



Stuart E. Eizenstat, Under Secretary of State

Economic, Business, and Agricultural Affairs

On-the-record Briefing on Holocaust-Era Conference

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UNDER SECRETARY EIZENSTAT: Almost exactly a year ago, the London Nazi Gold Conference brought together representatives of 42 nations and a half-dozen NGOs to shed light on the Nazi gold issue and to debunk forever Holocaust revisionist theories.

At London, international consensus crystallized around the resolution of gold issues. Among the results of this epoch-making meeting, we now have 17 historical commissions from 17 different countries working studying the Holocaust era assets issue from their perspective.

The Tripartite Gold Commission, established by the U.S., the U.K. and France in 1946 in September closed out its work. Most of the countries with outstanding claims on the remaining six tons of gold have decided instead of taking that gold to apply them to benefit needy Holocaust survivors.

The Nazi Persecutee Relief Fund, launched at the London conference, is now open for business, with approximately \$58.5 million pledged by 15 countries; and that grows each couple of months.

While the London conference appropriately focused on gold, we recognized the importance of other looted assets at that time. Speaking for the U.S. at the closing plenary in London, I volunteered that a follow-up conference would be held within a year in Washington to consider a more complete picture of the complex set of issues that we call Holocaust era assets.

So next week, the State Department and the U.S. Holocaust Memorial Museum will be hosting the Washington Conference on Holocaust Era Assets. We will have some 57 delegations from 44 countries and 13 non-governmental organizations from November 30 through December 3, largely at the State Department, to try, first and foremost, to forge an international consensus on how governments and other entities can cooperate to redress grave injustices that remain from the Holocaust era--especially issues relating to art and insurance, communally-owned property by religious groups--Catholic, Jewish, Protestant--and other assets.

The portion of the conference concerning Nazi confiscated art will provide a balanced view of the history of the problem. It's been given currency because of the legal dispute over the taciturn paintings by the painter Schiele; and it points up the difficulty of establishing the ownership of art during this era.

Delegates will hear from Holocaust survivors, academicians, experts and representatives of industry, including private galleries. Noteworthy here will be the experience governments have in handling art work, the problem of tracking and identifying so-called lost art, and public and private actions to help resolve the issue of what may be ten of thousands of confiscated art works.

We hope that the outcome of these discussions will result in general principles and processes that will be applied by all governments, museums when they exchange art with each other, private parties and galleries to address the issue of Nazi-confiscated art--particularly the unclear provenance or ownership. We also hope that there will be established the beginning of a universal website in which we will be able to help identify for families art that is of questionable ownership.

In the matter of insurance assets, we have already begun developing a cooperative and dynamic process. We will be highlighting anew foundation on which to build, established by the National Association of Insurance Commissioners--the 50 state insurance commissioners--Holocaust survivor organizations, the State of Israel, a number of European insurance supervisory authorities, and at this point, six European insurance companies who have formed an international commission to look at the resolution of insurance claims.

To make a long story short, the Nazis often required European insurers to pay the cash surrender value of the policies of the victims that they later killed. Then if there were any surviving beneficiaries after the war, they had difficulty establishing claims because there were requirements for death certificates or statements that premiums hadn't been paid while people wherein concentration camps, or the fact that they had to pay out the cash value as precluding payment.

There will be two observers to this commission, the European Commission and myself, representing the State Department. This commission is chaired by former Secretary of State Larry Eagleberger. Under his leadership, the commission has already secured a commitment from the six insurance companies of \$90 million for a humanitarian fund to aid Holocaust survivors. The commission will establish a uniform procedure for looking at archives, investigating the status of insurance policies while preserving confidentiality and striving to complete its task within the next two years.

On the issue of communal property--this is property such as churches, synagogues, cemeteries, schools, community centers, things owned by religious communities like the Protestant, Catholic and Jewish communities which are now, in the former Soviet Union and the former East Bloc, having a revival of religious interests: the U.S. Government, with myself, having been appointed in 1995 as the State Department Special Envoy on Property Restitution in Central and Eastern Europe, where I've traveled to 11 countries, is

encouraging the return of this communal property to the religious and secular communities involved. We're working very closely with these communities to strengthen the rule of law and democratic institutions and to revive religious interests.

Our goal at the conference is to highlight areas where progress has been made in the return of such property, but also to spotlight obstacles that must be overcome if swift and just restitution of property is to be achieved.

Another issue for the conference will be Holocaust education and remembrance. We will have a half-day break-out session featuring speakers on the importance of Holocaust education, and we will showcase current trends in Holocaust curriculum and remembrance networks on both sides of the Atlantic.

We will highlight the work of a new task force that's just been created, called the Task Force for International Cooperation on Holocaust Education, Remembrance and Research, launched by Sweden, the United States, Britain, Germany and Israel. It will be open to all countries participating. That task force will present an initial report to the conference on efforts to develop a catalogue of Holocaust education, remembrance and research efforts to make available existing or new materials for schools and adult education as well, and to promote openness and accessibility of public and private archives bearing on the history of the Holocaust.

This is, by the way, not intended to be a look only to the past; it is to look at what lessons can be drawn from this ghastly tragedy which may be relevant as we enter the 21st Century with a whole host of genocidal situations.

This rich and challenging conference agenda is the product of months of staff work, coordinated by the conference director, J.D. Bindenagel, a career foreign service officer; by Bennett Freeman in my office, my senior advisor; and by Steve Dubrow, our public affairs officer. We've done it consulting with many of the delegations. We've gone to many of the countries several times. We've had preparatory meetings, including one in June. Thanks to all of this, we think that this will rank as a landmark event in both establishing a historical record on an area long ignored--that is, the confiscation of assets--and an effort to forge an international consensus to secure justice for those who are living and the memory of those who are not.

The chairman of the conference will be former congressman, former chief judge of the U.S. Court of Appeals, Abner Mikva; and we're very pleased that he will be chairing the overall conference.

We will have available a near-final agenda for you. There are still some gaps with speakers, which will be filled in; but it gives you enough of an indication so you'll have an idea of the dimensions of the conference.

Thank you, and I'll be glad to take your questions.

Q: Overall can you talk about--I mean, you said there were tens of thousands of artworks that were lost. Can you put sort of a

composite value on all the art, all the insurance, all the--

UNDER SECRETARY EIZENSTAT: Not at this point. One of the things we hope to do with the conference is to begin to crystallize that. For example, the French commission is one of the 17 commissions working. They're working to identify in France looted and lost art. We know that they've already identified over 2,000 paintings. So the numbers will grow. We know in Austria they've got a special commission. We hope to be able to crystallize that.

In terms of insurance, that won't be known until we go through the international insurance commission audit. Again, we hope to highlight that at the conference. So we can't put a value on any of these, but we hope we can make progress at that at the conference.

Q: Would you say that most of these works of art--to the degree that you can say so--are in private collections?

UNDER SECRETARY EIZENSTAT: Well, first of all, we know that some of the pieces of art were returned to their owners. There was an assiduous effort after the war by the allied countries to try to locate owners. But we know that others were not.

Some are in public galleries, some are in private collections. As an example--and this is without indicating where the ownership is, because it's a contested matter in court--the two Schiele paintings came from a museum in Austria. They were lent to the Museum of Modern Art for an exhibit in New York, and then claimed by a family in New York as theirs. That's one example. There are several others. There's a Degas that was involved; the Rothschild family had much art.

So some of this has been returned; much of it has not. There will be an effort to develop a registry. There is now an art loss registry which a private group has done. What we hope to do is have an international website so that when Austria completes its work, France completes its work, the other commissions do theirs, there can be one place where a family can look to see if a work that they may think is theirs can be determined. We want principles to be developed. The museum directors in the United States, through their association, have already published--partially with our impetus, partially with theirs--their own beginnings of a guideline to how museums, when they deal with each other's art, ought to try to establish the provenance of Holocaust era assets.

The European art directors, the French in particular, are looking at their own set of guidelines. What we hope is that coming out of the conference, there can be a consensus on these kinds of guidelines so that whether it's Christy's which is auctioning something off or whether it is an exchange between the National Gallery and a gallery in Europe, there can be procedures so that any cloud on ownership can be removed.

Q: Can you say what the scope of the problem is in the return of the communal properties to religious organizations?

UNDER SECRETARY EIZENSTAT: The scope of the problem is massive. In Poland alone there may be as many as 5,000

pieces of property. I have gone to 11 countries, some on multiple occasions--two or three times--to encourage this.

The barriers are the following. In a number of countries the laws only cover properties which are now in the hands of the central government. These are properties that were confiscated by the Germans and then re-nationalized during the Communist era. There are, for example, in the Czech Republic, in the central government's hands about 220 properties. So in many countries the laws don't cover those properties held by local municipalities; and oftentimes those are the most valuable and the most numerous.

Second, we know that a lot of cemeteries are now being used for commercial development. A lot of churches and synagogues have been converted to other use--swimming pools and so forth. Buildings that were owned by religious groups are now apartment buildings, or used as schools. Sorting this out is incredibly difficult because you have current occupants and you have laws that oftentimes don't reach local governments. You have bureaucratic delays and political constraints. I would say that out of the 11 countries of Central and Eastern Europe, the former Soviet Union, in most there is at least the beginning of a legal framework. But the restitution is extremely slow; it's often case-by-case. And we hope that the conference will help elevate this issue and encourage more rapid return of property; or if the property can't be returned, at least some measure of compensation.

This is important, by the way, not just to return property per se, but because in these countries religious groups that were foreclosed from practicing their religion for 50 years are now trying to reestablish their roots. They need these institutions in order to be able to flourish. They need to have places to pray, places where the kids can be educated, communal facilities to use. Also, some countries, like Lithuania, for example, only permit the return of "religious property," which is often very narrowly defined and doesn't include schools, parochial schools, wouldn't include a community center that was owned by the secular community.

So there are multiple barriers; the process is exceedingly slow. There are literally--if you took all of the properties together, certainly well over ten thousand properties; but again in Poland alone there may be anywhere from 3,000 to 5,000 properties.

Then there's the question of who manages the properties because particularly in a Jewish community in a country like Poland there were 3.5 million people before; there are now maybe 10,000. What has happened in both Hungary and Rumania and in Poland is a foundation was created that the government helped establish between the local Jewish community and the international Jewish community to manage the restituted properties. So there's a whole framework that needs to be created, and the process has begun but it is slow and painful.

Q: In which countries does most of the work have to be done?

UNDER SECRETARY EIZENSTAT: First of all, let me say the country where the most has been done. I think without doubt, the model Central European country is Hungary. Hungary has established a foundation for the return of property. Out of their own money they have created a fund which pay some 20,000 Central European survivors--and that's the largest survivor community in Central

and Eastern Europe--between \$20 and \$40 a month for the rest of their lives. That's something they've done themselves. So they really have been a model of probity and efficiency.

I would say that in some of the other countries, much less work has been done. I don't want to particularly point fingers, but the tendency is the further east you go the less work has been done and the more progress that needs to be made.

Q: Can I ask you also, I know there's no final schedule, as you said; however, any initial details or even a skeleton agenda would be helpful to us.

UNDER SECRETARY EIZENSTAT: Yes, we will have the full agenda for you. I would call it a near-final agenda. We will hand it out at the end of this session.

There are gaps; there are a few speakers who haven't been identified and chairs. But it gives you--it's a quite complete schedule.

Q: How much can be covered by the press?

UNDER SECRETARY EIZENSTAT: There will be an initial plenary which is, I think, open, and then there will be daily press briefings at the end, as we did in the London conference--a full briefing of what happened during the day. The actual sessions will not be open because we want to get as much debate and dialogue in as unrestrained a way as possible. But there will be evening press briefings, I think, at 5:00 p.m. My understanding is that--is the opening session--

OFF CAMERA SPEAKER: The opening session will be highlighting the Secretary's--

UNDER SECRETARY EIZENSTAT: Yes, the Secretary of State will open the conference with a speech.

OFF CAMERA SPEAKER: From 9:30 to 10:45 a.m. Tuesday morning, and the closing plenary, Thursday morning, the 3rd of December, will be open from 9:00 a.m. until its conclusion, which we expect will be about 12:00 p.m. or 12:30 p.m. There will be briefings, as Stu said, Tuesday and Wednesday at 5:30 p.m. in the Loy Henderson or the Dean Acheson. I'm not sure, Steve, which--

OFF CAMERA SPEAKER: The press briefing will be the Dean Acheson.

UNDER SECRETARY EIZENSTAT: At 5:30 p.m. or 7:00 p.m.?

OFF CAMERA SPEAKER: At 5:30 p.m.

UNDER SECRETARY EIZENSTAT: 5:30 p.m., okay.

Q: With the exception of Monday or Tuesday?

UNDER SECRETARY EIZENSTAT: Monday night there is a reception to welcome the delegates at which Elie Weisel and myself and Miles Lerman will speak. But the formal conference opens Tuesday morning, the 1st of December.

OFF CAMERA SPEAKER: The opening at the museum is also open to the press.

UNDER SECRETARY EIZENSTAT: And that will be from 7:00 p.m. to 9:00 p.m. at the Holocaust Memorial Museum, November 30, Monday evening; that will be open also.

Q: Was it difficult to get all of these participants to come?

UNDER SECRETARY EIZENSTAT: It was exceedingly difficult. These are very sensitive issues. The art issue with Russia, for example, is an exceedingly sensitive issue for them. They have art that was captured during World War II that they consider part of, in effect, compensation for the damages they suffered at the hands of the Germans. Legislation has been passed in the Duma on this. We're very pleased, actually, by the cooperation we're getting from the Russian Government, given the sensitivity. We have a member of the Duma who helped sponsor this legislation, who will explain what they consider to be theirs and what they're willing to--if owners can be identified--what they're willing to consider in a different context. There will be a member of their archives.

Getting 44 countries together was an enormous task. J.D. and Bennett have traveled the length and breadth of many of these countries; I've gone to many. There will be two Latin American countries--Brazil and Argentina--which have their own historical commissions, and they will be involved. There will also be 13 NGOs from around the world. So it's been an incredible thing to put together.

Q: Just the task of putting together the facts that took place over several years in several countries 50 to 60 years ago is huge. Do you have any sense that this conference can bring some kind of closure to this issue, or do you think you may have more questions two weeks from now than you've got now?

UNDER SECRETARY EIZENSTAT: I think that we've found from the London Gold Conference that it did bring a substantial amount of closure. Now, the fact is that it won't be until this conference at the opening session that we think we can pull all the gold issues together. But the London conference made a major step in that direction.

We don't pretend that at the end of this conference, we will know everything there is to know about the whole issue of the looting of assets, but we think we can make a very major step forward in understanding this period. And what we don't yet understand from the conference, hopefully one of the outcomes we will achieve is the opening of archives.

In fact, if I can just sort of briefly headnote again what we hope to accomplish--first is to come as close as possible to completing a historical record before the end of the millennium; getting all 17 commissions to report by no later than December 31, 1999; second, to achieve an opening of all archives, remove all obstacles to that and have those archives accessible; third, to try to forge a consensus to do some justice with respect to things like the art and communal property and insurance issues through a set of principles that will be available. Fourth is to have a broad Holocaust education program in as many countries as possible, following the lead of the five countries that I mentioned; and to do so in ways, again, that not only look to the past but ask what lessons we can learn for our future action as countries.

Q: Given the rise of anti-Semitic rhetoric and acts in Russia in recent months, do you think your arguments or the arguments of the group will have any impact on their position? And what is the Clinton Administration's view of their position regarding holding on to looted art?

UNDER SECRETARY EIZENSTAT: Well, first of all, in terms of anti-Semitism in any country, all of our countries have remnants of it. What's different, I think, is that in countries now where there are anti-Semitic actions--and this is true in Russia--the leadership immediately speaks out; and that's been done in Russia and in other countries, and that's important.

Second, I think that we always recognized, through our own government reports and through this, that there's always the concern that when you elevate these issues it will bring out of the closet some elements who are trying to use this for their own purposes and who are anti-Semitic. But that is far outweighed by the benefit of setting the historical record straight and of laying out the full dimensions of what happened and then trying to do some justice to those who still survive.

With respect to the art issues in Russia, we don't want to prejudge this. The Russians have come in good faith, as have other countries, to talk about what they're doing. The Austrians are doing the same thing. We want to understand this issue from the Russian perspective and give them an opportunity to explain their position. We'll see where we go from there.

Again, we hope that countries will join in supporting the statement of principles, which in the end Chairman Mikva will try to identify as a consensus set of principles--from things like the guidelines that our art museum directors have put forward, the European museum directors and the like--and that will have an impact on all countries in terms of how they deal with art that may have been confiscated by the Nazis during the war.

Q: I know you don't speak for Mr. Bronfman and his associates, but do they share--to the degree you can comment on it--do they share your view about giving the Russians a chance to explain their position and going in with an open mind on that?

UNDER SECRETARY EIZENSTAT: Well, I can't speak for any other organization, but I just spoke with Israel Singer and I think that they want to have the fullest exposition by all countries of their views. I think that there will be a respectful listening to the positions

of the Russians and others. I have every reason to believe that the World Jewish Congress and other groups will be fully respectful of that.

They may not agree in every respect, but I think that this is a--I mean, we found this at London, when you get everybody together you don't end up with confrontation; you end up with a real effort to come to grips with some of these difficult issues. We trust that the same thing will occur here.

Okay, thank you.

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