct of our own respective nations. We must look at our own governments, our own population. And most importantly, we must ask ourselves, is there enough being done today in our respective countries to teach our citizens about this tragic period in history? Are we bearing witness to both – to the noble and the hideous?

Do we have the courage to acknowledge the black spots on our national history?

Are we teaching our children the horrible lessons of the Holocaust? And are we using these stories as a lesson and a warning?

Some of these themes will be covered at the State Department, but especially at the Holocaust education sessions on Wednesday at the United States Holocaust Memorial Museum. On that day, delegates from around the world will explore and share ideas of how best to implement a global network of Holocaust educational and remembrance programs, as well as, research projects.

These are the programs that will be a true measure of the success of this conference, since Holocaust education will impact generations to come long after all outstanding financial claims will be accounted for.

As we begin our deliberations and as we begin to involve ourselves in the minutia of one asset category or another – let us resolve to not forget why we are here and what history expects of us.

Among those special people who fully understand and the magnitude and importance of this Washington Conference is its Chairman, whom I have the pleasure of introducing at this time.

We are fortunate that Judge Abner Mikva was chosen to chair this Conference. He is a man of great intelligence, broad public service, and has a deep and heartfelt appreciation of the Holocaust and its consequences.

Judge Mikva served as White House Counsel to President Clinton, and for many years served with distinction as Chief Judge of the U.S. Court of appeal for the District of Columbia.

Before coming to the bench, he ably represented his Chicago district in the U.S. House of Representatives for 10 years.

Ladies and Gentlemen please welcome Judge Abner Mikva.

Chairman's Opening Statement

The Honorable Abner J. Mikva

CONFERENCE CHAIRMAN

INTRODUCTION

Secretary Albright, Under Secretary Eizenstat, Mr. Lerman, distinguished delegates and friends: I am deeply honored to serve as Chairman of this remarkable conference, and I am grateful for the confidence you have placed in me. I have a great admiration and respect for the groundbreaking work initiated at the London Nazi Gold Conference exactly one year ago. I have particular respect for Lord Mackay's skillful and impartial chairmanship of that Conference -- a standard that I will strive to meet.

The London Conference was a significant milestone in documenting the historical record of Nazi-era confiscation of gold and monetary assets. Out of that conference emerged an international consensus that remaining issues needed to be addressed quickly and compassionately. Thanks to your work then and since, which we will review briefly later this morning, we all have a better understanding of the terrible human price exacted during this tragic period. I am honored to participate in this process -- itself historic -- of completing some of the unfinished business of the Holocaust and the Second World War.

GOALS OF THE CONFERENCE

Our goal this week is to build on the positive momentum generated by the London Conference as we turn to other categories of assets: art and insurance in particular, as well as communal property. First, we need to complete the international historical record in this area so that we can gain a better understanding of the events and issues that have shaped where we stand today. Second, with this historical context as our basis, we can then turn to current efforts for handling these issues

fairly and openly. Countries have already made important progress in developing broad principles and specific processes for dealing with these issues. Finally, I look forward to hearing the reports and discussions of the presenters and delegations and expect we will be able to draw on these shared initiatives and experiences to forge consensus on principles and practices that we can use to resolve remaining issues. This is the central concept underpinning our agenda and I hope that it will frame the legacy of the Washington Conference.

The basic framework for the plenaries and break-out sessions will be to review and add to the historical record, identify the issues involved, discuss past and present restitution efforts and consider how the international community can agree on effective ways to move forward on finding solutions in the art, insurance and communal property areas in particular—as well as highlighting the importance of opening archives, considering the fate of looted books and not least important, promoting Holocaust education and remembrance.

As you can see, the agenda for this Conference is exceedingly challenging, even for the three days allotted. The issues with which we will be dealing are both extremely complex and highly charged. We have over 80 presenters providing expertise and opinion. We also have 60 delegations. As a result, some delegations may not have an opportunity to make interventions from the floor, or will want to make more detailed interventions than the time available. As Chairman of the Conference, I – and the Chairmen of the various break-out sessions – will seek to maximize the time available for interventions and to recognize as wide a body of comment as possible. If, in the end, this proves insufficient, I want to remind delegations that they may submit position papers that will become part of the official record of this Conference. Instructions for this have already been provided to delegations.

In the field of Nazi-confiscated art, we are honored to have as presenters several scholars who have studied the historical record to identify what the Nazis did with art and why they did it. We know that thousands of works were taken from victims of the Holocaust, some by expropriation, some by forced sale, some after house-to-house searches by agents of the Nazi regime. Many were parts of important collections; all were precious to those who owned them.

In recent years there has been a growing awareness of the problem and greater efforts to identify confiscated art. Resolving ownership claims presents questions for governments, as well as for museums, galleries, dealers and collectors. We hope, in this Conference, to explore what happened to art during the War and its aftermath, to hear

how various countries are addressing the issue today, to gain an understanding of the practical problems involved in identifying this art and finding its pre-War owners, and to encourage a candid discussion of the problems and the equities involved. As we continue to work to find missing art works and missing owners or heirs, we must establish creative, constructive guidelines for the often complex and emotional cases of confiscated art that remain.

As a judge, I know that justice is often in the eye of the beholder. One such example of a creative solution involved a contested art work that was resolved by one party receiving compensation for half of the value of the work, while the other party donated its half of the work to a museum where it will be available for viewing by the public. That happened in my own city of Chicago.

Much work has already been done on both sides of the Atlantic by a number of governments and private entities alike to identify guidelines for use in resolving these issues. I hope the Conference can agree on a group of principles that can be followed in resolving these questions, so that justice can be done, and the purchase and sale and display of works of art can proceed, free of the impediment of history. Indeed, the Conference organizers circulated a discussion paper comprising eleven general principles relating to Nazi-confiscated art during consultations for this Conference. We have put another copy of this paper in each delegation's box. I urge you to consider these principles and hope that we can reach consensus on them during the Conference.

On insurance, another immensely complex and sensitive issue, we will also examine the historical record and consider the particular efforts of governments to provide compensation. We will also focus on current solutions to this half-century old problem—including the recent establishment of the International Commission (IC) made up of regulators, companies, survivor organizations, and Jewish groups. The IC will adjudicate claims and pay claimants even if they cannot establish a claim. It can also provide relief to survivors in need. I hope that the Conference will consider whether this particular process is a promising way forward to resolve these very difficult issues.

The issue of communal property encompasses property seized by the Nazis and other authoritarian regimes from religious groups. In addition to real estate, this property also includes religious artifacts including torahs. The circumstances of each property vary considerably, as do the legal situations in each country where the property is located. Our presenters will describe the wartime, post-war, and post-Cold War

history as well as efforts on the part of countries, including those in Central and Eastern Europe, to identify procedures that are realistic and practical. I hope we can identify a procedure in each country, which is equitable, transparent, non-discriminatory and expeditious. While that is a tall order, nothing less will assure that justice is finally done in this area.

The Conference will also address two other important sets of issues, which, while not categorized as assets, are no less tangible or essential to our entire enterprise. First, we will consider the issue of archives both in terms of their progressive opening in recent years and their role as the basis for the work of the many national historical commissions that are with us at the Conference.

Second, we will also focus on the importance of Holocaust education and remembrance activities. We will highlight the work of the International Task Force on Holocaust Education, Remembrance and Research—an unprecedented and innovative effort on the part of Sweden, the United Kingdom, the United States, Germany and Israel to promote international cooperation in these areas of enduring importance. By identifying common projects that countries can undertake in the area of education, we have the opportunity to make a long-lasting contribution to widespread understanding and acknowledgement of this tragic period in the world's history.

CONCLUSION

I am enthusiastic and excited about the opportunity this Conference has to clarify the historical record, increase the world's awareness of the many layers of complexity at work during the Holocaust era, and to establish common approaches to the problems remaining from that time. We are all affected by and held responsible for the consequences of our history. In striving to remember the past honestly, we show our respect for the unprecedented human suffering that occurred and our commitment to reconciliation. By remembering, by providing a measure of justice, we can accept the past and build a more equitable future.

By our actions we are setting an example for following generations of integrity. We need to seek solutions for difficult circumstances that express our inner sense of justice. The fact that we have assembled 56 delegations made up of government officials, historians, art experts and NGOs from 43 countries is a tribute to the

international community's involvement in working together to find common approaches to these important issues. While we are not here to make government decisions on specific course of action on each set of issues, we do have the opportunity to reach a consensus where we can. I hope to use my concluding statement to highlight some of these specific ways where our countries are moving forward to resolve, finally, these issues still lingering from the past.

I want to thank you all for coming together at this historic Conference; your active participation in this process has already contributed to the international search for truth and the quest for justice. It is a privilege for us to work together to face these difficult issues and find solutions. Our efforts here this week can go far towards restoring trust and faith in the rule of law and accountability for acts regardless of historical constraints.

Keynote Address

Madeleine K. Albright

SECRETARY OF STATE
UNITED STATES OF AMERICA

Thank you, Stu, very much, for that introduction. On behalf of President Clinton and the American people, I'm pleased to join in welcoming all of you to the Washington Conference on Holocaust-Era Assets. I want to begin by thanking Miles Lerman and the US Holocaust Memorial Museum for co-hosting this event and for their unceasing efforts to keep before us the memory and lessons of history's most monstrous crime.

I also want to thank one of our nation's most accomplished public servants, Judge Abner Mikva, for accepting the role of Conference chairman. And I want to express appreciation to each of you who are participating in our sessions, and especially to those who will chair them, including New York Federal Reserve Bank Chairman Bill McDonough, a good friend; Ambassador Louis Amigues of France; US Representative Ben Gilman; and Congressman Jim Leach; and US Ambassador to Sweden, Lyndon Olson.

We're here to chart a course for finishing the job of returning or providing compensation for stolen Holocaust assets to survivors and the families of Holocaust victims. This mission began more than five decades ago, even before the war was over, when Nazi looting was condemned by the London Declaration of 1943.

In the early post-war period, the allies made good faith but incomplete, efforts at restitution. For decades thereafter, the job lingered unfinished, with vital questions unanswered, important documents unexamined and critical issues unresolved.

Then, in just the past few years, as Holocaust survivors aged and the century began drawing to a close, the quest for answers received a fresh burst of energy; and for that, the credit must be widely shared. Certainly, the eyes of the world would have remained averted from this issue if not for the remarkable work of the World Jewish Congress and

other Jewish and public interest groups. In the face of daunting obstacles, they've been tireless, creative and very effective.

We are indebted as well to the many governments represented here that have come forward to address this issue with generosity and zeal. I mention particularly Foreign Secretary Robin Cook and the British Government for their insightful publications and statements and for convening last year's landmark conference in London on Nazi gold. And I am very, very proud of Under Secretary of State Stu Eizenstat and his team for setting out the historical record with rigorous objectivity and exhaustive detail in two US Government reports. Stu, I think we all owe you an incredible debt.

All this is important work and hard. It requires that painful memories be revisited, easy evasions confronted and inconvenient questions asked and answered. Above all, it demands that we be relentless in our search for truth, despite the fact that in dealing with the Holocaust, the truth is terrible beyond comprehension.

In recent years, the world has done much to retrieve facts from obscurity concerning the secretive handling and pernicious use of Nazi looted gold. No fewer than 17 historical commissions are studying the subject from the perspective of their own countries. The Tripartite Gold Commission has closed out its work; and almost \$60 million has been pledged to the relief fund for the victims of Nazi persecution that was launched at the Conference in London.

We hope that the progress on gold will serve as a catalyst for similar progress in the categories of assets we will focus on this week, which are insurance and art as well as communal property. In each of these areas, the world's experts are here - from governments and non-governmental organizations, corporate boardrooms and university classrooms. We're here to compare views and share knowledge, frame the issues and achieve consensus on ways to move forward as rapidly, thoroughly and fairly as possible.

The historical and legal challenges vary from issue to issue, but whether we're seeking the payment of life insurance to families of those who perished in the camps, researching artwork from the walls of a museum in Warsaw, or weighing compensation for a synagogue reduced to ashes in Czechoslovakia, the moral imperative is the same. I hope, therefore, that we will be able to work together constructively in an atmosphere free from threats to develop specific principles and identify best practices for art, insurance and other topics.

I hope, as well, that our work will be driven by certain overarching imperatives. The first is that our goal must be justice, even

though justice in this searing context is a highly relative term. We know well our inability to provide true justice to Holocaust victims. We cannot restore life nor rewrite history. But we can make the ledger slightly less out of balance by devoting our time, energy and resources to the search for answers, the return of property and the payment of just claims.

Our second imperative must be openness. Because the sands of time have obscured so much, we must dig to find the truth. This means that researchers must have access to old archives; and by that, I don't mean partial, sporadic or eventual access - I mean access in full, everywhere, now.

Our third imperative is to understand that the obligation to seek truth and act on it is not the burden of some, but of all; it is universal. As the United States has recognized by declassifying documents and creating its own presidential advisory commission on Holocaust assets, every nation, every business, every organization and every person able to contribute to the full telling of the story is obliged to do so. In this arena, none of us are mere spectators, none are neutral; for better or worse, we are all actors on history's stage.

The fourth imperative that propels our work is urgency. Remaining Holocaust survivors have reached an advanced stage in life. More than five decades have passed since the Nazis perpetrated their thefts and murders. As records are lost and memories fade, effective restitution becomes more difficult. So let us each vow that by the dawn of the new century, we have done all things possible to conclude the unfinished business of the old.

Finally, we must remember that our efforts here serve a twin purpose. Part one is to forge a common approach to the issues still surrounding Holocaust assets. Part two is to advance Holocaust education, remembrance and research. This is a task that knows no end. It must be renewed as the human race is renewed, generation by generation, so that the reality of the Holocaust is always before us and never ceases to disturb us.

It is encouraging that in the months preceding this conference, we have seen significant strides forward. The American Association of Art Museum Directors has formulated principles and guidelines to govern the handling of tabled Holocaust-Era art. An international commission led by former Secretary of State, Larry Eagleburger, has been formed to resolve unpaid insurance claims. Companies participating in that commission have agreed to establish a \$90 million humanitarian fund and to audit their books to identify unpaid Holocaust-Era claims. And at Sweden's initiative, an unprecedented inter-governmental [effort]

to promote Holocaust education around the world is underway. We hope that every country will participate in that effort.

The struggle to reveal and deal with the full truth surrounding the handling of Holocaust-Era assets is wrenching, but also cathartic. Only by knowing and being honest about the past can we gain peace in the present and confidence in the future. That is true for nations and for institutions, and it's true as well for people.

I cannot conclude this statement without addressing briefly a subject for which I have not yet found - and will never find - exactly the right words; and that concerns my grandparents, whom I learned recently were Jewish and died along with aunts, uncles and cousins in the Holocaust.

When I was young, I didn't often think about grandparents; I just knew I didn't have any. I was an infant when I separated from them. Now I, too, have become a grandparent, and I look at my children's children and the love and pride literally overflows. I am sure now that I was once the object of such affection not only from my parents, but from those who gave them life. And as I think of my life now in my 62nd year, I think also of my grandparents' lives in those final years, months and days.

I think of the faces at the Holocaust Museum and Yad Vashem and the long list of names on the wall of the Pynkas Synagogue in Prague; among them those of my grandparents, Olga and Arnost Korbel and Ruzene Spieglova. I think of the blood that is in my family veins. Does it matter what kind of blood it is? It shouldn't; it is just blood that does its job. But it mattered to Hitler and that matters to us all; because that is why 6 million Jews died. And that is why this obscenity of suffering was visited on so many innocent, irreplaceable people - people who loved and enriched life with their warmth, their smiles and the embrace of their arms; people whose lives ended horribly and far too soon; people whose lives and suffering we must never forget or allow to diminish, even if we must, from time to time, intentionally shock our collective memory.

The peoples of the world differ in language, culture, history and choices of worship. Such differences make life interesting and rich. But as the Holocaust cries out to us, we must never allow these distinctions to obscure the common humanity that binds us all as people. We must never allow pride in us to curdle into hatred of them.

Remembering that lesson is what this effort at research and restitution of Holocaust-Era assets is really all about. For it is about

much more than gold and art and insurance; it's about remembering that no one's blood is less or more precious than our own.

There are those who say that we're all prisoners of history and that humankind is doomed to repeat its worst mistakes over and over again. There are those who view the Holocaust as the freakish consequence of a sole demented mind - an accident of history whose repetition we need not fear. Still others point to the passing decades and ask whether it's not time to forget and move on and leave remaining questions unasked and the rest of the truth unknown. And yes, there are still a few who deny the reality that it happened at all.

In reply, we must admit that we're not given perfect wisdom, nor the power to change human character, nor the gift of prophecy. But we do have the power of memory, and can make certain that the dead shall never be forgotten from our hearts. We have the power of reason and can separate right from wrong. We have the power of hope and can pray, in the words of the Psalms, for a time when "truth shall spring out of the Earth and righteousness shall look down from Heaven."

And we have the power to choose. We can contemplate the Holocaust in despair, or we can consider the Holocaust and vow never again to allow complacency or fear or despair to excuse inaction.

We gather here this week not to achieve miracles, but rather to do everything in our power to replace dark with light, injustice with fairness, contention with consensus and falsehood with truth. That is the most we can do. That is the least we must do. It is what we owe to the past; it is our hope for the future; and in the largest sense, it is the hope of the world.

Let me welcome you again to this conference, and may our shared efforts prosper. Thank you all very, very much.

Message from Robin Cook, Foreign Secretary United Kingdom

**DELIVERED BY MR. ANTHONY LAYDEN
HEAD OF DELEGATION
UNITED KINGDOM**

Secretary of State, Chairman, distinguished delegates,

When I opened the London Conference on Nazi Gold almost exactly a year ago, I said that the group of 41 countries and 6 non-governmental organizations taking part had come together to "clarify one of the darkest episodes in human history", and to "shine a light in corners which have stayed dark too long".

The London Conference undoubtedly accomplished that: the papers presented there, later published in book form and distributed to delegates, represent the largest and most diverse body of information on the subject of Nazi Gold yet assembled.

But the London Conference did more than that. It also addressed the question of compensation for those whose gold the Nazis had seized, both countries and individuals. It looked backwards at what had already been done, and forwards at the case for further help to victims of Nazi persecution, especially those in greatest need, and for whom least had been done until then.

The Chairman of the London Conference, Lord Mackay of Clashfern, noted in his Conclusions that "all present were agreed that the international community must look urgently and imaginatively for ways to bring relief to such people". The International Fund for Needy Victims of Nazi Persecution, whose establishment I announced in London on 2 December last year, aims to do exactly this. It has met a ready response from the countries receiving shares of the Tripartite Gold Commission's monetary gold pool, and from a number of other countries as well.

Your Conference will shortly hear reports from the French and United Kingdom Delegations on progress made since the London Conference in winding up the Tripartite Commission, releasing its

archives, and making the Fund a reality. In my view this process has been an extremely imaginative and successful piece of modern diplomacy, of which all the participants can feel justly proud.

Much has been done since this group of countries and organizations met in London a year ago. The United Kingdom, as chairman of the Tripartite Commission and as Account Holder for the Fund account, has played an important role in this. More needs to be done in the future. I hope your Conference will provide a stimulus for this; and I pledge that the UK will continue to play its part as the Fund's Account Holder with energy and diligence.

This Conference in Washington goes on to address a wider group of issues than we dealt with in London: art, insurance, property, archives and education. All are important aspects of the search for clarity about the tragic events of half a century ago. I am sure your proceedings will be imbued with the same spirit of ready, practical co-operation between governments and nongovernmental organizations which we saw in London.

Perhaps the most valuable part of your agenda for its long-term effect is Holocaust education, commemoration and research. In the UK, we have been active in this area for many years. When our National Curriculum for Education was introduced seven years ago, the Holocaust was included as a compulsory component of the modern history curriculum for students aged 13 to 14. There is close cooperation between Government and the relevant nongovernmental organizations. Five of these organizations are represented in the UK Delegation to this Conference, including the Holocaust Educational Trust, of which Lord Janner, who first suggested that the London Conference be held, is Chairman.

It is vital that future generations worldwide should learn about the Holocaust. We must heed this warning about what can happen if discrimination and intolerance are allowed to grow unchecked. We have also found in the UK that learning about the Holocaust can help considerably in reducing social, racial and other tensions in schools. Schools have described the effect in this area of visits by Holocaust survivors as "near-miraculous".

The UK has been an enthusiastic participant in the International Task Force on Holocaust Education, which will be reporting to your Conference on 3 December, since it was suggested to Prime Minister Tony Blair and President Bill Clinton by the Swedish Prime Minister, Goran Persson, earlier this year. We have agreed to take on the Chairmanship of this group, which now includes also Germany and

Israel, after the Washington Conference, and shall continue to do all we can to advance its work.

Secretary of State, Chairman, and distinguished Delegates, I wish you every success in your endeavors.

Opening Remarks

Ambassador Stuart E. Eizenstat

UNDER SECRETARY OF STATE FOR ECONOMIC,
BUSINESS AND AGRICULTURAL AFFAIRS
UNITED STATES
HEAD OF DELEGATION

Mr. Chairman, delegates, ladies and gentlemen: Let me begin by saying what a privilege it is to head the United States delegation for this landmark event. I want to first take a moment to thank Judge Abner Mikva for agreeing to be the Chairman of the Washington Conference on Holocaust-Era Assets. His probity and integrity will give this Conference the leadership that will be essential to its success.

It is also a pleasure to follow my friend Anthony Layden of the United Kingdom. Anthony's diplomatic and organizational abilities brought the London Conference to life, exactly one year ago, and his leadership, along with that of our French colleagues has helped bring the Tripartite Gold Commission to an honorable close.

Finally, I want to say a special word about British Foreign Secretary Robin Cook, whose leadership in convening the London Conference helped capture the world's attention and galvanize action toward the cause of justice. I will have something to say later in the Conference about another person from the United Kingdom, Lord Janner.

Opening the London Conference, Foreign Secretary Cook spoke of our dual responsibilities to the victims of the Nazis. "To those who are still alive, we must ensure that the unbearable tragedy of living through the Holocaust is not compounded by an old age marked by the fear and sadness of poverty.... To those who died, we have a different duty – to document the facts, to gather the evidence, to locate the truth."

We also have a further responsibility – to heed the lessons of these tragic events by renewing our commitment to usher in a new and brighter century, marked by freedom and respect for the fundamental dignity of each individual. We, who have listened to the stories of the

survivors and have tried to absorb the memory of the unimaginable horror inflicted on the victims, now have a solemn responsibility: To be the trustees of their memory and their advocates for justice.

It is this responsibility that must serve as our guiding beacon while we seek to illuminate the tragedies of the past and provide enduring lessons for future generations.

Our overarching responsibilities and priorities are clear – to complete the historical record, however complex, while providing some measure of justice, however belated, for the survivors,

We must review our current efforts while developing a clear and realistic consensus on how to sustain, and where possible to accelerate the momentum generated by the London Conference so that we can complete our tasks by the end of this century – December 31, 1999.

A year ago at the London Conference the international community addressed the issue of Nazi-looted gold. On the final day of the Conference, we broadened the scope of our discussion to encompass other categories of assets confiscated by the Nazis. In light of the importance, complexity, and urgency of these issues, the United States recognized the need to hold a second conference, which would primarily focus on looted art and insurance policies, as well as communal property and other assets.

As the host of the Washington Conference, the United States has attempted to construct a Conference that reflects the widest possible points of view compromising all 44 governments and 13 NGOs represented here. Through continuing consultations with you and an organizing seminar held this past June, we have refined the agenda and the goals that we hope the delegations assembled here can constructively pursue this week. We are very pleased that so many countries have joined with us in moving the process forward. In particular, I want to thank the British government for the advice and strong support it has given our Conference. Also, I extend my appreciation to the French government for playing such a critical leadership role on the issues of art, insurance and archives. Let me say a few words about each of the major issues comprising the Conference agenda, and the view of the United States on how they might best be approached.

The subject of looted art is significant to the heritage and culture of all peoples – well beyond its value in monetary terms. One-fifth of all the art in Europe was uprooted during World War II and today there are countless survivors and families who still do not know the whereabouts of their priceless artworks. Today, a growing number of nations and institutions are acknowledging these claims and are demonstrating a new

willingness to locate missing artworks, publicize their existence, determine their provenance and come to a just and fair resolution of ownership questions. A number of European countries are addressing these issues in a constructive manner, none more so than Austria, which recently passed a law allowing claims to be made on Nazi-looted artworks found in the nation's federal museums. This is the first time a European government has taken such a far-reaching step and it is our hope that Austria's actions will serve as an example for other nations to emulate.

Based on our consultations over the last several months, I am hopeful that the Conference can achieve consensus on ways to bring about a speedier and far less confrontational resolution to the problem of looted art. Tomorrow I shall suggest a set of principles based closely on existing practices drawn from both sides of the Atlantic. They will call for new efforts to find missing art, including the use of new technologies in searching for evidence and matching art with claims as well as new methods of dispute resolution for deciding these claims. I urge your consideration for establishing a consensus around these principles. What we do here can go a long way toward reconciling the very real sensitivities and needs of current owners and those who lost art during the war.

The international art market must be open, stable, and free of uncertainty that it might be trading in works that are tainted by Nazi looting. The exchange of art is essential to our understanding and recognition of different cultures, and the resolution of Nazi-confiscated art issues will be critical for ensuring that this age-old process of cultural exchange continues for future generations. But, it is equally critical that families from whom art was looted by the Nazis have the full opportunity to find and reclaim their artworks.

Regarding the issue of insurance, our goals are twofold: First, we must review the historical evidence relating to the loss of insurance assets during the Holocaust era. Second, we must examine subsequent efforts by governments and companies to provide compensation. From these reviews, we need to understand the post-war programs for compensation and examine the steps we can take today to continue redressing past injustices.

The establishment of the new international Commission on Holocaust-Era Insurance Claims – inspired by leaders of the National Association of Insurance Commissioners like Neil Levin of New York and Glenn Pomeroy of North Dakota and chaired by former Secretary of State Lawrence Eagleburger – is a particularly encouraging development

because it offers an efficient and effective means of advancing the swift and just resolution of these issues. By bringing together key actors such as insurance regulators, insurance companies and Jewish groups, we are helping ensure that the goals and purposes of the Commission will be met.

I look forward to hearing from the Commission about their very encouraging efforts to resolve these difficult issues. For those who have perished, we must ensure that their policies are finally paid. For Holocaust survivors – many of whom are in their later years – it is absolutely imperative that we act now.

In this regard, I want to express my great appreciation for the strong interest that the former Communist countries of Central and Eastern Europe have begun to show in resolving Holocaust insurance and communal property issues. After the enormous destruction and despair of World War II, these nations lived under the iron fist of Communist dictatorship and economic deprivation, which prevented them from addressing these issues in a just manner. They, as well as Holocaust survivors, have been the double victims of World War II, having suffered under both Nazism and Communism. To be sure, it was not only Jewish, but also Catholic and Protestant communal property that was confiscated. And today the region's democratic governments are taking concrete steps to rectify these injustices. It is now time to build on these encouraging examples and shape an international consensus on principles for moving forward so that we can advance the cause of justice and strengthen democratic institutions in adherence to the rule of law.

At the same time, the return of Jewish communal property, such as synagogues, cemeteries, day schools, and community centers, is absolutely essential to the reemergence and rebirth of Jewish communal life in Central and Eastern Europe. During my travels as the State Department's Special Envoy on Property Restitution, I have seen firsthand how many of these communities are impoverished and in need have outside support if they are to survive and prosper into the next millennium.

Of course, if we are to truly make a better world for the future, then all nations must be willing to take a long-delayed and serious examination of the events of the past. After nearly five decades of silence, there has been an explosion in scholarship and research by various national governments, international institutions and independent scholars about the events surrounding the Holocaust. In fact, the U.S. government has made more than 15 million pages of documents available for researchers. Having recently returned from South America

and meetings with the Commission for the Clarification of Nazi Activities in Argentina and the Special Commission for Investigation of Nazi Property in Brazil, I can attest to the fact that many nations around the world are demonstrating great courage and determination in coming to grips with their actions during the Nazi quest for global domination.

Much work, however, remains to be done in setting the record straight and more steps should be taken to ensure that the fullest possible openness and accessibility of archives on the fate of Nazi looted assets is provided by the end of 1999. Only by opening these archives can we fully illuminate the long-hidden issues of Holocaust-era assets, and gain a complete and unvarnished view of the events surrounding the Holocaust.

Over the past five decades, many nations have undertaken the often painful steps of educating their citizens about their behavior during the Nazi era. Nowhere has this been more evident than in Germany, which has taken notable and commendable steps to come to grips with its past conduct. Another positive example is Sweden, which has not only strengthened its own Holocaust education efforts at home, but has launched the International Task Force on Cooperation on Holocaust Education, Remembrance and Research. The Task Force report, which I will be presenting tomorrow on behalf of the United States, Sweden, the United Kingdom, Germany and Israel, includes a declaration calling on all countries represented at the Washington Conference to join us in strengthening their Holocaust educational activities.

A commitment to strengthening Holocaust education, remembrance and research must be a fundamental goal of each of our nations. Such remembrance is the most appropriate means of taking from the dark lessons of the past a renewed vigor in ensuring that similar horrors are never repeated again. As we prepare to enter a new century, it must be our continuing determination to ensure that we fulfill our responsibilities by educating future generations on the horrors of the past-century. We must keep in mind the ancient Jewish saying that "The only truly dead are those who have been forgotten."

To be sure, our gathering today is not a decision-making body. Nonetheless, it is the hope of the United States that issue by issue and session by session we strive to craft a strong and durable consensus on the complex and sensitive issues before us this week.

As we prepare to begin our deliberations, we must be guided by this simple proposition: We can only usher in a freer and more dignified next century by penning the final chapter on the most horrific and soul-searching event of the past century.

Our efforts this week will bring a greater determination, a greater understanding and a greater resolve to continue and complete in the months ahead the process of pursuing the truth, uncovering the facts, providing restitution, achieving closure, educating future generations, righting the wrongs of the past and finally seeking justice.

These efforts are critical not just to the survivors and to the deceased, but in fact to all humanity and to the simple proposition of a better world firmly anchored in truth, justice and the fundamental dignity of each human being. Thank you.

Opening Remarks

Mr. Avraham Hirschson

MEMBER OF KNESSET
ISRAEL
HEAD OF DELEGATION

Perla Danziger from Lodz, killed in Auschwitz, 2 years old.

Shmuel Davner from Lodz, killed in Treblinka, 6 years old.

Feya Damchzek from Riga, killed in Riga, 8 years old.

Lenny Davids from Holland, killed in Sobibor, 9 years old.

Renya Federgreen from Krakow, killed in Bergen-Belsen, 12 years old.

Rosa Danzon from Paris, killed in Auschwitz, 16 years old.

Gittel Dantos from Warsaw, killed in Treblinka, 13 years old.

Yosef Danziger from Sosnovitz, killed in Birkenau, 16 years old.

Daniel Danielek from Warsaw, killed in Treblinka, 16 years old.

Motel Danishevsky from Poltowa, killed in Treblinka, 16 years old.

Ladies and gentlemen,

These are just a few names from a list – a very, very long list – a list which should never have existed; a list of victims of the Jewish people in the Holocaust period.

If I were to read out the names of the entire six million people on this list, taking just one second to read each name, each individual person, each human being – it would take me more than two months.

In the time available today, I cannot share with you even the names of the million and half Jewish children who were exterminated in the Holocaust.

Today, I am addressing you as a representative of the State of Israel, which was founded for the Jewish people. I am speaking to you on behalf of each mother and daughter, each father and son, each and every one of those six million Jews who can no longer speak for themselves and who did not have the privilege of seeing the renaissance of the Jewish people in its historical homeland.

Today, at this Conference, we can look with pride at what we have achieved so far on the issue of restitution of Jewish property but we must also recognize the challenges still to come.

From the very beginning, all of us involved in this issue set ourselves no boundaries – neither the geographical boundaries of any particular state nor any particular area (such as insurance, banking or art). As things unfolded, we found that we were dealing with the restitution of goods stolen in the greatest robbery ever carried out in the history of the world, let alone in Jewish history. The extent of this robbery is so great that no one dares put a figure on its real magnitude, and only a few people are willing to confront the broad, almost unlimited range of countries and bodies which took part in it, whether actively, passively or by simply closing their eyes.

Today, we know for certain that Jews throughout the whole of Europe were stripped utterly bare on their way to the crematoria. They were robbed not only of the clothes on their backs, but also of any sign or distinguishing sign of their human image.

Therefore, we should also look into the moral aspect of our activity. We are not involved in vengeance, but rather a sacred duty. Vengeance is driven by instinct. Duty is driven by the feeling of mission.

We are the emissaries of those people – the elderly and the children, the men and women – who were condemned to suffer such torments on their way to physical destruction, torments which were intended to strip them of absolutely everything – their entire social or cultural worth, their total humanity. There is no other explanation for taking away clothes and glasses, for burning books, plundering works of art, destroying all cultural symbols, denying all religious freedom. Not only did the Nazi oppressors and their allies rob us of our parents and fellow Jews; they also tried to strip us of the symbols of our culture and

history. They were not satisfied with our physical extermination; on the way to the death pits and the smoking crematoria they also stripped their victims of every single personal object.

Therefore, the struggle which we are waging is not only the determination of the Jewish people to recover its looted property – it is also a struggle for the very image and character of the world and its moral system.

The fact that this conference is taking place does not mean that our work is completed. The struggle has begun. It is not over. We know that the despicable robbery was not only carried out by the German Nazi oppressor and his collaborators in the offensive against free Europe, but there were also partners from various nations. Even the neutral countries were unconcerned that they were making handsome profits from trading in goods and works of art expropriated from their rightful owners. Even the Allies contributed, in certain ways, albeit unwittingly, to this greatest robbery of all time.

Some of the wrongs have been redressed. Norway has shown sensitivity and responsibility. Its Government has set up a Commission which is in the final stages of compensating its Jewish citizens and its Jewish community for the property stolen from them by the Germans and those Norwegians who saw fit to identify with them. Other countries should follow a similar path and act as bravely and honestly as Norway has done.

Some of them have already seen fit to open their archives and make their findings available to all those bodies, organizations and individuals interested in examining them. Some of the countries are adamantly refusing to do so and I believe, Ladies and gentlemen, that one of the resolutions of this Conference should be an unmistakable call to all those countries and bodies still refusing to open their archives – to do so sooner rather than later.

The arrangement reached with the Swiss banks after a long drawn-out struggle was a first step in the right direction for all matters involving private institutions and companies. If they have not yet done so, the insurance companies, other banks and institutions must follow the correct path which has already been taken by other institutions. This means examining their records and the information in their possession and reaching an appropriate arrangement on the basis of their findings.

It is my pleasant duty now to refer to the United States, the world's greatest democracy, under whose auspices this Conference is taking place. This is not the first time that the United States has been involved in and contributed to the struggle for the return of Jewish assets.

With President Clinton's blessing and under the leadership of Under Secretary of State, Stuart Eizenstat, the United States has undertaken not only to contribute to the struggle on one front together with us, but also to examine the documents and the archives in the United States itself – a thorough, in-depth, responsible and honest examination, even if less pleasant aspects of its past are exposed by some of its findings. In this way, the United States has also set an appropriate and correct model for all other countries. The wrongs of the past cannot be redressed, but there must be an honest, penetrating look at the past. This is the only way to ensure that a change has, indeed, taken place in the post-war period.

There are those of us who always knew that the accounts might be dormant but the memories were not; who always believed that the money might have vanished from sight but that justice would emerge; that we were right to risk the world's favor in order to ensure that the entire world would respect us and relate to us as equals, and admire those who have already chosen to take the correct path, and encourage those who are still hesitating to tread that path with us.

We will, without a doubt, have to continue our efforts to make sure that the last chapter of the Second World War be written clearly and fairly, in order to restore Jewish honor and Jewish pride to our people, who have suffered so terribly. We are just at the beginning of the path and there is much to be done in order to complete our task in the many countries and different areas concerned.

All of us who are involved in this task have vowed to remember and not forget, to remember and to remind.

I hope that by the end of this millennium we will be able to close this chapter in the history books and open a new chapter in the relationship between the Jewish people and the countries of the free world.

Opening Remarks

Dr. Rajko Djuric

INTERNATIONAL ROMANI UNION HEAD OF DELEGATION

Ladies and gentlemen,

The International Romani Union is most grateful for the invitation to participate in this conference. We are grateful above all to the government and the people of the United States of America who have made it possible for the historical truth of the around 12 million Romanies be heard, the truth of a people which the Nazis planned to completely exterminate, as too they planned to eliminate the Jews. Receiving the opportunity to participate in this conference also moves us to express our gratitude to our brothers and sisters to whom we are linked by historical fate, the Jews, whose systematic study of the Holocaust has contributed to keeping alive the memory of our people's Holocaust.

In contrast to the Enlightenment, whose most learned representatives, Denis Diderot and Jean d'Alambert, gave humanity the encyclopedia, a compendium of all the scholarship, social and artistic experience of the time, our Age has seen the creation of an "Encyclopedia of the Holocaust!" The sufferings and the anguish of my people, the Romanies, and the half a million Romanies murdered in Auschwitz, Auschwitz-Birkenau, Treblinka, Belzec, Buchenwald, Dachau, Mauthausen, Ravensbrück, Jasenovac etc., occupy significantly more space in this encyclopedia, an encyclopedia of death, than do the entries in contemporary general encyclopedias on my people's history, social life and culture from our origins through until today. My people's entire history and current way of life are literally overshadowed by our better documented and more comprehensively researched "way of death." This trail of death and suffering began in Dachau in 1934 and led via Marzahn near Berlin (where in 1936 during the Berlin Olympics [!] a camp with the cynical name "resting Place" was set up specially for Sinti and Romanies) all the way to Auschwitz-Birkenau and the so-called "Gypsy Camp" B IIc. Christian Bernadac describes in his book "Vergessener Holocaust" (Forgotten Holocaust) how 4,000 Sinti and

Romanies were sent to Crematorium no. 1 there in just one night, from the 2nd to the 3rd of August 1944.

On the 3rd of August 1994 the 50th anniversary of the beginning of the Romanies' extermination was marked in Auschwitz. Assembled there at the place of our mothers' and fathers' suffering, we received letters from the then President of Poland, Lech Walesa, from the President of the Czech Republic, Václav Havel, and also from Pope John Paul II. The message from the Pope read as follows:

“Together with all the participants of the commemoration in Auschwitz I kneel down, deeply moved and in deference, at the place which holds the ashes of the Nazis' genocide. In particular I remember the tragic fate of the Gypsies, our sisters and brothers, who were interned in the concentration camp in Auschwitz-Birkenau. I have done this many times as Metropolitan Bishop of Kraków, and today I do it as

Ladies and gentlemen,

When I contemplate the history of my people an image of Simon Luis appears before me. Simon Luis was a Romanie from France interned in the concentration camp in Buchenwald. Simon was tattooed over much of his body – on his fingers, his back, his arms and hands. When the Commandant noticed this he ordered that Simon be flayed alive. The English Holocaust researchers, the Romanies Donald Kenrick and Grattan Puxon, describe how Simon's skin was removed from his body, treated, and then used to cover the Commandant's desk. When I try to imagine the tattooed signs and symbols on that poor man's skin I always arrive at the conclusion that the history of my people is in fact like the skin of that martyr.

To respect the historical truth I also must mention another incident from the long series of sufferings and sorrow of my people. In a group of people who Dr. Mengele was conducting experiments on were two Sinti children, the Mechau brothers. These children were selected out to suffer for the simple “reason” that, following an interplay of the laws of genetics, each had one blue eye and one dark eye - a case of so-called heterochromia. It is told that Dr. Mengele pulled out the children's eyes *and* then killed them single-handedly. The eyes of these martyrs, which will remain open as long as we exist on this planet, and

which I feel are also watching us here at this conference, were sent to the laboratory of the Ophthalmological Clinic in Berlin.

Ladies and gentlemen,

There is no scale on which to measure the eyes and the screams of children! Never will there be scales to weigh human skin with tattooed signs and symbols. There is no gauge for the ashes and the blood of Auschwitz.

Truth and justice are the only measure of things.

For my people, however, truth and justice have passed us by.

My people did not suffer only under the Nazi Regime – in various countries Communist dictatorships also took a terrible toll: Romanies were murdered in the Stalin era in the former USSR; in Romania under Ceausescu they were brutally persecuted; in former Czechoslovakia Romani women were forcibly sterilized...A new, dark chapter in the history of the Romanies began in 1989: there were anti-Romani pogroms in Romania; in the Czech Republic and in Slovakia Romanies were beaten up and killed; in former Yugoslavia there was suffering on a massive scale, particularly in Bosnia. My people have gone down in history for their suffering, and only as such. Is survival, its naked physical existence, bears the imprint of death, suffering and anguish much more indelibly than it shows any signs of progressive legislations, social justice or democracy. The historical knowledge about my people's past and the facts of its current life stir in me the words of the Spanish poet Antonio Machado y Ruiz: *"Sing him a song, dear brother/the Gypsy Jesus is still waiting/to have the blood washed from his hands, to be taken from the cross!"*

If it is true that all those who suffer and die for their truth are united with God and humanity, that they become a cornerstone of the future building of humanity which after all the anguish and blunders will finally be erected on earth in keeping with principles of humanity, that would at least be a consolation to us. We expect of this conference that it open our people the door to justice. What our people deserves, in keeping with the laws of historical truth and justice, must be utilized to serve its progressive activity and social development.

Only those who know the history of the Romanies, who have studied the Romani community, and who recognize the current economic, political and social conditions and circumstances which the Romanies live under in various countries of the world – particularly in Europe, where the Romanies' Holocaust and that of the Jews began – can contribute to this process. Whoever neglects these facts and

circumstances could cause unforeseeable damage to the Romanies and our community, which in itself is segmentary and is still based on organic solidarity. A redistribution must therefore be carried out in harmony with historical awareness and real needs, and must be as fair as possible. Priority should be given to investments in the Romanies' future, above all in the schooling and education of the younger generation; furthermore, it has to serve the construction of ethnic and cultural institutions which will guarantee the preservation of the Romanies' identity but also contribute to our development. Institutions which will enable us to effectively combat racism in the contemporary world will also be of significance. Parallel to this, the economic and social problems of the many Romani families have to be resolved.

Ladies and gentlemen,

Today our people is faced with grave dangers, beginning with the armed injustice in the former Yugoslavia and Bosnia, the violence and the threats of the neo-Nazis, and including the fact that it is forced to live in ghettos, without enough daily bread, which is a negation of every purposeful existence in this world. Thus for us Romanies the future has not yet been freed from the past, nor has the past been resolved on the scale of a humane future; our people has still seen neither victory nor defeat – we are living proof of the fact that in the countries of both the victors and the vanquished of the Second World War people are still tormented and humiliated. Like no other people in the world we have been left with the burdens of life – all that is hard, meager and cheerless. Even our children are born, so to speak, with pre-determined dark fates. Those who deprive our children of the right to a future commit a crime against our people.

Myself and the members of the International Romani Union's

Mr. Victor Famulson, Deputy Chair; Dr. Emil Scuka, General Secretary; Dr. Marcel Cortiade, Secretary; Fredi Hoffmann, Committee member; the writer Jovan Nikolic, Deputy Chairman of the Romani PEN-Center; Mr. Böhmer and Mr. Jörg Böcken, representatives of the Sinti and Romanies in Germany; Ms. Rosa Martl from Austria; Mr. Robert Huber from Switzerland; Mr. Milorad Vujicic from Yugoslavia; Mr. Alija Mestic from Croatia; Mr. Stefan Palison from Sweden; Mr. Zoran Dimov from Macedonia; Mr. Velko Georgiev from Bulgaria; Mr. Sean Nazareli from the Czech Republic; Mr. Bobu Nicloae, lawyer, Romania; and our lawyer Mr. Barry Fisher – appeal to this high and respected conference and request that, in the spirit of historical truth and justice and in accordance with the word and the

notion “holocaust”, it make a contribution towards resolving these problems, which will allow our dead to rest in peace and will give a sign of hope to the living, especially our children. Those who feel the sufferings and misfortune of our people and who sympathize with its pain will be able to set up standards of justice and fair redistribution simply and easily. Those, on the other hand, who neither know of nor understand the Holocaust of our people, who do not *want* to hear of the Romanies’ misfortune, will be prepared to walk all over these principles, our dead, and the future of our people.

Together with the delegates of the International Romani Union I hope – and am even deeply convinced – that this high and eminent conference will effectively hinder and repulse any potential attempt of this kind, whichever quarters it comes from.

In the hope that the memory of the victims of the Holocaust will live eternally and the hope of the living will never falter, I sincerely thank you for all your attention.

Opening Statement Ambassador Alexander Philon

GREECE
HEAD OF DELEGATION

As Under Secretary Eizenstat stated in the First Conference on Holocaust Era Assets, held here in Washington, it is dispiriting that for nearly half a century the fate of Holocaust-Era Assets remained largely obscured, but at the same time it is encouraging that over the last several years, these issues have come to command the world's attention and touch the conscience of humanity.

As Head of the Greek Delegation to the London Conference on Nazi Gold last year, I wish to stress the importance of these forums in achieving a just solution to these problems. I certainly hope that the Washington Conference will produce similar results in the form of a consensus among governments and that it will inform those involved internationally on the size of the problem and the best ways to deal with its many different aspects.

We now have the opportunity to see clearly and establish the facts in an effort to obtain justice.

The Washington Conference is not a forum for government decision-making. It is a forum in which we will try to identify the injustices committed in the fields of art, insurance, archives and other assets during the Nazi occupation.

In this spirit, Greece fully understands and shares the Jewish drama, especially the one that took place during World War II, when my country suffered not only loss of innumerable human lives but also immeasurable economic devastation.

The Nazi occupation resulted in a decrease of about 10% of Greece's population. It also wrecked the monetary and financial mechanisms of the country and caused the disintegration of the administrative system.

In this respect, please allow me to bring to the attention of the delegates a particular issue concerning Greece.

During the occupation years, the Axis exacted from Greece contributions of huge sums of money. In addition to direct monetary contributions, the Axis also demanded large credits from the Bank of Greece.

The first "forced loan" protocol was signed in March 1942 and it was subsequently amended several times during the occupation. In this protocol, high-ranking officials of the German and Italian Ministries of Foreign Affairs had undertaken to pay back the loan to the Athens government and began doing so in 1943, thus recognizing liability to repay a debt.

We would like to focus upon the fact that the "forced loan" extracted from Greece was not a part of "regular" occupation costs and that the claim for repayment of that loan is therefore different in nature from reparations claims.

With one exception, the Bonn government responded to all war claims placed and substantiated by countries, after German unification. These responses constituted either some kind of material compensation or at least a beginning of negotiations on the claims.

The only exception is Greece.

The full Greek argumentation and documentation on the subject is contained in a memorandum which is available and which deserves, I believe and I hope, your attention.

Furthermore, I would like to inform you that on the issues of education, archives, art and communal assets, members of the Greek Delegation will intervene in the respective panels.

Stuart E. Eizenstat

UNDER SECRETARY OF STATE FOR ECONOMIC, BUSINESS AND
AGRICULTURAL AFFAIRS
UNITED STATES

Review of Gold Issues, Research and Resolution

Plenary Session: Review of Gold Issues, Research and Resolution

I want to take this opportunity to thank Bill McDonough for taking part in this Conference and to acknowledge the critical role of the Federal Reserve Bank of New York over the past 50 years in dealing with the restitution of monetary gold looted by Nazi Germany. The New York Fed was there from the beginning of the process established by the Allies in 1946 to receive monetary gold on behalf of the Tripartite Gold Commission and to be the caretaker for this unique “Gold Pool” until the conflicting claims to the looted gold could be carefully adjudicated. With the closing down of the Commission in September of this year, the New York Fed’s remarkable custodianship came to a satisfying conclusion. Bill McDonough is personally responsible for the extraordinary contribution the New York Federal Reserve has made over the last two years to our own country’s explanation of the facts behind the Nazi gold issue – and I salute him and his colleagues.

The surge of interest over the last several years in the fate of monetary gold looted by the Nazis in World War II has reopened the long-neglected record of tragic events of half a century ago and has thrown new light on its long-hidden dimensions and long-neglected victims. This recent research has allowed a new, clear understanding of the origins of looted gold and the uses to which it was applied during the War. It has also shown the general inability of the international community to fully grasp or acknowledge until very recently the full extent of the looting of gold and its horrible misapplication in the support of the Nazi war effort.

This unprecedented effort of discovery and rediscovery owes much of its impetus to the original leadership and initiative of the World Jewish Congress. In the United States President Clinton and a bipartisan group in the U.S. Congress, led by Senator D'Amato and Congressman Leach, urged and insisted on establishing and publishing the facts. The massive U.S. Government interagency project for reviewing the U.S. official record and publishing the results in two historical reports, followed the lead set by the British Government whose Foreign and Commonwealth Ministry's chief historian Gill Bennett took the first step with a path-finding study released in September 1996.

In the course of 1996 and 1997, other governments, those of nations who were occupied during the War as well as those who remained neutral or non-belligerent, joined the international effort at discovery and disclosure. Now there are 17 national commissions, and other nations are using other approaches to sort through their records.

The redrawn and refocused historical picture of the scale and nature of Nazi looting of gold is emerging from this enormous body of recent work. Not all of the Commissions and other national historical investigations around the world have examined the origins and fate of the Nazi regime's gold. Research into the fate of Holocaust victims' assets in bank accounts, insurance, real property, art, and other cultural collections and possessions is still going forward even as we approach a more complete understanding of the monetary gold question. The painful and complicated record of Nazi looting of the monetary gold of occupied Europe was placed before the Tripartite Gold Commission by the United States, Britain, and France more than 40 years ago.

Let me underline the importance of the opening of the TGC archives at the French Foreign Ministry in France at the same time as the U.S., Britain, and France closed out this body. While we do not expect any surprising revelations from the TGC archives, they will now be available in their entirety to researchers, historians, and the public at large. Full transparency and openness when dealing with such historical records is a responsibility that we must not just accept but welcome.

The extensive wartime gold transactions that sustained the German war effort until 1945 involving the neutral nations have only become broadly understood as a result of the hard and dispassionate work of historians and other experts on the national commissions of these neutrals. The report of Switzerland's Independent Commission of Experts in May 1998 made extensive use of the records of the Swiss National Bank as well as those of other nations to develop its detailed and comprehensive picture of the intersection of German gold, however

acquired, and the financing of the wartime commerce of the other neutral nations. The accounts of the wartime banking of their countries by the Spanish, Portuguese, and Swedish historical commissions, and of the acquisition of German monetary gold directly from Germany or more likely through Switzerland, complement the authoritative Swiss report.

The hard and urgent research in the last two years on the part of the various national historical commissions on wartime gold transactions has provided a truly international analysis and description. The Portuguese Commission had provided a full and careful accounting of the movement of gold through their official agencies during the war. The Spanish Commission tracked the movement of gold and placed it in a broad, objective context of Spanish official policy-making. The Swedish Commission provided a comprehensive account and analysis of Swedish gold transactions during the War and the efforts through 1955 to resolve the difficult issues that delayed the final restitution of nearly \$20 million to the TGC. And the remarkable interim report of the Swiss Independent Commission released last May not only reviewed in great and careful detail the full range of Swiss gold transactions during the War with the Axis, the Allies, and the neutrals, but it courageously confronted the awareness of the government, the Swiss National Bank, and the public as a whole of the nature and significance of these dealings.

Turkish Commission experts have conducted extensive research in their own records and those of other governments in order to address their serious concerns about the accuracy of the historical account in the U.S. reports. In particular, exhaustive examination of Central Bank of Turkey records accounted in minute detail for all of the monetary gold acquired by the Bank during the War, without finding any evidence of looted gold. Research by the Turkish Foreign Ministry has also fully documented the conviction of Turkish officials at the time of what they considered the necessity of Turkey's exports of chromium to Nazi Germany in 1943 and early 1944, especially after Britain forfeited its opportunity in 1940 to acquire all of Turkey's chromium supplies. Foreign Ministry research also reviewed Turkey's orderly settlement of German wartime assets issues directly with the Federal Republic of Germany in the 1950s.

The impressive research of these commissions, together with the concurrent and converging work done by our two U.S. interagency reports of May 1997 and June 1998 as well as the pioneering British reports, demonstrate both the complexity of the unfinished task of 50 years ago and also the great results that come from working together toward a common and deserved goal. I will not claim that all research on

the fate of looted gold is finished. Not every conceivable question was asked by the researchers, and differences among the various national reports indicate other areas for further careful study in order, as Foreign Secretary Cook put it last year, to “recreate the jigsaw.” I think we can all agree, however, on many of the major areas of consensus established by the recent work of so many of the commissions represented here today.

First, there is now general understanding and agreement on the scale of the Nazi looting of gold from occupied Europe, both from central banks and from individual victims. Moreover, our commissions have cumulatively demonstrated that the Nazi regime used this loot deliberately and ruthlessly to finance its acquisition of supplies essential to its capacity to wage war. The research of the various commissions and the review of our U.S. records have confirmed the nature and scale of German looted gold in financing this crucial wartime trade. The Swiss Independent Commission put the total amount of looted gold transferred to or through Switzerland during the War at around \$444 million (almost \$4 billion in today’s values). The Commission’s report also estimated that about \$82 million of the total Reichsbank gold holdings during the War was taken from individuals, some \$700 million in today’s values, including \$2.9 million (\$25 million today), from Nazi victims.

Second, in the light of the results of this research – not least of all by the Swiss Independent Commission but also by the work of the Portuguese, Spanish, Swedish, as well as the U.S. and British reports – the central role of Swiss institutions, especially the Swiss National Bank, in managing the financing and facilitating wartime commerce in Europe by receiving Nazi-looted gold and converting it to hard currencies is now fully established and accepted. As Dr. Berger, in his preface to the Swiss Independent Commission report, expressed it best: “Switzerland lay at the heart of the gold transactions.”

Third, the considerable evidence in the U.S. reports and the comprehensive review of victim gold in the report of the Swiss Independent Commission leave no doubt of the considerable scale and the barbarous nature of the Nazi theft of gold stolen from concentration camp victims and its addition to the gold reserves that the Reichsbank used to finance the Nazi war effort. The full amount of stolen victim gold that was incorporated into the Reichsbank holdings – from the Swiss Independent Commission estimate of \$2.9 million (\$25 million in today’s values) to the U.S. estimate of \$4.6 million (\$40.5 million in today’s values) – may never be known. Despite a thorough search in both German and U.S. archives, the records of the Precious Metals

Department at the Reichsbank have not been found, making it impossible to document completely the extent and disposition of the infamous Melmer account at the Reichsbank, into which the SS put the gold they stole from their victims, largely Jewish as well as many Romani, including dental fillings. A recent effort by the German Government was unable to locate records of the Melmer account, which were either destroyed or lost at some point after the conclusion of World War II.

Fourth, after the War, the Allied nations, especially the three major powers – the U.S., Britain, and France – fully intended to regain as much of the looted gold as possible and restitute it to the liberated nations of Europe. But it has become painfully clear that the Allies fell far short of recovering from the neutral states all the looted gold they were able to identify. Of the more than \$550 million of looted gold that the neutral nations of Europe, including Switzerland, received, only \$78 million was turned over to the monetary gold pool at the Tripartite Gold Commission. Likewise, of the estimated \$722 million in German external assets located in Switzerland, Spain, Portugal, and Sweden at the end of the War, only about \$128 million was liquidated for the benefit of the Allies and the reconstruction of war-torn Europe. This resulted from a combination of the change of priorities on the part of the Allies as they concentrated on the new threats imposed by the onset of the Cold War, as well as the intransigent negotiating positions taken by the wartime neutrals.

Fifth, despite the Allies' shortcomings in recovering looted gold, they worked through the Tripartite Gold Commission in one of the more determined and selfless actions of the postwar period. By 1959, more than 336 tons of gold was assembled, and the Tripartite Gold Commission was able to meet 64 percent of the validated claims of the countries from which the gold was taken, restoring the gold to its rightful owners without benefit to the Allies. In addition, agreement was ultimately reached in 1998 to apply the great bulk of the approximately 6 tons of remaining undistributed gold to the unmet needs of the dwindling number of surviving victims of the Nazis. This was based on moral grounds and on the factual determination in the 1997 U.S. Government report, demonstrating that some portion of the looted Nazi gold inadvertently included victim gold, which was swept up with monetary gold and returned to the claimant countries by the TGC.

These contributions funded the Nazi Persecutee Relief Fund, created by the U.S., France, and Britain at the 1997 London Conference to provide resources for the relief of needy victims of Nazi persecution who to date have received very little or no compensation. It is immensely

satisfying to report that so far 15 nations – 10 TGC claimant countries and 5 non-claimant countries – have pledged \$58.5 million to the Fund. Most of the TGC recipient countries have also pledged to contribute all or a part of their final shares to the Fund, with the remainder going to victim relief within their own countries. I am especially proud to be able to say that the United States has now contributed \$4 million and has pledged an additional \$21 million over the next three years.

CONCLUSION

I close these remarks by paying tribute to the magnificent efforts of France and Britain, our TGC partners, in working to close out the Commission's work after half a century of effort to bring its efforts to a just conclusion and in establishing the Nazi Persecutee Relief Fund. I look forward to hearing their reports during the balance of this session.

Ambassador Louis Amigues

DIRECTOR OF ARCHIVES AND DOCUMENTATION, MINISTRY OF FOREIGN
AFFAIRS
FRANCE

The Closing of the Tripartite Commission for the Restitution of Monetary Gold

Plenary Session: Review of Gold Issues, Research and Resolution

On September 9, the three governments charged with administering the Tripartite Commission for the restitution of monetary gold officially announced their dissolution in Paris, thus legally and symbolically ending a complex historic process begun after the Second World War.

The Paris Accords of January 14, 1946 on reparations assigned the American, British and French governments to return to the countries the despoiled monetary gold that was put in their Central Banks by the Nazi regime. Accordingly, on September 27, 1946, these three governments created in Brussels the Tripartite Commission for the restitution of monetary gold.

Its task was to compile petitions from despoiled countries, give these claims a ruling, and proceed to the distribution of monetary gold, based on a collective amount gathered before the Commission was created. This amount reached 336.5 tons.

The Tripartite Commission defined the monetary gold as follows:

"Any gold, which at the time of despoiling or illegitimate transfer, belonged to the petitioning country's monetary reserve, whether in the accounts of the petitioning country itself, or in the accounts of the petitioning country's Central Bank, or any other financial institution within or outside its borders."

Eleven countries filed petitions with the Tripartite Commission: Albania, Austria, Belgium, Czechoslovakia, Greece, Italy, Luxembourg, the Netherlands, Poland, and Yugoslavia. The petitions validated by the Tripartite Commission claimed about 514 tons of gold.

To answer the eligible countries urgent reconstruction needs, a preliminary distribution was effectuated between 1947 and 1950. About 80% of the gold available was distributed during that period, and the Commission displayed a remarkable speed, given the complexity of such a procedure.

After that, the restitution process continued at a more regular pace. A second distribution, described as "quasi-final," took place between 1958 and 1959 for the majority of eligible countries, however some of them did not receive their share until legal issues had been settled: The Netherlands in 1973, Poland in 1976, Czechoslovakia in 1982, and Albania in October 1996. At that time, only 5.5 tons of gold remained for distribution.

In the fall of 1996, a few representative organizations questioned this mechanism, and in parallel, offered for the victims of the nazi regime to be compensated.

Keeping this in mind while continuing to work on the mandate of the Paris Accords, the member governments of the Tripartite Commission decided to temporarily defer the distribution of the remaining gold, and began a historic research. This was notably the case for the United States (resulting in the "Eizenstat" report, released in April 97) and Great Britain (resulting in the Foreign Office Historic Notes, released at the same time). These countries had kept documentation from the years of war. Investigations revealed that an undisclosed, but not significant, amount of non-monetary gold could have been included in the amount of gold entrusted to the Tripartite Commission.

On June 27, 1997, in an effort of transparency and truth, the three governments decided to notify the eligible countries of this situation. To materialize these steps and help with considerations, two diplomatic notes were sent to the concerned countries:

- The first, signed by the Tripartite Commission, informed them that distribution of the remaining gold was to take place;
- The second, signed by the three governments, disclosed previously mentioned issues, inviting all eligible countries to draw the practical consequences from it. This verbal note listed various possibilities for making a contribution, inspired by the duty of equity and memory.

Among the options contemplated, it was suggested that an International Fund for compensating the victims of Nazi persecution should be financed. This Fund was implemented at the London Conference in December 1997. Open to the contributions from countries aspiring to join an action of justice and international solidarity, it gathered over the course of a year numerous and large contributions. My British colleague will tell you about the generous collections in this Fund.

For its part, the French government has decided to contribute as much as FF 20 million (about \$3.5 million) to express the international solidarity of France toward the victims of this tragic period.

This amount was included in the 1999 budget plan, and approved by the Parliament on November 18. It will be available as early as January 1, 1999.

One of the initial objectives of this Fund was to help the "double victims" of Nazi persecutions who, up until now, have been deprived from any compensation. In addition, the first results of an investigation made by the "Study Mission of the despoiling against the Jews of France" remind that, before the war, France had welcomed many refugees from Central and Eastern Europe, who were the first victims of the persecution and despoiling perpetrated by the Nazis during the occupation.

It is under these circumstances that, in the allocation of its contribution, the French government wished to aid the international Non-Governmental Organizations leading indisputable activities in Central and Eastern European countries. The sums contributed in this framework should, inasmuch as possible, first be used to rescue the members of communities that are faced with the greatest material hardships.

The Tripartite Commission thus completed its duties in a general consensus. During the first half of 1998, the eligible countries received the 5.5 tons of remaining gold owed to them, except for the countries that belonged to the Former Yugoslavia, whose part remains frozen until a treaty of State succession is signed.

The Tripartite Commission fulfilled its mission, and ended its work on September 9 in Paris. It submitted its final report to the three governments. This report was also presented on that same day to the representatives of the eligible countries. At this occasion, France, the United Kingdom and the United States released two joint statements: the first concerns the dissolution of the Tripartite Commission, and

the second pertains to the conservation and the transmission of its archives.

Indeed, in accordance with the commitment made and reaffirmed in the London Conference, the complete archives of the Tripartite Commission are now stored at the Foreign Ministry in Paris, and were made available to the public and to researchers.

This desire for transparency is in keeping with two efforts: historic truth and the duty of memory. As far as the French government is concerned, it will continue to abide by these two obligations.

Mr. Anthony Layden

HEAD, WESTERN EUROPEAN DEPARTMENT, FOREIGN AND
COMMONWEALTH OFFICE
UNITED KINGDOM

The International Fund for Needy Victims of Nazi Persecution

Plenary Session: Review of Gold Issues, History and Research

ESTABLISHMENT OF THE FUND

Chairman, distinguished Delegates

1. In his message to this Conference, the Foreign Secretary, Robin Cook, recalled his announcement at the London Conference a year ago that a new International Fund had been set up to assist needy surviving victims of Nazi persecution, and to fund related educational projects. This followed earlier discussions between the member countries of the Tripartite Gold Commission and the countries due to receive shares of the remaining gold in its monetary gold pool. The three Commission member countries - France, the United Kingdom and the United States - had invited the recipient countries to contribute all or part of the value of the gold they were to receive to this Fund. The Fund was also open to contributions from other countries.

2. The Fund was set up in such a way as to minimize bureaucratic procedures. It takes the form of an Agreement between the Federal Reserve Bank of New York, where the Fund's account is located, and the British Government as Account Holder. Briefly, donor governments pay their contributions directly into the Fund Account, and specify to which non-governmental organizations they wish to allocate the money, on the basis of proposals made directly to them by the organizations. The Bank then transfers the money to the specified organizations.

3. In the course of these transactions, donor governments and recipient organizations signal their acceptance of the Fund's Terms of Reference, which describe in a general way the purposes for which contributions are to be used. There is no central auditing mechanism: it is left to donors to satisfy themselves that their contributions are used for the purposes they intend. Thanks to the agreement of the Federal Reserve Bank not to levy charges for operating the Account, no running costs of any kind are incurred in the working of the Fund. There are no legal or accountants' fees. All of the money contributed by donor governments goes to the NGOs, and through them to the victims.

CONTRIBUTIONS PROMISED UP TO 19 NOVEMBER 1998

4. During the London Conference, seven delegations announced that their governments intended to contribute to the Fund, subject, in some cases, to legal or other procedures. These were Argentina, Austria, Croatia, Greece, Luxembourg, the United Kingdom and the United States. Three further delegations - those of France, the Netherlands and Poland - said contributions by their governments might be considered.

5. Since the end of the London Conference, contributions by France, the Netherlands and Poland have been confirmed, and five further governments have announced their intention to contribute: Belgium, the Czech Republic, Italy, the Slovak Republic and Sweden. This means that with only two exceptions, all of the countries sharing in the final distribution of the Tripartite Commission's gold pool have responded positively to the suggestion by the Commission member countries that they contribute to the Fund. Five other countries have also decided to do so, and I am aware of three others who are actively considering contributions.

6. The two exceptions mentioned above are Albania and the former Yugoslavia. The Albanian Government has from the outset given strong and welcome support to the Fund process, but made it clear that the serious economic situation in Albania was likely to prevent them from making a contribution. The successor states of the former Yugoslavia have not yet agreed on the division between them of assets of that country. Therefore, when the Tripartite Commission was wound up, the gold due to Yugoslavia was retained in its existing account at the Bank of England. One successor state, Croatia, undertook as soon as the Fund was launched to contribute to it its share of the gold pool, whatever

that might be. It has been suggested to the other successor states that if they were all to make similar undertakings, the value of this gold could be made available to the Fund in advance of agreement on the wider question of dividing Yugoslav assets. We await responses. This morning we have been told by Ambassador Rupel, the leader of the Slovenian delegation that Slovenia has also decided to contribute its share of the remaining TGC gold to the Fund. We welcome this decision.

7. Not all donor governments have yet specified the amounts they will contribute, but the amounts specified up to the 19th of November, when a review meeting of donor countries was held in London, total \$59.6 million - almost exactly the value of the gold which was in the Tripartite Commission's pool at the time the Fund was launched. It is already clear that the final total will considerably exceed this sum.

PAYMENTS MADE TO THE FUND ACCOUNT

8. Up to the 19th of November, five donor countries had made payments into the Fund Account at the Federal Reserve Bank, as follows:

27 March 1998	United Kingdom \$1,647,000
23 June	Sweden \$1,014,055
10 & 17 July, 13 October	Poland \$366,615
24 September	Czech Republic \$162,012
23 October	United States \$4,000,000

ALLOCATIONS FROM THE FUND ACCOUNT

9. The Federal Reserve Bank made the first disbursements from the Fund Account on the 22nd of July 1998, in accordance with an Allocation Instruction from the United Kingdom. Two payments each of \$139,750 were made. One was to the Board of Deputies of British Jews; the other was paid into an account opened for the purpose by the World Jewish Restitution Organization, from which it was transferred to the American Jewish Joint Distribution Committee. A further disbursement of \$431,505 was made on the 24th of August 1998, in accordance with an Accelerated Allocation Instruction from the United Kingdom, again to the Board of Deputies of British Jews.

10. The balance of principal and interest in the Fund Account on the 16th of November 1998 was \$6,595,667.

SELECTION OF RECIPIENT NON-GOVERNMENTAL ORGANIZATIONS

11. The British Government began consultations with NGOs about the allocation of its contribution of 1 million pounds announced by the Foreign Secretary at the London Conference, immediately after that event. We decided to allocate one-third of the amount to the Board of Deputies of British Jews, who had made a proposal to form a committee of a number of separate organizations working with surviving victims in the UK, and make cash grants to victims with particular needs.

12. The remaining two-thirds of the UK contribution was allocated to the American Jewish Joint Distribution Committee (AJJDC), who proposed to use it for medicines and medical equipment, to be provided to victims in Belarus, Moldova, Russia and Ukraine through community organizations (hesedim) in that region. After presentations from the World Jewish Restitution Organization (WJRO) and the Conference on Jewish Material Claims, who wished to be associated with this activity, it was agreed that this portion of the UK contribution would be paid into an account opened for the purpose by the WJRO, from which it would be transferred immediately to an AJJDC account. This arrangement, for which the Fund Agreement provides, has worked satisfactorily.

13. It is understood that an Austrian contribution of about \$8.6 million is likely to be paid into the Fund Account soon, and will probably be allocated to the Austrian National Fund for Victims of National Socialism. The Czech Republic contribution mentioned earlier will be allocated to two NGOs in the Republic, the Union of Freedom Fighters and the Union of Forced Laborers. An Italian contribution of about \$7.2 million is likely to be paid into the Account soon, and to be allocated to the Union of Italian Jewish Committees. The Swedish contribution mentioned earlier is to be allocated in equal shares to the European Jewish Congress, the Jewish Central Committee of Sweden, and the Swedish Red Cross (for Romani victims). A total of 17 NGOs have so far been designated by donors as Fund recipients.

14. A number of countries are ready to make contributions or allocations, but are awaiting detailed proposals from the NGOs they have selected. Indeed, it emerged at the London review meeting

mentioned earlier that up to the present, there has always been more money available in the Fund Account than there were proposals from NGOs for its use. NGOs represented at this Conference are therefore urged to respond as quickly as possible when invited by donor governments to submit proposals for Fund allocations.

15. In a few cases, the British Government as Account Holder has had difficulty in contacting NGOs selected by donors as recipients of allocations, and in obtaining from them their written agreement to the Fund Terms of Reference, as required by the Agreement. Again, NGOs are urged to respond quickly when asked by us to sign and return copies of the Terms of Reference. We shall be glad to offer help or advice about the operation of the Fund to anyone who needs it.

HELP SO FAR GIVEN TO VICTIMS

16. The Board of Deputies of British Jews has made payments of 400 pounds each to 600 Jewish and non-Jewish applicants in the UK who applied up to June 1998. The Board is now arranging payments in respect of 166 applications received between July and September. It has approved 100 applications received since then, and estimate that the total may approach 1000 by the end of the year, when a cut-off date has been set.

17. The American Jewish Joint Distribution Committee has informed us in a preliminary report that between July and September this year it deployed the portion of their allocation disbursed on 22 July to supply medicines to more than 14,500 elderly Nazi victims in 55 cities and towns in Belarus, Moldova, Russia and Ukraine, and to provide 4,120 items of medical rehabilitative equipment to recipients in 106 cities and towns in the same region. The program continues.

CONCLUSION

18. Chairman and distinguished delegates, I am conscious as I come to the end of this presentation that a great deal more remains to be done to discharge effectively the duty Robin Cook suggested in London last year that the international community owed to surviving victims of Nazi persecution. He said: "...we must ensure that the unbearable tragedy of living through the Holocaust is not compounded by an old age marked by the fear and sadness of poverty." We are still a long way from

ensuring that. But a start has been made. The machinery of the International Fund is in place. Help has begun to flow to those who need it most. And the pace of that flow will accelerate rapidly from now on.

19. Chairman, I wish to pay tribute to all those who have worked together in this enterprise. When we began it the difficulties seemed immense. The legal and moral obligation on the Tripartite partners to convey the remaining gold to the designated recipient countries was clear. It was also clear that somehow in the process of ending our long stewardship of the monetary gold pool we must find a way of helping needy individual survivors. As always happens in such cases, each country - and we are a diverse group - responded to the challenge in its own way. Each was subject to different pressures and influences. And many different approaches to the situation were put forward. NGOs too had many different ideas about what should be done.

20. Throughout the complicated discussions that took place in Brussels, Paris, Washington and other capitals all participants showed consistent flexibility, goodwill, and a shared determination not to let differences of perception and approach prevent us from meeting a need that we all saw as both highly important and extremely urgent. The International Fund was the outcome: together we have made it work and together we shall ensure that it completes the job we designed it to do. Robin Cook described this as "an imaginative and successful piece of modern diplomacy," and so of course it is. For me, it has also been one of the most worthwhile and rewarding tasks I have been engaged in. I am grateful to the Foreign Secretary for entrusting me with it. And I am grateful to my colleagues, diplomatic and non-governmental, in France, the United States and the other countries present here, for their unfailing co-operation and friendship.

Thank you all very much.

Mr. Edgar Bronfman

PRESIDENT

WORLD JEWISH CONGRESS/WORLD JEWISH
RESTITUTION ORGANIZATION

Address at the Conference

History, in its own cruel fashion, has imposed a heavy burden on all of us gathered here. It is this realization that must guide our deliberations and actions during the period of the Conference. A burden can weigh you down, or it can challenge you to rise to the demands that it imposes. From this understanding comes the stark comprehension that we are not here to talk about money or art or insurance policies; we have come together to express the moral imperative that justice must prevail, that truth must be expounded, and that we have committed ourselves to the higher values of integrity – to preserve the memory of those who were victims of unspeakable crimes.

The cliché that we should learn the lessons of history and not repeat the mistakes is particularly apt here. Conferences are all too often a cheap substitute for coming to grips with the substantive nature of the issues they were called to deal with. When the Jewish people were faced with annihilation during the Second World War, the United States and Britain convened the 1943 Bermuda conference, ostensibly to find a solution for wartime refugees. In fact that conference was a sham and actually was an effort to thwart the rescue of European Jewry. This conference must be different or the judgment of history will harshly condemn us.

On innumerable occasions I have sought to describe the goals we are seeking to achieve as being "moral and material restitution."

Clearly in the last several years, and indeed since our last international conference in London, marked progress has been made. There have been notable achievements in the effort to secure material restitution: the fund established in London arising from the remaining gold in the TGC; the settlements with Swiss banks and the earlier commitment by Swiss banks and industry, which created an important humanitarian fund; expansion of benefits to Holocaust survivors within the context of ongoing German reparation payments – particularly as they apply to Eastern European victims; an agreement by major

European insurance companies to resolve unpaid claims through the mechanism of the International Commission established for that purpose.

One particularly shining example should be cited, that of Norway. The government not only established an historical commission of inquiry and approved monies for compensation, but even more movingly sought to underline the moral dimensions of the issue by adopting the minority position of the commission that it had established; the Norwegian example is a lesson for all – combining the twin principles of moral and material restitution.

In so far as material restitution is concerned, I appeal to those governments and institutions and experts that are gathered here; do not allow this to become a Bermuda conference. We must come away from this meeting with practical and immediate proposals to secure justified financial compensation for those who have been so long denied, and we must establish an ongoing mechanism to verify that governments and institutions are taking these practical steps. This effort must not end with this conference.

In some ways the struggle for moral restitution may be more difficult. It involves what we call in Hebrew "heshbon nefesh" – searching of the soul. This is not a challenge only to the neutral countries; this is a challenge which must be confronted by the Allies, the former Axis states, the bystanders, the churches, industrial concerns, bankers and Jewish people.

Our inescapable obligation is to set forth the record of events as they happened, without embellishment, without self-serving alteration, and with brutal honesty. We owe this first and most of all to the memory of the victims, because that is what we are striving to achieve – the preservation of memory and the power of its piercing truthfulness.

For those nations and those peoples, or those institutions for which the critical examination of this historic period will give rise to dark moments of unpleasant realities, the answer is – there is no choice. We cannot know where to go or where we are going, unless we know where we have come from. And foundations built on gossamer evasions cannot support the pressing weight of historical accuracy.

But as painful as the process may be, the other lesson that history has taught us is that the struggle to honestly come to terms with the past makes us stronger – spiritually and intellectually – in the long run.

This then is the ultimate irony. The process that causes us so much pain also provides us with purification and the strength of conscience to face our children and future generations.

I appeal to you therefore to act – and not merely to deliberate – in a manner which measures up to the historical task before us. If we fail to do so in this, the last minute of this dying century, we will be reproached not only by the victims of the crime but by our own children. Let us therefore dedicate ourselves to overcome whatever obstacle to reach that level of action and honesty that will allow the peoples of the 42 nations represented here – and more importantly their children – to say the struggle for memory was validated here.

Ms. Nili Arad

DIRECTOR-GENERAL, MINISTRY OF JUSTICE
ISRAEL

Address at the National Archives

Thank you, Mr. Carlin.

Distinguished fellow delegates, Ladies and Gentlemen:

"Almost a Love Poem"

**"If my parents and your parents
hadn't migrated to Eretz Yisrael in 1936,
we would have met in 1944**

**there on the platform at Auschwitz.
I at twenty,
and you, at five.**

**Where's Mammele?
Where's Tattele?**

**What's your name?
Hannale."**

written by Yehuda Amichai,
an outstanding Israeli poet.

That is how we have grown up in Israel since the Holocaust, where the shadow of our extinguished families has become part of our personal history. Striving to build a safe haven for Jews all over the world, we took the pledge ***Never to Forget; Always to remember.***

In the past two days, we have felt that this promise has touched each of you. It has become the goal of us all, representatives of different

countries, non-governmental organizations, insurance companies, private agencies, Jews and non-Jews alike.

The holistic understanding and agreement on which we are all focussing here is not about material possessions – but about historical Justice. Justice long due to the families, to real people who were stripped of their human dignity, robbed of their pride, dispossessed of their property, uprooted from their homes and finally systematically murdered by the most brutal methods.

We are not seeking justice for crimes of war, nor the restitution of the improperly acquired spoils of war. Rather, we are talking about the Holocaust – the Nazi's program of unspeakable human suffering and physical devastation inflicted upon the Jewish people and unmatched in history.

Now, we are building an *international consensus for justice* that goes far beyond the question of identifying stolen assets and returning them to their rightful owners.

We today must reach a higher moral ground, to ensure the memory of those who perished, the acknowledgement and preservation of the history of their fate, the culture and public institutions of the devastated Jewish communities of Europe, endeavoring to ensure that the survivors of these great communities live in comfort and dignity.

Indeed the result of our deliberations is the recognition of an urgent need to proceed with the efforts to give life to the mute pages in archives; to reveal the identities of the unknown people in yet unpublished lists. To ensure free access to all knowledge and information essential to the establishment of justice. In the words of the esteemed Supreme Court Justice Louis Brandeis:

***"Sunlight is said to be the best disinfectant,
electric light the most efficient policeman."***

We leave this Conference heartened and encouraged, convinced that we are, indeed, part of a worldwide consensus dedicated to the relentless pursuit of justice in the various areas where justice was denied.

Throughout the intensive and enlightening discussions of the last two days, we have been moved – and very much aware – of the great historical nature and significance of this gathering.

At the closing of the twentieth century, on the threshold of a new era, let all people of goodwill join together in pursuit of the noble goals which we have set for ourselves.

Together we spoke of them in London; we speak of them again here in Washington. Let us vow to continue our united effort to strengthen the hands of those who dedicate themselves to the achievement of justice, and to those who strive to further the principles of human dignity and the freedom of mankind. Thank you.