Submitted pursuant to section 2(b) of the Justice for Uncompensated Survivors Today (JUST) Act Report

Justice for Uncompensated Survivors

...result of wrongful property seizures during the Holocaust (Shoah), and the rule of law, welfare needs in their lifetimes. It is unacceptable that those who suffered so greatly during the Holocaust and other victims of Nazi persecution endured unprecedented physical and emotional trauma during their ordeal.

The Welfare of Holocaust (Shoah) Survivors and other Victims of Nazi Persecution

Upon the invitation of the Prime Minister of the Czech Republic, we the representatives of Material Claims Against Germany, the European Shoah Legacy Institute, and others, express deep gratitude to the Czech Republic for the country's efforts to secure just and fair solutions for the victims of the Nazi regime. The country's record is an example to others of how to approach the task of reparations and restitutions.

Finally, progress in maintaining memorial sites and promoting historically accurate Holocaust remembrance, commemoration, research, and education – undertakings made even more vital by the International Holocaust Remembrance Alliance – is informative and constructive. Efforts in this direction must continue. Here, too, the Czech Republic has set an example.

Another area examined in this report is the progress in identifying, cataloguing, and preserving looted property, including cultural goods, art, and personal effects. The Czech Republic has made particular strides in this area. For many nation's citizens, this is a source of great personal and family pain. It is important that countries recognize and respond to the victims of this theft.

As mentioned, property claims, as envisioned by the Washington Principles and the Terezin Declaration, have been a focus for most country reports. Germany also recently introduced a new Protektion Regulation; there is cooperation between New York's YIVO Institute for Jewish Research and the Jewish Claims Conference in New York and Berlin on many aspects of the property claims process.

In the case of certain countries, such as Belarus, progress in establishing cultural property in synagogues and in other places of worship is also important. Furthermore, in the United States, the law that stipulates that artworks that have been incorporated into public collections cannot be returned to their former owners has yet to be revised.

In the United States, the head of government, the prime minister, has taken the lead in addressing property claims. The country, however, has not revised federal law to provide a similar level of protection for new claims. In many other countries, progress in property claims has been slow. In Poland, for example, approximately half of the 5,500 Jewish communal organizations there have adopted specific policies to address property claims. In other countries, such as Austria and Israel, the property claims process remains shrouded in secrecy.

A further concern is the limited availability of information about the location of property in various countries. In many countries, data on looted cultural goods and to establish principles for dealing with cultural property in a way that is just and fair is a major priority. This is particularly important as countries adopt new laws to deal with property claims from the Holocaust era.

In this regard, countries have been encouraged to adopt comprehensive measures to address property claims. Several countries have already passed such legislation, but the claims process has been difficult for many victims. In many countries, the claims process has been greatly hampered by a lack of information about the location of property. In Poland, for example, the country has not passed legislation that provides for the establishment of property claims. In other countries, such as France and Germany, the claims process has been slow and difficult.

While the Czech Republic has made significant progress in maintaining memorial sites and promoting historically accurate Holocaust remembrance, it is important that other countries follow suit. It is important that countries continue to work towards the goal of just and fair solutions for the victims of the Holocaust and other victims of Nazi persecution.

Sincerely,
For questions about the Justice for Uncompensated Survivors Today (JUST) Act Report, please contact JUSTActReport@state.gov.

Editor's note: The Department of State notes that Serbia attended the Conference as an observer but subsequently endorsed the non-binding 2009 Terezin Declaration. For this reason, Serbia is included in the Department's JUST Act Report.

After the conference proceedings and the Terezin Declaration, the European Commission called on all States to cooperate closely with the Task Force, to promote and disseminate the Joint Declaration, and to develop and share best practices and guidelines in the fields of art provenance, immovable property, social security, and education. We urge the States participating in the Prague Conference to cooperate closely with the Task Force, and to ensure that national and international educational institutions provide adequate resources and training.

We also urge the States participating in the Prague Conference to promote and disseminate the Joint Declaration of the European Commission and the Czech EU Presidency, which can be found on the Commission's website. A more complete description of the Czech Government's concept for the Terezin Institute and the Terezín Events may be found on the website of the Terezin Institute.

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We encourage governments and other bodies that maintain or oversee relevant archives to make them available to the fullest extent possible to the public and researchers in accordance with their national laws and regulations, and we encourage all parties including public and private institutions and individuals to apply the Washington Conference Principles on Nazi-Conscripted Art, and the international principles and standards for the return of private property claims of Holocaust (Shoah) victims concerning immovable (real) property of Nazi-Conscripted Art, and to continue to work to ensure that archives and libraries around the world are opened and made widely accessible to the public, to researchers, and to survivors and their families. We support the work of the International Holocaust Remembrance Alliance and we encourage all states as a matter of priority to include education about the Holocaust (Shoah) and other Nazi crimes in the curriculum of their public education systems and to support such education, including heirless property where appropriate.

The upcoming 2012 Terezín Conference will be an important opportunity to address these issues. The conference will strengthen support for and implementation of the 2009 Terezín Declaration, the Joint Declaration of the European Commission and the Czech EU Presidency, and the International Holocaust Remembrance Alliance. It will further promote the voluntary principles and standards of the Washington Conference Principles on Nazi-Conscripted Art, and encourage governments and other bodies that maintain or oversee relevant archives to make them available to the fullest extent possible to the public and researchers in accordance with their national laws and regulations. We urge the States participating in the Prague Conference to cooperate closely with the Task Force, and to ensure that national and international educational institutions provide adequate resources and training.

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