

NATIONAL FUND

OF THE REPUBLIC OF AUSTRIA FOR VICTIMS OF NATIONAL SOCIALISM

GENERAL

SETTLEMENT FUND

FOR VICTIMS OF NATIONAL SOCIALISM

FUND FOR THE RESTORATION

OF THE JEWISH CEMETERIES IN AUSTRIA

Imprint

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THE FUNDS IN BRIEF

Taking responsibility. Sending a signal.

National Fund of the Republic of Austria for Victims of National Socialism, General Settlement Fund for Victims of National Socialism, Fund for the Restoration of the Jewish Cemeteries in Austria – three funds, each with its own origins, tasks, structure and working methods, which all have one thing in common: they are proof that Austria is coming to terms with the darkest sides of its history – the years of National Socialist rule – and has been for a while; and that it is assuming responsibility for the victims of this regime.

The three Funds are closely administratively linked: their operations are led by the Secretary General, Hannah M. Lessing and are subject to the supervision of a Board of Trustees chaired by the President of the National Council.

National Fund

The National Fund of the Republic of Austria for Victims of National Socialism was established in 1995 (Federal Law Gazette no. I 432/1995) as an expression of Austria's special responsibility towards the victims of the National Socialist regime. The National Fund makes lump sum recognition payments ("gesture payments") of 5,087.10 Euros to the surviving victims of National Socialism.

The National Fund also carries out a wide range of other tasks: supporting needy Holocaust survivors; supporting and advising the victims of National Socialism and their families; funding projects to help raise awareness about National Socialism, its consequences and the fate of its victims, and to safeguard the memory of the victims; the coordination of the renewal of the Austrian permanent exhibition at the former concentration camp and present-day memorial site at Auschwitz-Birkenau; the disposition of non-restitutable, so-called heirless "looted art" for the benefit of victims of National Socialism and other tasks in the field of art restitution; the implementation of the compensation for seized tenancy rights; the provision of support to the General Settlement Fund for Victims of National Socialism and administration of the Fund for the Restoration of the Jewish Cemeteries in Austria.

The National Fund is the first organization explicitly dedicated to recognition as well as to the active commemoration of the victims of the National Socialist regime in Austria, and is an important partner in international efforts to come to terms with the Holocaust. Programmes for research and educational work on the Holocaust spanning many countries are implemented by the International Holocaust Remembrance Association (IHRA). The coordination office for Austria is based at the National Fund. The tasks of the National Fund were updated and extended to include further tasks in September 2017 (Federal Law Gazette no. I 143/2017).

General Settlement Fund

The General Settlement Fund for Victims of National Socialism was established on the basis of the Washington Agreement of 2001 and endowed with 210 million US Dollars (Federal Law Gazette I no. 12/2001). The General Settlement Fund represents the recognition of the moral responsibility for property losses suffered by those persecuted by the National Socialist regime in Austria by awarding *ex gratia* payments. These payments do not constitute lump sums but are calculated based on the amount of the individually established property losses and are distributed in relation to the total available amount of 210 million US Dollars (*pro rata* payments).

The filing period for monetary payments from the General Settlement Fund ended on 28 May 2003. Persons personally affected by the National Socialist property confiscation as well as their legal successors were entitled to file applications. In total, 20,702 applications, which were decided by an independent Claims Committee, reached the Fund.

Furthermore, an Arbitration Panel for *In Rem* Restitution, which decides on applications for restitution of assets, is installed with the General Settlement Fund. Possible objects of restitution are real estate or movable property of Jewish communal organizations which had been seized from their owners during the National Socialist period and which were publicly-owned (by the Federation, provinces and certain municipalities) on the cut off day of the agreement, 17 January 2001. The last deadlines to file an application for *in rem* restitution expired on 31 December, 2011.

Fund for the Restoration of the Jewish Cemeteries

In December 2010, the Fund for the Restoration of the Jewish Cemeteries in Austria was established (Federal Law Gazette I no. 99/2010) in implementation of Austria's obligation under international law to restore and maintain Jewish cemeteries in Austria, as set out in the Washington Agreement. The Fund, established with the National Council, will be endowed with one million Euros per year for 20 years. The Law also stipulates that the owners of the Jewish cemeteries must contribute funds of the same amount for the restoration.

The administration of the newly-created Fund was transferred to the National Fund, the Board of Trustees of which also functions as the highest body of the Fund for the Restoration of the Jewish Cemeteries in Austria. Within 20 years, more than 60 Jewish cemeteries throughout Austria – including several of great cultural and historical value, such as the cemetery in Vienna, Währing – are to be safeguarded from ruin. Upkeep agreements with the relevant cities and municipalities shall ensure the continued maintenance of the cemeteries once they have been restored.

The Funds in figures

Since its establishment in 1995, the **National Fund** has made around 30,000 “gesture payments” of 5,087.10 Euros to surviving victims of National Socialist injustice. The total amount of all payments comes to around 157.3 million Euros.

Furthermore, since 2001 the National Fund has also disbursed over 175 million Euros as compensation for seized tenancy rights. These took the form of lump sum payments of 7,000 US Dollars or 7,630 Euros and additional payments of 1,000 Euros. The deadline ended on 30 June 2004.

Additionally, the National Fund has so far approved funding for around 2,100 projects and programs with around 30.8 million Euros (as at: June 2019).

By 25 June 2012, all of the 20,702 applications for compensation of assets filed with the **General Settlement Fund** have been decided by the independent Claims Committee.

Thus far, the General Settlement Fund has disbursed advance payments totaling around 161.5 million US Dollars and closing payments of 53.5 million US Dollars, therefore totaling about 215 million US Dollars (as at: June 2019). Once the payments have been completed, it is estimated that around 25,000 beneficiaries will have received a payment from the General Settlement Fund.

The Arbitration Panel for *In Rem* Restitution established with the General Settlement Fund has so far ruled on 1,875 of 2,313 applications received, including 140 recommendations for the *in rem* restitution of property (as at: 4 April 2019). Here it must be taken into account that the large majority of applications are for property which was not publicly-owned on the cut off day. Roughly estimated, the total value of the real estate which had been recommended for restitution by the Arbitration Panel comes to around 48 million Euros.

The **Fund for the Restoration of the Jewish Cemeteries in Austria** for the first time resolved funding for urgent restoration work on two Jewish cemeteries in need of renovation on 20 June 2011. Since then, a total of around 6.1 million Euros of Federal funds have enabled measures to be taken to preserve the Jewish cemeteries in Baden, Deutschkreutz, Göttzbach/Ybbs, Graz, Hohenems, Klosterneuburg, Kobersdorf, Lackenbach, Stockerau, Währing, and at the Vienna Central Cemetery, Gate 1 and Gate 4. In addition, funding was provided for a database to record the graves in all of Austria's Jewish cemeteries.

NATIONAL FUND OF THE REPUBLIC OF AUSTRIA FOR VICTIMS OF NATIONAL SOCIALISM

Victim recognition

The National Fund of the Republic of Austria for Victims of National Socialism (hereinafter National Fund) was established in 1995 as an expression of Austria's moral responsibility towards all victims of National Socialism. Providing these people with recognition and support is its main priority. The Federal Law on the National Fund of the Republic of Austria for Victims of National Socialism (Federal Law Gazette no. 432/1995) provides for a gesture payment of 5,087.10 Euros (originally 70,000 Schilling) per person as symbolic recognition. In cases of social need, a second and third payment is possible.

A Committee consisting of the chairperson of the Board of Trustees, a representative appointed by the Board of Trustees and three further members appointed by the chairperson with the consent of the Main Committee of the National Council, meets several times a year to decide on applications for the receipt of a gesture payment.

Those entitled to the gesture payment are persons who were persecuted by the National Socialist regime on political grounds, on grounds of origin, religion, nationality, sexual orientation, or of physical or mental handicap, or of accusations of so-called asociality, or had become the victim of typical National Socialist injustice by other means or who left the country to escape such persecution.

Additionally, persons entitled to file an application must further fulfill the following requirements. They must have:

- been Austrian citizens and been domiciled in Austria on 13 March 1938, or
- been permanently domiciled in Austria for a period of approximately ten years as per 13 March 1938, or been born as children of such persons in Austria within that period, or
- lost their status as Austrian citizens or their place of residence of at least approximately ten years before 13 March 1938 because they left the country due to the imminent march of the German Armed Forces into Austria, or
- been born before 9 May 1945 as children of such persons in concentration camps or under comparable circumstances in Austria.

Recognition of different victim groups

The definition of the term “victim” in the NF Law is worded in such a way that all persons who were victims of National Socialism can be taken into consideration.

The grounds of persecution listed in Sec. 2 (1) item 1 of the NF Law – political grounds, grounds of origin, religion, nationality, sexual orientation, physical or mental handicap, the accusation of so called asociality or grounds which caused people to otherwise fall victim to National Socialist persecution – signify a broader definition of the term “victim” than that used in earlier measures.

Since 1995, on the basis of this provision, many people have also been taken into account who had never been afforded recognition as victims of National Socialism until the establishment of the National Fund. In this way, people who had been persecuted on grounds of their sexual orientation or of accusations of so called asociality received recognition for the first time. From the outset, persons who were resettled from the “Döllersheimer Ländchen” between 1938 and 1941 to make way for the construction of the military training area Allentsteig (Lower Austria) were acknowledged as victims pursuant to Sec. 2 (1) item 1 of the NF Law.

The decision-making practice of the National Fund also takes into account the findings of academic historical research. Over time, further groups of victims were also recognized.

In 1996, the so called *Spanienkämpfer* were recognized as victims of political persecution in the meaning of the NF Law. The *Spanienkämpfer* fought against General Franco’s troops in the Spanish Civil War and were subsequently surrendered to the German Reich and held in concentration camps.

Since 1997, persons who, alone by virtue of belonging to a group, were particularly endangered – for example persons with one Jewish parent (so called *Mischlinge ersten Grades* [“first grade half castes”]) or Carinthian partisans – are recognized as victims in the meaning of the Law. In 1997, the National Fund also acknowledged as victims widows, widowers and children of people who had been executed or died in prison or a concentration camp as well as parents and children of people who had fallen victim to “euthanasia”.

In 1998, the National Fund recognized people who had emigrated from 12 July 1936 for racial or political reasons – the day of the so called July Agreement between Austria and the German Reich from which time on, persecution of persons of Jewish origin could be foreseen. In the same year, the National Fund recognized for the first time children who had been committed to the institution “Am Spiegelgrund” in Vienna during the National Socialist era, where they were subjected to abuse and were often also used as guinea pigs in medical experiments.

In 2002, conscientious objectors and deserters from the German Armed Forces were granted recognition.

In 2007, children of persecuted Carinthian Slovenes were recognized as victims in view of the particularly difficult circumstances in which they lived, which often meant they also suffered as a result of their parents’ persecution. Recognition by the National Fund not only means individual recognition of each personal experience of persecution; it also makes an important contribution towards raising societal awareness in view of how individual victim groups and different types of persecution are perceived.

Payments by the National Fund

The gesture payment

One of the National Fund's main tasks is the processing of gesture payments as an expression of recognition for the injustices suffered by people in Austria due to National Socialism. Fundamentally, all surviving victims who meet the requirements of Sec. 2a (1) of the NF Law are eligible to receive a payment. There is no deadline for submitting applications. The payments are financed from the Federation's annual budget.

From 1995 until June 2019, gesture payments of around 157.3 million Euros have been made.

Status as May 2019

Applications received:	31,462
Payments:	30,789

Compensation for tenancy rights

In 2001, on the basis of the Washington Agreement the National Fund was also entrusted with the compensation of tenancy rights, household effects and personal valuables seized by the National Socialist regime (so-called compensation for seized tenancy rights).

Applications could be submitted until 30 June 2004. The compensation took the form of a lump sum payment of 7,630 Euros or 7,000 US Dollars per person.

The amount remaining after all applications have been processed is distributed in the form of an additional payment of 1,000 Euros per person. In total funds of approx. 156 million Euros were disbursed.

Pursuant to Federal Law Gazette I no. 9/2013 undisbursed residue will be used for programs benefitting the victims of National Socialism.

Status as per May 2019

Applications received within deadline	23,289
Payments	20,347
Additional payments	19,603

Persons who do not meet all of the requirements for a gesture payment may be eligible for a different payment:

Hardship Compensation Fund

Between 2000 and 2015, 93 payments of 5,087.10 Euros, in total around 473,000 Euros, were made from the Hardship Compensation Fund.

Looted Gold Fund

Between 1999 and 2010, 48 payments of 5,087.10 Euros, in total around 244,000 Euros were made from the Looted Gold Fund. The Looted Gold Fund was exhausted in 2010.

Proceeds from the disposition of art

In accordance with the Art Restitution Act, the National Fund disposes of "heirless" art objects under public ownership and uses the proceeds to make payments to victims of National Socialism whose applications do not quite meet the requirements for a gesture payment. Since 2012, 23 payments of 5,087.10 Euros, in total around 117,000 Euros have been made from the proceeds from the disposition of art.

Project funding

In line with its statutory mandate, the National Fund has been funding projects relating to National Socialism in Austria and its victims since 1996. A wide range of projects are funded, dealing with all groups of victims. When allocating the funding, the Fund focuses on the surviving victims. As such, particularly social, medical and psychotherapeutic projects directly benefitting the survivors will be supported.

Beyond this, the National Fund also funds projects which undertake academic research into National Socialism and the fate of its victims, which commemorate National Socialist injustice or which safeguard the memories of the victims. Educational and commemoration projects are particularly important. The National Fund's online project database provides an overview of all subsidized projects.

The projects are financed from the budget of the National Fund; until 2010 funding was also provided by the International Fund for Victims of National Socialism.

Since 2013, the undisbursed residue of the funds provided for compensating seized tenancy rights has been used for programs benefitting victims of National Socialism.

The National Fund has so far funded projects and programs with around 28 million Euros.

Supported projects and programs as per June 2019

Sources	Number of projects and programs	Subsidies in millions of Euro
National Fund budget	1,833	20.61
"Looted Gold" Fund	197	8.37
Residue pursuant to Sec. 2b NF Law	45	1.79
Total	2,075	30.77



Restitution of art

By 1998/1999, the range of activities of the National Fund had already been extended to include the disposition of non-restitutable, so-called looted art for the benefit of victims of National Socialism. Artwork which is publicly-owned and was seized from its owners under the Nazi regime is subject to this disposition.

The art database

Before the art objects are disposed of, the National Fund endeavors to reach persons who may be entitled to restitution. For this purpose, since 2006, the National Fund has been running a comprehensive online art database at www.kunstrestitution.at, in cooperation with the Federal Museums, Provincial Museums (Vienna, Upper Austria, Styria and Tyrol) and Universities.

The Art Database contains information on around 9,400 objects in the collections and museums of the Federation and the provinces and is continuously updated. The database enables victims of National Socialist art theft or their heirs to specifically search for seized and restitutable art objects. In order to reach a further circle of potentially eligible persons, the database has also been available in English since July 2007 at www.artrestitution.at.

The National Fund maintains strong contacts with the Restitution Commission Vienna and the Commission for Provenance Research. In addition, the National Fund is also in contact with the most important museums and collections of the federal provinces. In 2016/17 the National Fund also began to collaborate with the Museum of Folk Life and Folk Art and the University of Veterinary Medicine. The search for heirs of books from the Library of the Austrian Parliament was concluded in 2017.

Since October 2010 an updated, barrier-free version of the National Fund's art database has been available. All objects are now able to be called up according to museum, inventory number and restitution status. Consequently, users can see which objects have already been restituted, which are still being examined or in which cases heirs of previous owners that have been identified are being sought.

In 2017 the website was technically updated and optimized for numerous current browser versions. The design was also modernized and the search functions were optimized.

Research and partnerships

The National Fund provides support to collections and museums carrying out provenance research on the basis of the Art Restitution Act of 1998 by offering assistance in the search for heirs or for the legal successors of objects that are eligible for restitution.

Increasingly, the National Fund has also been receiving enquiries from the museums and collections owned by the federal provinces, which are undertaking provenance research on the basis of the Washington Agreement of 3 December 1998. In recent years the Fund has also been increasingly involved in carrying out research for libraries.

In 2018 the National Fund was represented at several symposiums in Israel and Germany on looted art and provenance research.

In December 2018 the Austrian National Library restituted 2,255 books that it had acquired unlawfully during the Nazi period. These "heirless" books were restituted to the National Fund of the Republic of Austria in accordance with the Art Restitution Act and then repurchased for 75,000 Euros.

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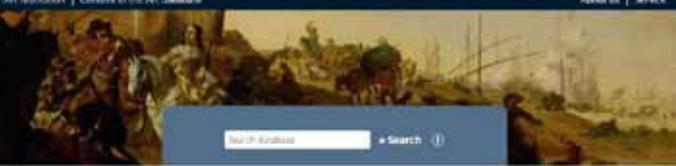
1 2 3 4 5 6 7 » »

Picture	Title	Artist	Museum
	The 'Ferdinandsbrücke' at night <i>(Prints / Lithographs / Colour and coloured lithography)</i>	Sandmann, Franz Joseph (1805-1856)	Vienna Museum
	The violinist Joachim <i>(Prints / Etchings / Further kinds of etchings)</i>	Schmutzer, Ferdinand (1870 - 1928)	Universalmuseum Joanneum
	Landscape <i>(Prints / Etchings / Further kinds of etchings)</i>	Liebenwein, Maximilian (1869 - 1926)	Albertina

ARTDATABASE
NATIONAL FUND OF THE REPUBLIC OF AUSTRIA FOR VICTIMS OF NATIONAL SOCIALISM

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Home

Content of the Art Database

In the Art Database of the National Fund, you can find information on art and cultural objects presently located in museums and collections of the Republic of Austria or of the City of Vienna, which may have been, according to legal provisions in force, seized under the National Socialist regime. Their publication in the database takes place in cooperation with the National Museums and Collections, coordinated and with other Austrian institutions conducting provenance research, and aims to determine whether there is a possibility of returning the objects. » Read

Search for objects

The art and cultural objects can be found through a full-text search and filters. The possibilities » Search for objects

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If you have questions on how to use the Art Database, see you looking for assistance in searching for art and cultural objects or other particular information? You can reach us by telephone, email, fax or letter. » Contact

News

Digitalization of the index cards from the Nazi Central Register
The edition of 11,500 index cards from the so-called ... » Read

Presentation of the Library of Leopold Singer
On 4 October 2017 an art database the library of ... » Read

Restitution: University of Vienna Signs Agreement with the National Fund
The National Fund has signed an agreement with the ... » Read



https://www.artrestitution.at

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Renewal of the Austrian Memorial at Auschwitz-Birkenau

In 2009, the Austrian Federal Government resolved the renewal of the Austrian National Exhibition at the former concentration camp and present-day Museum Auschwitz-Birkenau and entrusted the National Fund with coordinating the redesign of the existing exhibition, which dated back to 1978. The move was taken in response to years of growing criticism of the “Victim’s Paradigm” propagated by the exhibition (the image at the exhibition entrance bore the proclamation “Austria – First Victim of National Socialism”).

The chief aim of the new exhibition is to convey Austria’s revised view of its own Nazi past. As such, although the exhibition shall continue to focus on the fates of the Austrian victims in Auschwitz, it will not gloss over the facts of Austrian complicity and perpetration of the crimes committed there. In order to ensure that the planned exhibition is both scientifically well-founded and meets with general social consensus, in late 2009/early 2010 two advisory boards were convened: the Academic Advisory Board, composed of experts from the fields of academia, the culture of remembrance and memorial site education and the Societal Advisory Board, which represents the interests of affected victims’ organizations, religious communities and interest groups.



This picture shows the section „consequences of the occupation“ of the exhibition of 1978. © HBF



<https://www.nationalfonds.org/auschwitz.html>

Federal Ministries (Federal Ministry of Education, Science and Research, the Federal Chancellery, Federal Ministry for European and International Affairs), the Future Fund, the National Fund and the Federal Provinces have all contributed funds towards the new exhibition.

The historians Dr. Brigitte Bailer, Dr. Bertrand Perz and Dr. Heidemarie Uhl had already begun to thoroughly document the national exhibition in 2006, at the same time subjecting it to rigorous academic analysis. The Final Report for the project, presented in 2008, also contained some preliminary suggestions for a future overhaul. These main themes, that have now been agreed with the Museum shall be: the fate of Austrian victims in Auschwitz, the resistance of Austrian inmates in the concentration camp and the involvement of Austrian perpetrators and conspirators in the atrocities committed there.

In 2011, with the kind assistance of the Armed Forces Photo and Film Service of the Federal Ministry of Defense and Sport, the National Fund systematically photographed and inventoried the original exhibition. In 2015 photographs of the previous exhibition and articles about it were published and presented to the public at the Vienna Museum.



Documentation Volume “Österreichische Gedenkstätte 1978–2013. Staatliches Museum Auschwitz-Birkenau.” © National Fund

Renovation and new exhibition

As the owner of the building housing the exhibition, the State Museum Auschwitz-Birkenau is involved in all implementive measures and must authorize both the content of the exhibition and all renovation work. In addition the content of the exhibition must also be approved by the International Auschwitz Council. In October 2013 the National Fund closed down the exhibition in order to carry out structural investigations on the building, which is subject to a monument preservation order. Upon closure, the exhibition was carefully dismantled before being brought to Austria to be archived.

The National Fund published two international calls to tender for the curatorship of the exhibition and for its design. In 2014 the National Fund commissioned Mag. Birgit Jöhler, Prof. Dr. Albert Lichtblau, Dr. Christiane Rothländer, Dr. Barbara Staudinger and Mag. Hannes Sulzenbacher (project head) with the curatorship and research work for the exhibition. In 2015 the architect Martin Kohlbauer was commissioned to design the exhibition.

The exhibition, entitled "Far Removed. Austria and Auschwitz", shall portray the fates of Austrian victims in Auschwitz. At the same time it will show how Austrians were complicit in and responsible for the crimes committed under National Socialism. It will emphasize the dissonance between the reality of living and dying in Auschwitz-Birkenau at that time and the frame of reference in Austria that existed beforehand or beyond the camp perimeter. In the exhibition space, "Here" (Auschwitz) will be conveyed using real artifacts; the events in Austria and beyond will be shown in "There" by creating a virtual exhibition space opposite the physical objects. The exhibition concept takes an Auschwitz-based perspective; it tells the story of Austrians in Auschwitz and connects them to Austrian history. They create a connection between Austria and Auschwitz and yet, at the same time, make reference to the ambiguous notion of being "far removed" from each other. Martin Kohlbauer's minimalist concept serves to emphasize this narrative and brings the content and the artifacts to the fore.

Since 2016 the exhibition script and the design concept have been extensively discussed and agreed on by the Austrian advisory boards involved in the project and the State Museum Auschwitz-Birkenau as "exhibition host". The Museum's council, the International Auschwitz Council, approved the concept in summer 2017, the details must now be finalized with the Museum. The National Fund also commenced the production of the virtual dimension of the exhibition ("There"). All artifacts intended for display in this dimension were photographed in cooperation with the Austrian Museum of Folk Life and Folk Art.

The first official presentations of the curatorial and design concepts for the new Austrian exhibition were held in January 2015 at the Diplomatic Academy and in June of the same year at the Vienna Museum, to coincide with the commemoration of the liberation of Auschwitz in 1945.

In October 2015 the Polish company Arkona was contracted as the general planner. In early 2016 Arkona submitted its first draft for the permit application. The solutions it contained – particularly those relating to the structural reinforcement of the building – had to be discussed and agreed with the Museum. Following protracted negotiations the National Fund succeeded in having the Museum authorize a structural solution that met the aesthetic requirements as well as those of monument protection. Once the other details had been clarified, the permit applications for the construction project could be submitted in late 2016. In April 2017 the building permit for the renovation was granted by Polish authorities. In 2018 the Austrian Castle and Fortress Authority signed a contract pledging a financial contribution towards the adaptation of the building.

Now that the building permit has been awarded, a legal basis has been created for the building work. A general contractor (building company) will now be engaged to carry out all conservational and structural work. However, the call to tender for a general contractor must also occur in consensus with the Museum, i.e. all technical, organizational, legal and financial requirements must be approved by the Museum. The call to tender for a general contractor began at the end of 2018.

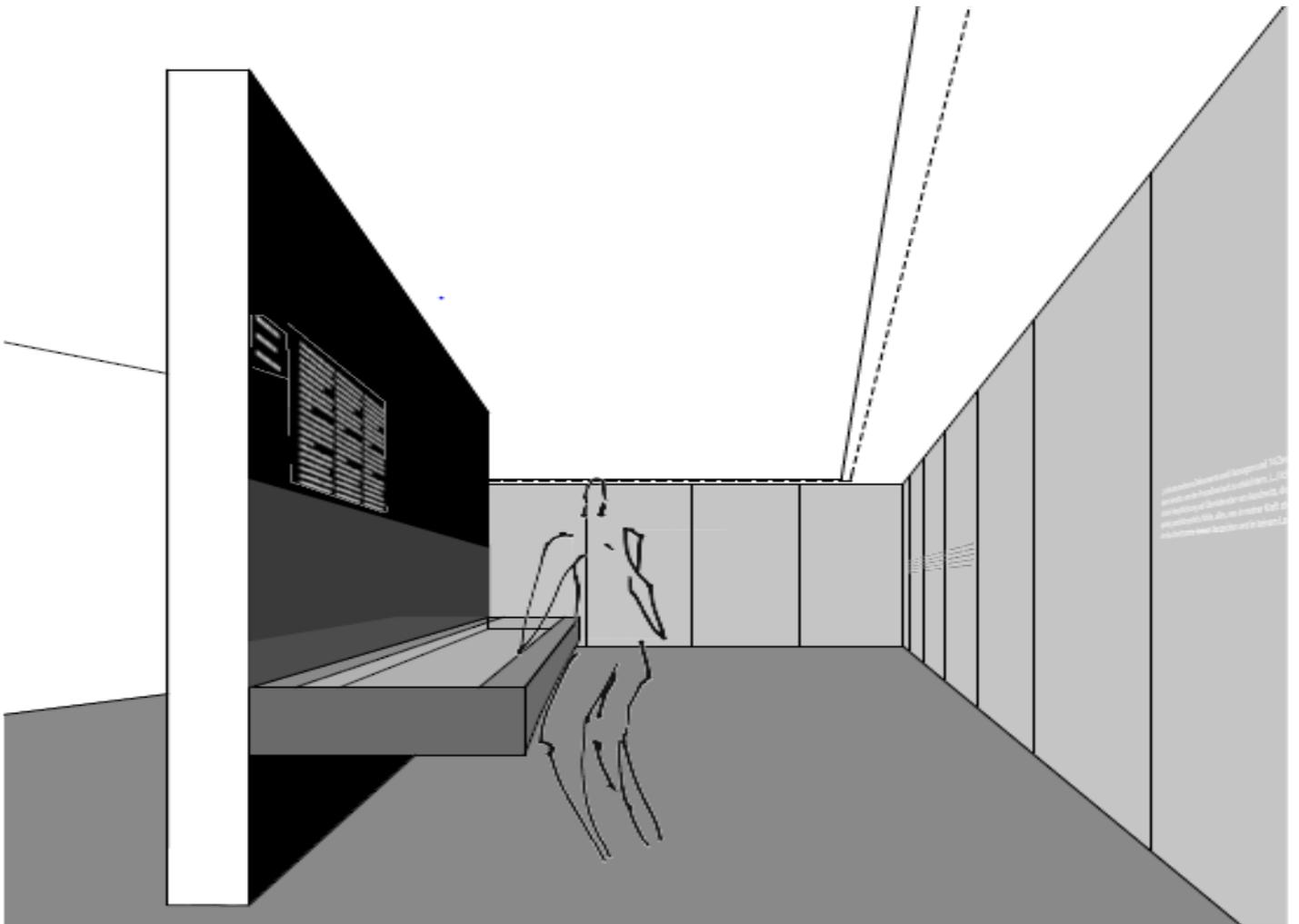
The amendment to the National Fund Law from September 2017, Federal Law Gazette I no. 143/2017, stipulated that the tasks of the National Fund were extended to include the guaranteed operation of the new exhibition and the management of the former exhibition. This includes taking care of its contents, technical maintenance and upkeep of the new exhibition. In addition the National Fund will also be responsible for fielding enquiries about the new and the former exhibition and responding to general enquiries on the subject of Austria and Auschwitz. It will also manage the exhibition website and is responsible for both its content and technical operation.

The Auschwitz-Birkenau Foundation

In order to guarantee the long term future of the memorial, the State Museum set up the Auschwitz-Birkenau Foundation and issued an appeal for international financial support. In 2011, the Republic of Austria pledged its support in the form of a financial donation and renovation work, with a total value of 6 million Euros. The National Fund was tasked with realizing this pledge.

In October 2012, the National Fund signed a Donation Agreement with the Auschwitz-Birkenau Foundation. The Agreement stipulated that Austria would render this amount of 6 million Euros in the form of three annual instalments of 2 million Euros, with the expenditure incurred for the renovation of the building housing the Austrian exhibition being deducted from the last instalment. The National Fund transferred the first two instalments to the Foundation in 2012 and 2013.

The Republic of Austria is represented on the Foundation's International Committee by Secretary General Hannah Lessing and on the Foundation's Financial Committee by former State Secretary Dr. Alfred Finz.



Interior layout for the new Austrian exhibition at Auschwitz. © Architekt Martin Kohlbauer

Supporting the applicants and their families

Providing support and advice to the applicants is something to which the National Fund attaches particular importance.

The National Fund Law has bestowed upon the the Secretary General the task of fostering Austrian relations with the victims of National Socialism living abroad.

The Secretary General's personal contact with the victims and their families during her trips abroad plays an important role in caring for the applicants. She provides information on the National Fund in regular lectures delivered both in Austria and abroad. Over the course of the years a close relationship has developed between Austria and the victims of National Socialism living abroad.

Articles in the media and publications not only serve to inform and reach out to victims; they also raise awareness of Nazism and its aftermath in Austria among a broader public.

As well as being in contact with the applicants by letter and telephone, since 1995 staff of the National Fund have met with around 20,000 applicants in person. In addition to helping them fill out the application form, staff are also on hand to assist with other matters. Over the course of the years they have managed to build up a special bond of trust with many survivors and their families.

Enquiries about the fates of relatives, their lives before and during the Nazi terror or about confiscated assets have also been increasing in frequency. Following complex research in genealogical databases, websites such as findbuch.at and after reviewing the files held at Austrian archives the information is collated in dossiers and corroborated using copies of documents from these files, registry entries, travel documents, excerpts from death registers etc. The communication department and the Fund's historians cooperate closely to meet the demands of the continuously growing interest in ancestral research.



Hannah Lessing in conversation with guests of the ceremony the Austrian Embassy in Washington D.C. to mark the 15th anniversary of the Austrian National Fund, 13 May 2010. © Karl Schrammel

Raising awareness and communicating information about National Socialism, its aftereffects and the fates of its victims and safeguarding the memory of the victims

Raising awareness and communicating information about National Socialism, its aftereffects and the fates of its victims and safeguarding the memory of the victims encompass a wide range of tasks that are relevant to both the present and the future.

These include duly documenting and storing the documents substantiating persecution and the procedural documents of the National Fund and the General Settlement Fund.

In particular, testimonies about the lives, persecution and fates of the victims are being collected, researched and documented. Many of these life stories have found their way into the collective memory through the publications of the National Fund, in particular the series "Erinnerungen/Lives Remembered".

The National Fund provides the public with information on Nazism and on compensation and restitution measures; it responds to enquiries relating to Nazism and its aftermath in Austria and facilitates access to materials on National Socialism.

Partnerships and alliances with national and international organizations and institutions dealing with remembrance and research

The National Fund not only promotes Holocaust remembrance and learning from history at a national level; it also participates in international efforts. Dialogue with victims' groups and collaboration with international organizations, as well as with institutions dealing with remembrance and research play a key role here.

The members of the International Holocaust Remembrance Alliance (IHRA), a transnational remembrance network, pursue the common aim of passing on knowledge to contribute to international awareness and to "plant the seeds of a better future amidst the soil of a bitter past"¹.

1: Stockholm Declaration of the International Forum on the Holocaust on 28 January 2000.

Findbuch for Victims of National Socialism

In 2013 the National Fund of the Republic of Austria presented the Findbuch for Victims of National Socialism. The online portal is a project realized by the historians at the General Settlement Fund. It makes it possible to search the holdings of several Austrian archives for material on National Socialist property seizures and Austrian restitution and compensation measures.

Since the amendment of the National Fund Law in 2017 the Findbuch has become a fixed element of the National Fund's functions that serve to "raise awareness and communicate information about National Socialism, its aftereffects and the fates of its victims, and to safeguard the memory of the victims".

The main goal of publishing the Findbuch – also available in English – is to facilitate the search for "family traces" in Austrian archive holdings, not only for the victims of National Socialism from Austria and their descendants but also for academics and provenance or family researchers. It is intended to encourage people to come to terms with National Socialism and its aftermath in Austria, both in terms of family history research and at an academic, educational and societal level.

The Findbuch is being continually updated and currently contains around 202,000 records from the Austrian State Archives/Archives of the Republic and the provincial archives in Burgenland, Upper Austria, Salzburg, Carinthia, Tyrol and Vienna. In addition it contains around 50 historical address directories and official handbooks on public offices and institutions in digitized form, which facilitate research into private persons, commercial enterprises or authorities who/that were responsible for property seizures and restitution after 1945.

During the course of a relaunch in November 2018 the Findbuch was made easier to search with an improved full-text search function. All of the address and telephone directories and official handbooks on public offices and institutions are displayed directly in the browser and are fully searchable.

The full-text search function and the ability to filter by archive and file type replaced the former advanced search. The results list has a new design and provides more detailed information on the records turned up by the search. The first thousand hits are sorted and displayed according to relevance. The detailed view of the search results was presented more clearly. Records can be added to the favorites directly from the results list or from the detailed view. There is also a new option of adding notes to your saved records. The favorites list can also be exported into an excel spreadsheet.

All digitized books are displayed in a web browser can be searched using the Google Custom Search Engine. The historical address and telephone directories and official handbooks on public offices and institutions can be accessed through the menu item "Books". Other "literature" located here includes the eleven-volume series that was digitized in cooperation with the Parliamentary Library and Manz Publishers, the "Österreichische Wiedergutmachungsgesetze" [Austrian Reparations Legislation]. These are annotated documentations of the seven restitution and three restoration acts that were passed between 1946 and 1954.

FINDBUCH

FOR VICTIMS OF NATIONAL SOCIALISM



www.findbuch.at



<https://www.findbuch.at/en>

Documentation of life stories

During recent years, not least due to the change of generations, remembrance work has become an increasingly important task of the National Fund, also as part of its educational mandate. The documentation and publication of the life stories of victims of National Socialism not only constitutes an important act of recognition for the victims but also renders a vital contribution to the development of a critical awareness among the future generations and to Austria's collective memory.

On this basis, the National Fund has sought from the outset to make these valuable testimonies available to the public. In the year 2000, applicants' life stories were published for the first time under the title *In die Tiefe geblickt* to mark the 5th anniversary of the National Fund. To mark its 10th anniversary, another publication containing victims' life stories was issued ("A Closer Look and Future Prospects").

On the 70th anniversary of the *Anschluss* of Austria to the German Reich, in March 2008 the National Fund commenced the publication of a series of autobiographical texts on its website which is continuously growing. The collection now contains more than 100 stories of applicants to the National Fund and the General Settlement Fund.

To mark the 15th anniversary of its establishment, in 2010 the National Fund of the Republic of Austria for Victims of National Socialism brought out a two-volume publication. The first volume of this anniversary publication, "The National Fund of the Republic of Austria for Victims of National Socialism. Development, function, impact", introduces the diverse tasks and activities of the National Fund, reflects on the work of the National Fund and traces the developments which have occurred in recent years. The second volume of the anniversary publication, "Lives Remembered. Life Stories of Victims of National Socialism", is dedicated to those who are, as victims, at the centre of the work of the National Fund. It contains 33 life stories of applicants from all groups of victims, which document the most diverse stories of persecution.

Due to the amount of positive feedback on the 15th anniversary publications, particularly the positive reactions of teachers, above all to the 2010 volume of life stories, in 2011 a series of books with the title "Lives Remembered. Life Stories of Victims of National Socialism" was created. In 2011 a reprint of the 15th anniversary volume containing life stories was published; volume 2 was published in autumn 2012. The first two volumes of the series are out of print and only available as PDFs; volume 1 has been available on Amazon as an e-book since April 2015 and volume 2 has been available since autumn 2016.

The series was presented to the public in March 2013 in the psycho-social center ESRA; volume 3 was presented to the public in April 2014 in the Palais Mollard (Austrian National Library) and contains life stories of those applicants who found exile in Africa in both German and English. The three-part edition of volume 4, with the theme "Exile in Asia" was published in 2015 and presented at the MAK Forum in December of the same year. Volume 5 of the series, which also comprises three sub-volumes and was published in the spring of the Year of Remembrance 2018, deals with the subject of "Exile in Australia". It was presented at the Australian Embassy in Vienna in October of the same year. Over 40,000 copies have so far been distributed to interested schools in Austria.

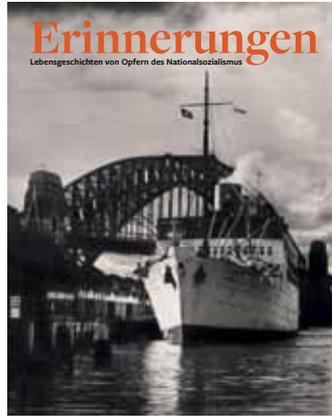


Volume 5 | 2018

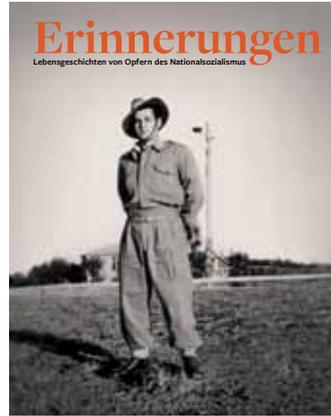
"Lives Remembered.
Life Stories of Victims
of National Socialism"
German/English

Exile in Australia

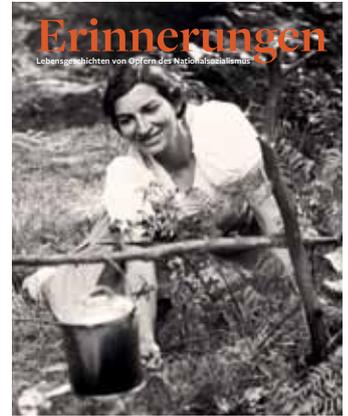
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Volume 5/1



Volume 5/2



Volume 5/3

Volume 4 | 2015

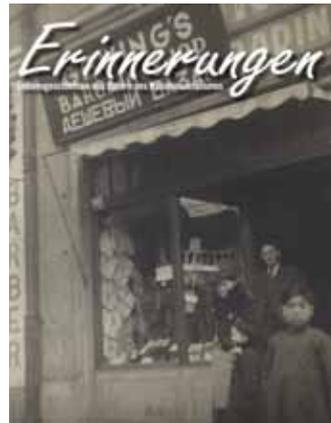
"Lives Remembered.
Life Stories of Victims
of National Socialism"
German/English

Exile in Asia

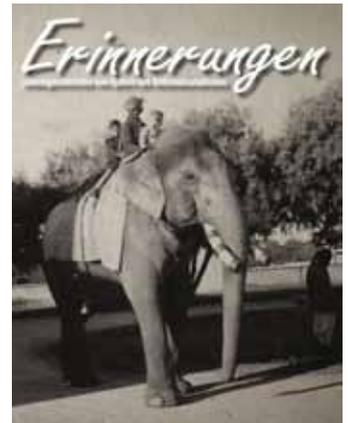
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Volume 4/1



Volume 4/2



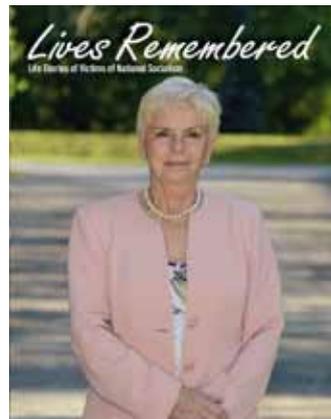
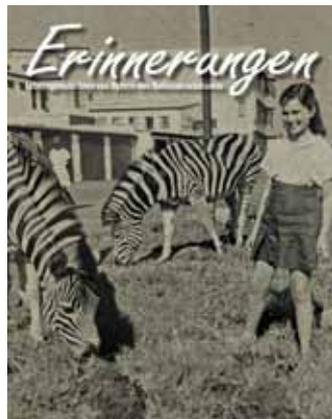
Volume 4/3

Volume 3 | 2014

"Lives Remembered.
Life Stories of Victims
of National Socialism"
German/English

Exile in Afrika

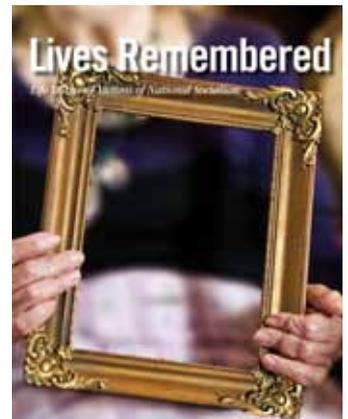
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Volume 2 | 2012

"Lives Remembered.
Life Stories of Victims
of National Socialism"
English

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Volume 1 | 2010

"Lives Remembered.
Life Stories of Victims
of National Socialism"
English

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<https://www.nationalfonds.org/book-series-lives-remembered-518.html>

GENERAL SETTLEMENT FUND FOR VICTIMS OF NATIONAL SOCIALISM

General Information

The Fund was established in 2001 and endowed with 210 million US Dollars in order to comprehensively resolve open questions of compensation for victims of National Socialism for losses and damage incurred as a result of or in connection with the events that occurred on the territory of the Republic of Austria during the Nazi era. The Fund's task was to provide compensation for property losses which until now had not been taken into account or had only been inadequately compensated.

The General Settlement Fund was established following intensive negotiations between the governments of the United States and Austria with the participation of victims' organizations, which resulted in a general agreement on 17 January 2001. This was followed by an intergovernmental agreement (the Washington Agreement), which was implemented forthwith by the Federal Law on the Establishment of a General Settlement Fund for Victims of National Socialism and on Restitution Measures (General Settlement Fund Law, GSF Law, Federal Law Gazette no. 1 12/2001).

The Law provided for an independent, internationally-composed Claims Committee that would develop a procedure and decide on the submitted applications for compensation. The deadline for filing applications expired on 28 May 2003.

Pursuant to the GSF Law, people who were personally affected by persecution were eligible to file applications, as were their heirs/legal successors. Persecution may have been inflicted on political grounds, on grounds of origin, religion, nationality or sexual orientation, on grounds of a physical or mental handicap, or of the accusation of so-called asociality. People who left the country to escape such persecution were also deemed eligible.

Claims for losses could be filed in ten different categories of assets

- Liquidated businesses including licenses and other business assets
- Immovable property
- Bank accounts
- Stocks/Securities
- Debentures
- Mortgage claims
- Moveable property
- Insurance policies
- Occupational and educational losses
- Other losses and damages

The entire sum of 210 million Dollars is earmarked for the compensation payments. Administrative costs were covered by the Fund interest or paid by the Federation. The Claims Committee has already decided on all of the 20,702 applications received.

In comparison to other national or international compensation measures, according to which only few categories of assets could be claimed or the compensation took place in the form of a lump sum payment, the remit to make individual payments for damages in ten categories was incomparably more complex. Especially the category "other losses" provided the General Settlement Fund with the possibility of taking all types of damages into account which were not covered by the other categories.

In agreement with the Allied occupying forces of the time and with regard to the economic capacity of the then Republic of Austria, Austria's restitution policies post-1945 pursued the principle of restituting available assets and leaving assets which no longer existed uncompensated.

The gaps in the Austrian restitution and compensation measures were reflected in the General Settlement Fund in the fact that, for example, many claims were made in the category "liquidated businesses" and the Claims Committee awarded relatively large amounts of compensation in this category.

The Procedure

The General Settlement Fund developed its own procedure which had to be drawn up completely from scratch, from the drafting of the application form to the individual operating procedures, from the necessary software to the legal guidelines. The infrastructure, the personnel and the procedure were developed in order to implement the law with maximum efficiency. It was necessary to enable the processing of the around 150,000 individual claims as efficiently as possible, to treat identical things identically and disparate things differently, to apply relaxed standards of proof, to develop transparent working methods and not least to provide the applicants with comprehensive information on their claims.

The essential foundation for the legal processing of the cases was the historical research of the General Settlement Fund. In order to guarantee the equal treatment of all applicants, it ensured that the same comprehensive source holdings and archives were consulted in each case. In individual cases concerning certain questions, special research was initiated.

The legal processing of the applications occurred on the basis of the information obtained through the historical research, supported by a custom-made software ("SV" = *Standardisiertes Verfahren* – "standardized procedure"), which, as an integrated database application, contains innovative legal informatics functions. Each claim was individually examined and if granted on its merits, valued. If a claim could not be attributed a value due to lack of historical valuation guidelines, the General Settlement Fund employed a system of lump sum payments for the different categories of assets.

There were two different types of procedure for the examination of applications, the claims-based procedure and the equity-based procedure. In the equity-based procedure, the standards of proof were lower than in the claims-based procedure in order to account for the fact that the events occurred over 60 years ago and ownership and seizure of assets are often difficult to trace today.

In the claims-based procedure, the applicants also had a right of appeal against the rejection of claims. Moreover, the Claims Committee was able to reopen proceedings on its own initiative.

Payments

As the final determination of the compensation quotas required a valuation of all recognized losses, in view of the age of many applicants the General Settlement Fund Law (GSF Law) was amended in 2005 (Federal Law Gazette I no. 142/2005). This enabled advance *pro rata* payments to those applicants whose losses had already been established. In December 2005, the advance payments were commenced.

In order to expedite the payments from the General Settlement Fund, another amendment to the GSF Law, enacted on 1 July 2009 (Federal Law Gazette I no. 54/2009), enabled closing payments to be made before decisions had been issued on all applications.

Payment quotas

After the 2009 amendment to the GSF Law, the quotas for payments from the General Settlement Fund were calculated on the basis of the decisions reached by the Claims Committee by 1 July 2009 and the means at the Fund's disposal:

Process	Advance payment	Closing payment	Total
Claims-based process	10 %	0.565150 %	10.565150 %
Equity-based process	15 %	2.164658 %	17.164658 %
Insurance policies	15 %	5.736232 %	20.736232 %

For all decisions reached after 1 July 2009 or decisions revised due to an appeal or a reopening, the Federation made further means available in accordance with the determined payment quotas pursuant to Sec. 2 (1) of the GSF Law.

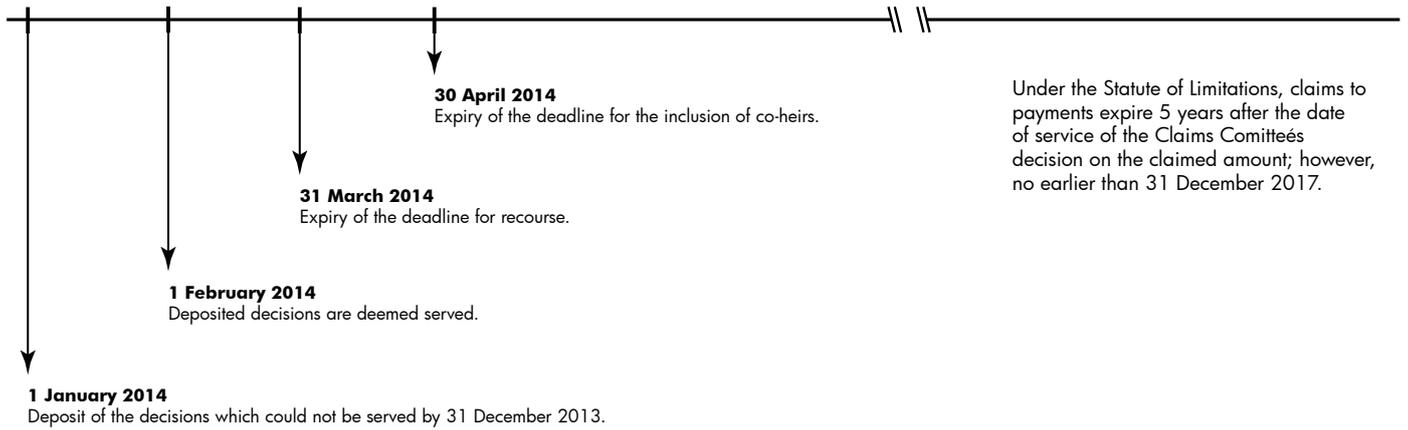
Outlook

The application processing is concluded. In total, claims amounting to approx. 1.6 billion US Dollars were recognized by the Claims Committee, around 32 % of them for occupational and educational losses, around 22 % for liquidated businesses and around 15 % for stocks/securities. The remainder was split among the other categories of losses bank accounts, insurance policies, real estate, moveable assets, debentures, mortgage claims and other losses and damage.

It now remains for the General Settlement Fund to publish the Claims Committee's Final Report in bilingual (German and English) book form. The Fund shall also continue to function as the apparatus of the Arbitration Panel, which submitted its Final Report in 2018 and still has a number of proceedings with open deadlines for reopening applications. Moreover, the databases, files and the materials and documents created and collected since 2001 within the scope of the Fund's assistance provided to the Claims Committee and the Arbitration Panel must be secured and documented.

Administrative preparations are now underway to wind down the General Settlement Fund. These include terminating contracts entered into by the Fund and the final account for the Fund's means. Once the General Settlement Fund has completed its tasks it will be deemed dissolved.

Deposit of decisions of the Claims Committee



¹ Reasons a decision was unable to be served are: applicants' updated contact details are not known; applicants have passed away before the proceedings have been concluded and heirs could not be found despite intensive research.

Final Report of the Claims Committee - Brief Overview

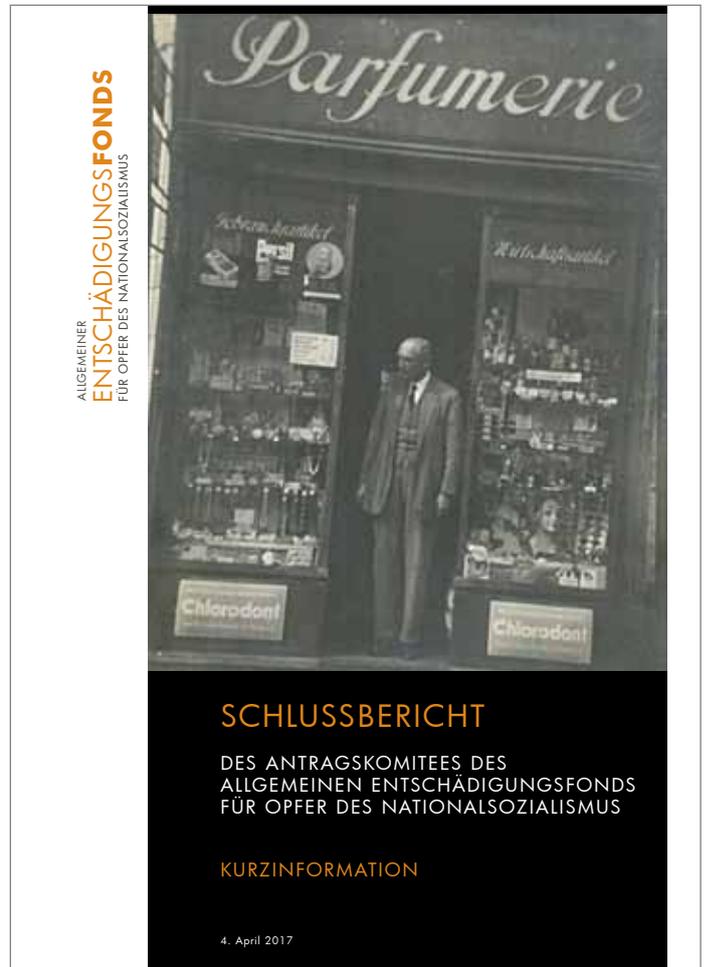
One of the most significant projects ever to be implemented under Austria's Second Republic for the compensation of Nazi seizures of assets has come to an end. In September 2015 the Claims Committee of the General Settlement Fund for Victims of National Socialism presented its comprehensive final report to the Fund's Board of Trustees, which consists of the Presidium of the National Council, representatives from all parties elected to the Austrian Parliament and from the Federal Government, as well as representatives from victims' organizations and from the religious communities. On 4 April 2017 the report was acknowledged by the Main Committee of the National Council in the presence of the Claims Committee.

The three-person Claims Committee, which had decided on 20,702 applications for compensation of victims of National Socialism, was thereby disbanded.

The Final Report documents the work of the Claims Committee, in particular the importance of the Washington Agreement in dealing with National Socialism in Austria, the complexities that had to be taken into account during its implementation, as well as the procedure and the high procedural standards applied in it.

This brief overview of the Final Report provides a concise summary of the over 700 pages of the Final Report of the Claims Committee of the General Settlement Fund for Victims of National Socialism.

Preparations are currently underway to publish a book on the subject of the Final Report that is aimed at the general public.



<https://www.entschaedigungsfonds.org/final-report-of-the-claims-committee-brief-overview.html>

Statistical Report on the Proceedings before the Claims Committee as at 3 June 2019

Applications

Applications received within the deadline	20,702
Persons whose losses were asserted	37,623
Claims ¹	151,949

Application processing

Historical research

Files / documents from archives	41,796
Historical land register excerpts	19,624
Inquiries regarding insurance policies	10,902

Applications decided

Applications decided	20,702
Applications for which compensation was awarded	18,155
Applications for which no compensation was awarded	2,547
Claims for which compensation was awarded	103,425
Claims for which no compensation was awarded	48,524
Recourse ² (review) no longer possible	20,702
Decisions on recourse (review)	551
Decisions after reopening ³	1,523

Co-heirs⁴

Applicants who have extended their applications to include co-heirs	1,769
Co-heirs	3,268

The search for heirs

Deceased applicants whose heirs ⁵ could be established	4,233
Established heirs	7,132
Deceased applicants whose heirs are being traced	1

Payments

Advance payments

Advance payments ⁶	18,169
Applicants	13,951
Heirs	1,874
Co-heirs	2,344

Closing payments

Closing payments	22,309
Applicants	13,249
Heirs	5,906
Co-heirs	3,154
Applications not yet completely disbursed	28
Applications not fully disbursed involving claims now expired under the statute of limitations	1,110

1 This figure differs to previously published figures due to the application of a revised statistical method.

2 Applications for a renewed decision pursuant to Sec. 17 of the GSF Law and Sec. 18 of the Rules of Procedure of the Claims Committee.

3 Sec. 17 (5) of the Rules of Procedure of the Claims Committee.

4 Applicants can allow claims of their co-heirs - these are further people who are heirs of people who originally suffered the losses - to be transferred to them and assert these claims before the Claims Committee, insofar as these co-heirs have not filed an application themselves.

5 Heirs and other persons authorized to continue the proceedings (e.g. executors).

6 Advance payments were made from December 2005 to July 2009. Elderly applicants were prioritized as long as their claim amounted to a minimum of 500 US Dollars. As a result of an adjustment to the counting method for heirs and co-heirs, as of 26 November 2014 the number of advance payments and closing payments has slightly increased.

ARBITRATION PANEL FOR *IN REM* RESTITUTION

General Information

The independent Arbitration Panel for *In Rem* Restitution is also established at the General Settlement Fund. This committee can recommend the restitution of real estate and super structures and moveable assets of Jewish communal organizations if they were seized during the National Socialist era and publicly-owned on the cut off day 17 January 2001. Publicly-owned property comprises property owned by the Federation and by those provinces and municipalities which have opted in to the proceedings of the Arbitration Panel. They are: the City of Vienna, the provinces of Upper Austria, Salzburg, Carinthia, Lower Austria, Styria, Vorarlberg and Burgenland and the municipalities of Bad Ischl, Eisenstadt, Frauenkirchen, Grieskirchen, Kittsee, Kobersdorf, Korneuburg, Mattersburg, Oberwart, Purkersdorf, Rechnitz, Stockerau, Vöcklabruck and Wiener Neudorf.

Further requirements for restitution are that the asset was seized during the National Socialist era in Austria between 1938 and 1945 and that the claim has not previously been decided by an Austrian court or administrative body or settled by agreement. In certain exceptional cases, the Arbitration Panel can recommend a restitution despite the existence of such a decision or settlement by agreement if it reaches the conclusion that the prior measure constituted an "extreme injustice". The same applies if the claim had been rejected in prior proceedings for lack of evidence and the evidence was not accessible then but has since become available. In practice, nearly all of the applications on which the Arbitration Panel decides concern properties which have already been the subject of restitution proceedings. The last deadlines for filing applications for *in rem* restitution expired on 31 December 2011.

Historical background

After the *Anschluss* of Austria to the German Reich in March 1938, in addition to other assets, properties were also seized from the racially and/or politically persecuted owners through various avenues. The bureaucratically organized seizure of assets, executed on the basis of discriminating laws, concerned above all persons who were considered Jewish pursuant to the "Nuremberg Laws", the Roma and Sinti and political persecutees.

Assets belonging to Jewish associations and foundations, including properties but also religious and artistic items, were frequently seized by the Liquidation Commissar for Clubs, Organizations and Associations without compensation.

The registration of Jewish property, as introduced by law in April 1938, was a fundamental requirement for the state-supervised "aryanization". The seizure occurred by means of forced sales or direct confiscation by the state. In many cases assets were forfeited to the German Reich as a result of the flight abroad or the deportation to concentration and extermination camps.

After the war, the re-established Republic of Austria faced the task of constitutionally dealing with this enormous displacement of property from a legal perspective. The restitution acts passed in the second half of the 1940s, the implementation acts enacted within the scope of the State Treaty of 1955 and other measures covered a large number of the "aryanized" properties or those seized by other means.

The research of the Historical Commission shows that although the majority of the seized properties were restituted or the subject of settlements, the restitution proceedings of the 1940s, 1950s and 1960s were considered unsatisfactory by many restitution claimants. The range and complexity of the various restitution acts and deadlines and the lack of state assistance for the victims of the seizures in their attempts to achieve restitution were deciding factors in this regard. This is where the task of the Arbitration Panel, set out by the General Settlement Fund Law, begins.

The Proceedings

Application processing is carried out by historians and lawyers working in interdisciplinary teams. This approach seems necessary and practical, as the seizures and the restitution proceedings occurred decades ago and their interpretation requires a deep knowledge of the respective organizational and legal frameworks. Moreover, only seldom do the applicants themselves possess the necessary documentation (evidence). In many cases it is not until comprehensive research has been carried out by the historians at the relevant archives and authorities within the scope of an “*ex officio*” establishment of the truth that it is possible to reach the findings regarding the facts of the case which are necessary for legal decision-making.

As an initial step, the applications are examined for the formal statutory requirements of public ownership on the cut off day, 17 January 2001, and also whether the property was owned by the applicant or his/her predecessors in 1938. If these elements are present, the application is subsequently designated “substantive”. If this is not the case, it is designated a “formal” application.

In a further step for applications in which no specific property is stated, on the basis of the applicants’ submissions, the land register, historical address books and registration details and property notices from the National Socialist era are investigated in order to determine to which properties the application could apply. The applicants are informed of the outcome of this research in writing and given the opportunity to improve the application.

Each “substantive” application is processed by one lawyer and one historian, who initially determine the necessary research method. The duration of the historical research varies from case to case. On average, a duration of several months is to be expected for the application processing due to the comprehensive research of archives and official departments. The research serves to determine the eligibility to file an application, the ownership status in 1938, a persecution related seizure and a possible “prior measure” after 1945.

During the proceedings, both the applicants and the public owners have the opportunity to present their view of the case to the Arbitration Panel, thus ensuring a fair hearing. After concluding the research and obtaining the statements of the parties involved, the competent caseworkers produce a draft of the decision which is discussed in detail in the sessions of the Arbitration Panel, which are held several times a year, before it reaches its final decision.

If necessary, the Arbitration Panel can call a hearing with the parties to the proceedings if new findings which go beyond the written submissions can be expected. Thus far, three hearings have taken place.

The implementation of the decisions in which a restitution is recommended falls under the competence of the public owners. If *in rem* restitution is not practical or feasible (this is the case, for example, with public road areas, schools or municipal residential buildings), a comparable asset can be awarded. Generally, this takes the form of the market value of the property, which is determined by the Arbitration Panel on the basis of an independent expert valuation.

Since an amendment to the Rules of Procedure of the Arbitration Panel in 2007, proceedings which have already been concluded can be reopened. If such an application is filed, the Arbitration Panel initially decides whether the reopening of proceedings is granted. This occurs when evidence which was previously unknown is submitted which warrants the assumption that such evidence would have resulted in a different outcome to the previous proceedings. In such a case, the Arbitration Panel makes a renewed decision on the subject of the application and repeals its earlier decision.

The publication of the decisions of the Arbitration Panel

The recommendations of the Arbitration Panel must be published pursuant to Sec. 36 of the GSF Law. The Arbitration Panel meets this legal requirement in two ways. All decisions, including those on formal applications, are published in anonymized form and in English translation in a German and English online database (<https://www.entschaedigungsfonds.org/decisions.html>). Since 2008 the substantive decisions have been published in a bilingual series of books. Seven volumes are currently available, volume 8 is in preparation.

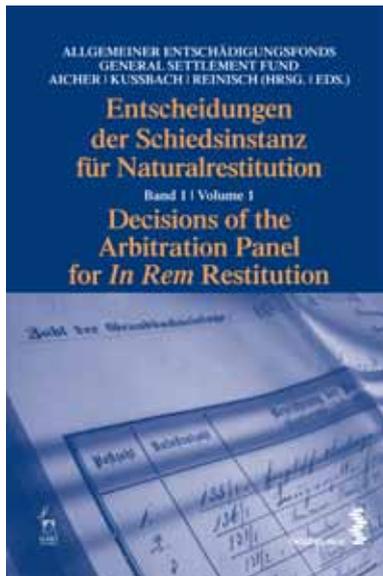


<https://www.entschaedigungsfonds.org/book-series-decisions.html>

Volume 1 | 2008
Decisions of the
Arbitration Panel for
In Rem Restitution

facultas.wuv/Hart Publishing
479 pages

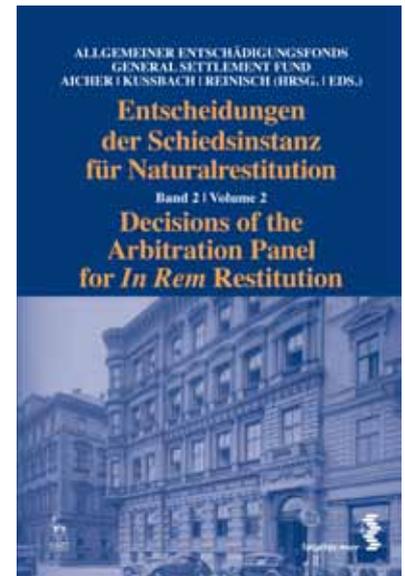
ISBN 978-3-7089-0209-8
EUR 55,- (A) | EUR 53,80 (D)



Volume 2 | 2009
Decisions of the
Arbitration Panel for
In Rem Restitution

facultas.wuv/Hart Publishing
427 pages

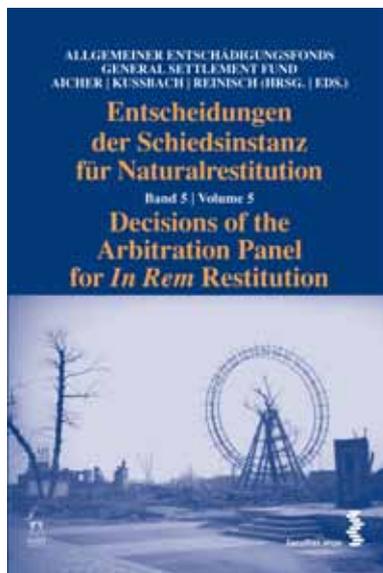
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Volume 5 | 2012
Decisions of the
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facultas.wuv/Hart Publishing
596 pages

ISBN 978-3-7089-0939-4
EUR 70,- (A) | EUR 69,10 (D)



Volume 6 | 2014
Decisions of the
Arbitration Panel for
In Rem Restitution

facultas.wuv/Hart Publishing
Hardcover, 626 pages

ISBN 978-3-7089-1129-8
EUR 76,- (A), EUR 74,- (D)



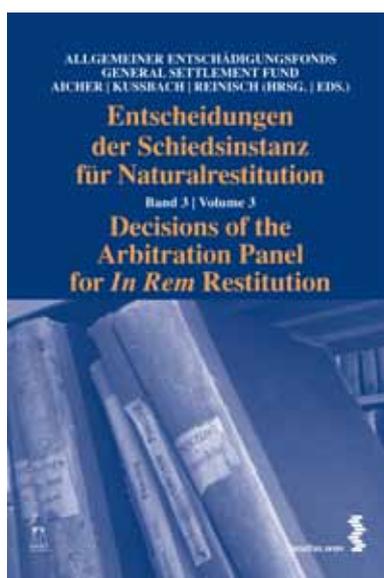
Outlook

Since 30 November 2018 all 2,308 applications for in rem restitution have been processed and decided although a number of filing periods are still open for applications to have proceedings reopened. In 2018 the Arbitration Panel submitted a Final Report, which will be published in book form. Once the Main Committee has acknowledged receipt of the Final Report, the Arbitration Panel will be dissolved. Its decisions will continue to be published.

Volume 3 | 2010
Decisions of the
Arbitration Panel for
In Rem Restitution

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568 pages

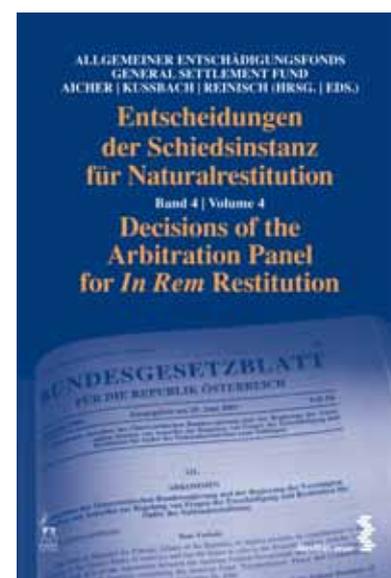
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Volume 4 | 2011
Decisions of the
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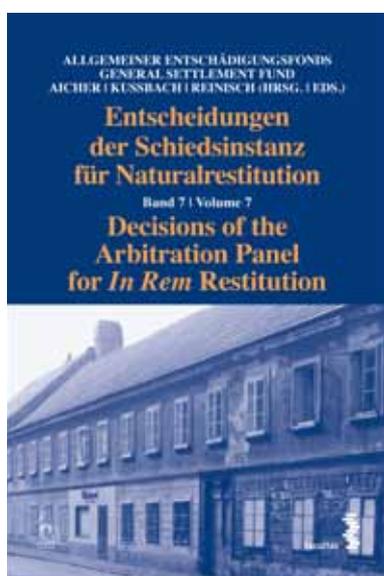
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Volume 7 | 2017
Decisions of the
Arbitration Panel for
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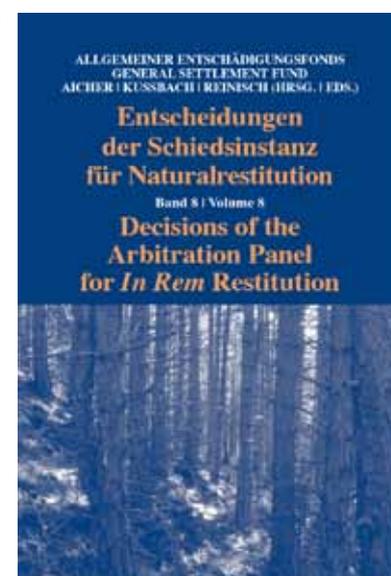
ISBN 978-3-7089-1220-2
EUR 82,- (A) | EUR 79,80 (D)



Volume 8 | coming soon
Decisions of the
Arbitration Panel for
In Rem Restitution

facultas.wuv/Hart Publishing
Hardcover, 650 pages

ISBN 978-3-7089-1625-5
EUR 82,- (A) | EUR 79,80 (D)



Procedural statistics of the Arbitration Panel

Tables

The applications submitted to the Arbitration Panel which are mentioned below include all individual applications of applicants. In some cases several individual applications may refer to the same property (real estate, Jewish communal property).

Applications (as at 4 April 2019)	
total number of applications¹	2,307
substantive applications ²	644
of which applications for reopening ³	41
of which withdrawn applications	33
formal applications ⁴	1,434
of which applications for reopening ³	1
of which withdrawn applications	39
applications currently being processed	0
Substantive applications currently being processed	0
of which applications for reopening currently being processed	0
Formal applications currently being processed	0
of which formal applications with requests for improvements pending ⁵	0
decided applications	2,006
Substantive applications decided	611
Substantive applications recommended ⁶	140
of which applications for reopening recommended ⁷	17
Substantive applications rejected ⁸	324
of which applications for reopening rejected ⁹	22
Substantive applications dismissed ¹⁰	147
of which applications for reopening dismissed ¹¹	2
Formal applications decided	1,395
applications withdrawn	72
applications concluded without decision¹²	229

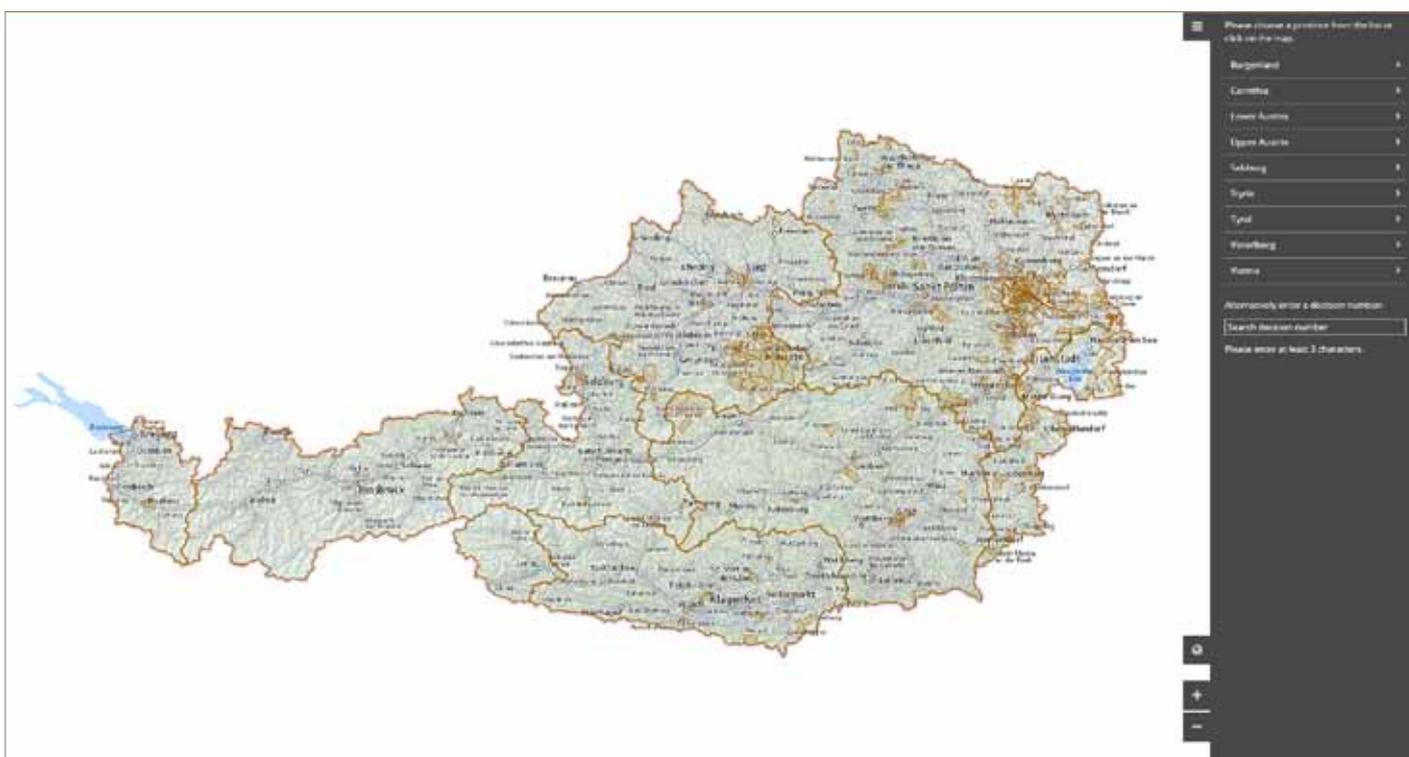
1 These applications were filed by 2,239 applicants. The number of applications may still be subject to fluctuation despite the expiry of the deadlines because, among other reasons, it also includes applications filed after the deadline, and applicants can file more than one application. Since October 2016, the applications to have proceedings reopened have been counted as applications in their own right and have been integrated into the procedural statistics as such.

2 Upon first inspection, these applications fulfill the fundamental requirements, particularly public ownership on the cut off day, 17 January 2001 and ownership at the time of the seizure between 1938 and 1945. They require more detailed historical and legal (i.e. substantive) processing.

3 Since 2007, Sec. 21a of the Rules of Procedure of the Arbitration Panel has, under certain circumstances, provided for the reopening of proceedings that have already been concluded, within a period of two years after the decision has been issued. Proceedings are then reopened if an application for reopening is submitted with evidence that was previously inaccessible and warrants the assumption that it would have led to a different outcome in the previous proceedings. If the Arbitration Panel considers there to be new evidence the proceedings are reopened. In these cases, the previous decision is either repealed or amended/supplemented. If the requirements for a reopening are not met, the Arbitration Panel issues a decision rejecting the application for the reopening of proceedings. Applications for the reopening of proceedings can only pertain to applications that have already been processed. So far, applications for reopening have only been filed in relation to decisions on substantive applications.

SIGIS

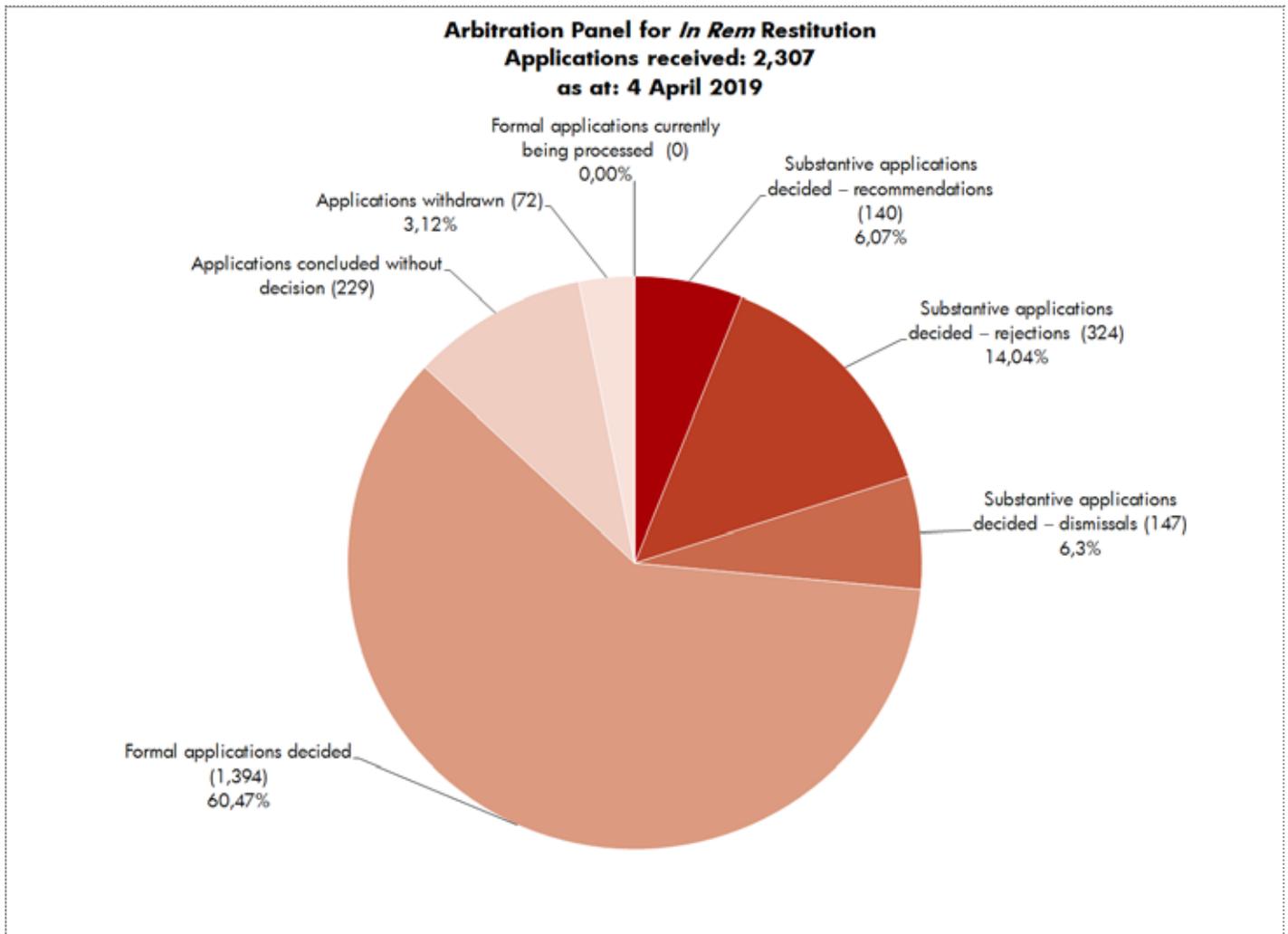
SIGIS stands for *Schiedsinstanz-Geoinformationssystem* (Arbitration Panel Geo-Information System). It enables the decisions of the Arbitration Panel for *In Rem* Restitution to be visualized on a map.

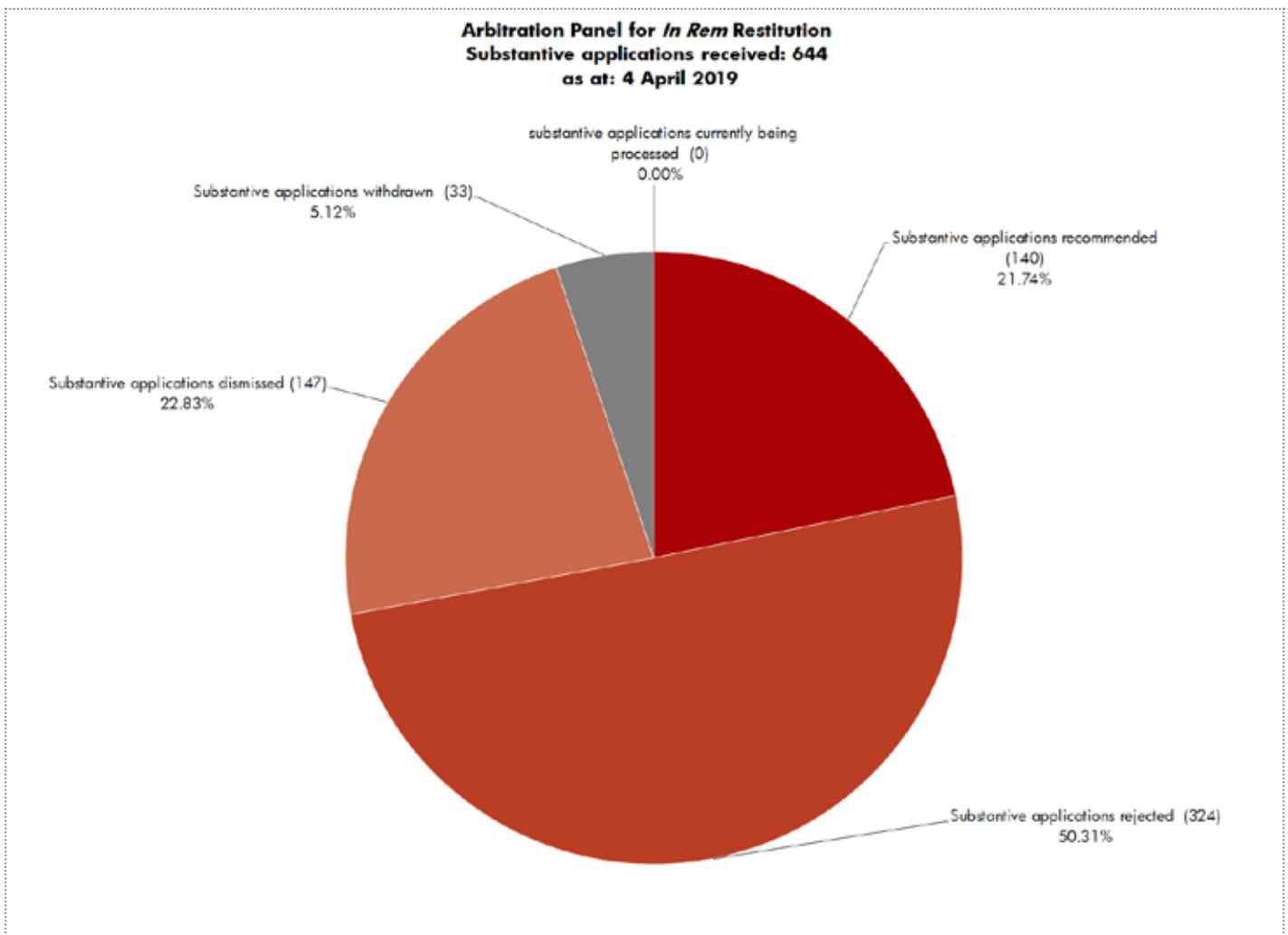


<https://www.entschaedigungsfonds.org/map/#!/map/si/en>

- 4 Formal applications do not fulfill the fundamental requirements for in rem restitution upon initial inspection, particularly public ownership on the cut off day, 17 January 2001 and ownership at the time of the seizure between 1938 and 1945. These also include applications which could only be granted if they had been filed by Jewish communal organizations; they were, however, filed by individuals on their own behalf.
- 5 During the processing of these formal applications the applicants were requested to provide further information in writing; the replies are still outstanding.
- 6 Regarding these 140 applications 61 decisions were issued.
- 7 These 17 applications for reopening (two of which were reopened ex officio) resulted in two positive decisions on reopening, whereby the initial decision in each case was repealed, and two (supplementary) recommendations.
- 8 Regarding these 324 applications 136 decisions were issued. The two rejections that were repealed by reopening, no. 4/2004 and 46/2006, are included in this figure.
- 9 These 22 applications for reopening resulted in 11 decisions rejected the applications for reopening.
- 10 Regarding these 147 applications 24 decisions were issued.
- 11 Regarding these two applications one decision was issued.
- 12 The processing of these applications was suspended by the Arbitration Panel due to flaws in the applications (missing powers-of-attorney, no eligible applicants known).

Procedural statistics of the Arbitration Panel





FUND FOR THE RESTORATION OF THE JEWISH CEMETERIES IN AUSTRIA

The Jewish Cemeteries in Austria

Jewish cemeteries are special places of remembrance and many of them are of particular cultural and historical value. During the National Socialist era, countless graves were destroyed, the names of the dead extinguished. For many decades after the expulsion of the Jewish communities and the murder of their members, the Jewish cemeteries in Austria were left to fall to ruin. It is only in places where Jewish communities were re-established after 1945 that the cemeteries are still used today – all others are closed.

Starting in 2001, systematic records were made of all of the Jewish cemeteries in Austria. The Jewish Community Vienna commissioned the historian Tina Walzer to catalogue the cemeteries in a “White paper on the condition of the Jewish cemeteries in Austria and necessary renovation work”, which was updated in 2008.

Additionally, the Federal Office for the Protection of Monuments has made a record of cemeteries and examined whether they are worthy of being heritage sites. The Sec. 2a-Ordinance of the Federal Office for the Protection of Monuments (which does not, however, list cemeteries which are privately owned) lists over 61 Jewish cemeteries.

The cemeteries contain between 10 and several hundred graves, the headstones date from the 15th century into the 20th century.

Establishment of the Fund for the Restoration of the Jewish Cemeteries in Austria

In 2001, the Austrian Federal Government and the Government of the United States of America signed the “Washington Agreement”. This agreement on the settlement of open questions of compensation and restitution for victims of National Socialism also stipulated Austria’s obligation under international law to restore and maintain known and unknown Jewish cemeteries in Austria.

In December 2010, the enactment of the “Federal Law on the Establishment of a Fund for the Restoration of the Jewish Cemeteries in Austria” (Federal Law Gazette I no. 99/2010) constituted a vital step towards the domestic implementation of this obligation.

Over a period of 20 years, more than 60 Jewish cemeteries throughout Austria will be safeguarded from ruin with the assistance of the Fund for the Restoration of the Jewish Cemeteries in Austria.

The organs of the Fund

The Fund is established with the National Council and its administration was transferred to the National Fund of the Republic of Austria for Victims of National Socialism. The highest body of the National Fund, the Board of Trustees, now also presides over the Fund for the Restoration of the Jewish Cemeteries in Austria. The Board of Trustees decides on the applications for financial assistance on the basis of guidelines (accessible at <https://www.friedhofsfonds.org/guidelines.html>).

An Advisory Board, in which the Jewish Community Vienna, the Republic of Austria and the provinces, cities and municipalities are represented, pronounces recommendations for the decisions of the Board of Trustees.

The distribution of the money

It is estimated that, in total, 40 million Euros will be required for the restoration of all Jewish cemeteries.

Over a period of 20 years, the Federation will annually allocate an amount of one million Euros to the Fund.

The Law stipulates that, in addition to the funding from the Federation, the owners of the Jewish cemeteries will provide funding in the same amount so that the renovation work is financed by the Federation and the cemetery owners in equal shares. Moreover, the Fund is also open to receiving third-party funds and financial contributions from the provinces can either be paid into the Fund or directly to a restoration project.

Funding for the restoration of a cemetery is only granted under the condition that the subsequent maintenance and upkeep is ensured in the long term: the payments from the Fund are therefore only made if the local municipality undertakes to continue to maintain the respective cemetery for a period of at least 20 years.

The payments from the Fund are always rendered as needed and in relation to the progress of the project.



Current Projects

In 2017/18 it was possible to complete the restoration of two cemeteries in Burgenland, Lackenbach and Kobersdorf. These cemeteries will be handed over to the respective municipalities, who will assume responsibility for their upkeep for the next 20 years.

The Fund's Board of Trustees approved subsidies of 1.7 million Euros in the first half of 2018.

An additional sub-project on the Jewish cemetery in Graz was also granted funding of 540,000 Euros. It will include restoring more headstones, the boundary wall, the ceremonial hall and the gatekeeper's lodge.

At the cemeteries in Baden (approx. 850,000 Euros) and Klosterneuburg (approx. 330,000 Euros) walls, gates and the guardhouse will be restored, pruning and clearing works carried out and headstones restored.

In addition the Board of Trustees also approved the release of approx. 5,000 Euros for a landscaping sub-project in Götttschach/Ybbs.

In the second half of 2018 the Board of Trustees approved subsidies totaling approx. 1,850,000 Euros.

At the Jewish cemetery in Hohenems further headstones were restored at a cost of around 17,000 Euros.

In Götttsbach (Lower Austria) work was commenced on the Taharahaus (approx. 130,000 Euros).

Funding was approved (approx. 400,000 Euros) for the Jewish cemetery in Währing where archaeological excavations were carried out during the restoration and the walling was restored.

In total approx. 1,300,000 Euros was approved for pruning and clearing work on ca. 500 hectares of land at Gate 1 and Gate 4 of the Central Cemetery. This involved clearing large areas of vegetation.

Table of funding released for Jewish cemeteries that have been or are currently being restored (amounts rounded off).

Stockerau (restoration completed 2016)	€ 100,000
Deutschkreutz (restoration completed 2016)	€ 60,000
Kobersdorf (restoration completed 2017/18)	€ 500,000
Lackenbach (restoration completed 2017/18)	€ 350,000
Götttsbach (restoration since 2016)	€ 160,000
Baden (restoration since 2017)	€ 1,100,000
Klosterneuburg (restoration since 2017)	€ 440,000
Graz (restoration ongoing since 2014)	€ 990,000
Hohenems (restoration since 2014)	€ 190,000
Währing (restoration since 2017)	€ 690,000
Vienna Central Cemetery gate 1 (restoration since 2014)	€ 1,060,000
Vienna Central Cemetery gate 4 (restoration since 2014)	€ 460,000
Total	€ 6,100,000

Detailed information about the projects can be found on the website of the Fund for the Restoration of the Jewish Cemeteries in Austria at www.friedhofsfonds.org/restoration.



<https://www.friedhofsfonds.org/home.html>



Jewish Cemetery Kobersdorf after restoration 2018.



Jewish Cemetery Lackenbach after restoration 2018.

APPENDIX

Continued progress in the restoration of the Jewish cemeteries in Austria

Press release, 22 November 2018

With the support of the Fund for the Restoration of the Jewish Cemeteries in Austria the renovation of two cemeteries in Burgenland was able to be successfully completed to coincide with the Year of Remembrance 2018: the cemeteries Lackenbach and Kobersdorf were restored in keeping with monument protection regulations. Prof. Wehdorn acted on behalf of the Fund as the specialist supervisor and the completed work on the cemeteries was approved by the Federal Office for the Protection of Monuments in autumn 2018. The cemeteries will be maintained by the local municipalities from 1 January 2019 for a period of 20 years.

“The restoration of the cemetery in Lackenbach, which has now reached completion, is an important contribution to the preservation of the Jewish cemeteries in Austria. I also see this step as a clear sign of responsible and dignified remembrance, which we have promised to Austria’s Jewish community,” stated National Council President Wolfgang Sobotka, Chairperson of the Fund’s Board of Trustees.

The restoration of the Jewish cemeteries in Austria will be subsidized with federal funds to the extent of one million Euros every year until 2030 in accordance with the relevant statutory provisions. The cost of the restorations are equally borne by the government and the cemetery owner; the latter is granted a period of five years within which to meet its financial obligation. Applications for funding must be submitted by the cemetery owner; they are decided on by the Board of Trustees of the Fund for the Restoration of the Jewish Cemeteries in Austria.

In recent years the Board of Trustees has awarded funding in the amount of ca. 4.3 million Euros. In 2018, over the course of two sessions the Fund’s Board of Trustees awarded federal funding totaling approx. 3.6 million Euros.

Hannah Lessing, Secretary General of the Fund, welcomed the successful outcome of the funded projects. “Jewish cemeteries are places of remembrance. I am delighted that we have been able to work together so fruitfully to preserve a piece of our shared history.”

Work is currently ongoing at a number of cemeteries in Austria – in Baden, Götttsbach/Ybbs, Graz, Hohenems, Klosterneuburg, Währing in Vienna and at the Vienna Central Cemetery. While the work in Hohenems is expected to be completed in 2019, the larger cemeteries in Graz and Baden will take longer to restore. In particular, the Viennese cemeteries will require support and funding over a longer period of time: for the cemetery in Währing alone, over 700,000 Euros have already been awarded for the initial stages of the renovation and measures to archeologically secure the site. At gates 1 and 4 of the Central Cemetery, where there is an area totaling 50 hectares that must be overseen, comprehensive work on pruning and clearing has been started.

Eli Rosen, President of the Jewish Communities of Graz and Baden and responsible for the Jewish cemeteries since autumn 2018 sees what has been achieved in a positive light: “The Jewish Community Vienna has been following the ongoing efforts of the Cemeteries Fund to restore Jewish last places of rest in Austria with immense satisfaction. The establishment of the Fund brought about the long-needed creation of the necessary framework to preserve the vitally important sites of Jewish heritage in Austria.”

The website of the Fund for the Restoration of the Jewish Cemeteries in Austria contains information of all of the renovation projects.

Enquiries

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The Austrian National Library restitutes 2,255 books to the National Fund of the Republic of Austria

Press release, 18 December 2018

The Austrian National Library today restituted 2,255 books – which it had acquired unlawfully during the Nazi period and are now considered “heirless” – to the National Fund of the Republic of Austria for Victims of National Socialism, in accordance with the provisions of the Art Restitution Act. It subsequently repurchased the books for 75,000 euros.

During a remembrance ceremony held in the oratory of the Austrian National Library the Chairman of the National Fund’s Board of Trustees, National Council President Wolfgang Sobotka, the General Director of the Austrian National Library, Johanna Rachinger, and the Secretary General of the National Fund, Hannah Lessing, stressed the importance of this form of restitution. It paved the way for other museums and libraries to do the same, due to the inexpediency of a public auction of the “heirless” books.

Johanna Rachinger was keen to stress that, “The restitution of the books looted during the Nazi era is not only a legal obligation but also a moral one. I’m glad, therefore, that with today’s restitution and simultaneous repurchase of 2,255 heirless books we have been able to take a further significant step towards fully addressing this injustice.”

Hannah Lessing recalled the 1998 Washington Principles relating to Nazi-confiscated artworks: “Heirless” books had been a subject of discussion at the international looted art conference held in Berlin in November, she continued. “I have experienced myself the joy of having a book returned that was looted from family members 80 years ago. Despite intensive research efforts, the books being assigned to the National Fund from the holdings of the Austrian National Library today are unable to be returned to the heirs of their former owners; but it is nice that they will now have a permanent home in the library.”

“Nazism and the so-called ‘Anschluss’ of Austria in March 1938 signaled the onset of one of the darkest chapters of Austrian history. For decades, Austria was anchored in the collective memory as the ‘first victim’ of the Nazi regime and was far too reluctant to examine its role as a perpetrator of Nazi crimes. The work of the National Fund to put right these injustices – albeit very belatedly – is an exceptional achievement”, stated National Council President Wolfgang Sobotka.

For the most part the collection consisted of judaica and hebraica. Some of the books originated from holdings that had been destined for the Nazi planned but unrealized “Central Library of the Universities” and the “Führer’s Library” in Linz; others from holdings that had been accumulated and stored at a synagogue in Trieste, coming later into the possession of the National Library.

The Provenance Report produced by the National Library in December 2003 listed around 52,000 individual items as potential “Nazi loot”. According to the Library, approx. 49,000 of these were returned to their previous owners or their heirs. The first batch of around 8,300 “heirless” books that could not be restituted were assigned to the National Fund and simultaneously repurchased for the Library in 2010.

The Art Restitution Act gave the National Fund a mandate to monetize “heirless” publicly-owned art objects to benefit the victims of National Socialism in 1998/99. It stipulated that all avenues must be exhausted in the attempt to trace and contact potential restitution beneficiaries before the items are sold. In order to meet this requirement the National Fund operates an art database (www.artrestitution.at) to support the art restitution bodies of the Federation and the City of Vienna in their search for heirs. Objects whose owners can no longer be ascertained are assigned to the National Fund to be sold. The National Fund uses the proceeds from such sales to benefit the victims of National Socialism.

Enquiries

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Cooperation with Compass Publishers brings Central Register to Findbuch User

Announcement, 5 April 2019

Thanks to a cooperation with Compass Publishers Limited registered Findbuch users can search the *Zentralblatt für die Eintragungen in das österreichische Handelsregister* („Central register for entries in the Austrian Commercial Register“) between 1933 and 1955 free of charge.

The Central Register contains detailed information on businesses and individuals for the period between 1933 and 1955 and allows users to find information on the establishment of companies, appointments of CEOs, the granting of powers of representation, legal changes to companies under commercial law, bankruptcy and judicial composition proceedings and corporate liquidations as well as on legal changes following deaths.

The period 1933–1955 covers the major economic and social changes before, during and after the Nazi regime in Austria. The Nazi “seizure of power” in Germany in 1933 led to expulsions and waves of refugees escaping from German Reich territory resulting in the establishment of new businesses in Austria. Between 1938 and 1945, thousands of Jewish businesses were liquidated or „aryanized“ as „Jewish“ companies and the economy in Austria changed profoundly. With the restitution laws passed after the war, these changes were partially reversed, although by 1955 most of the proceedings under the Austrian Restitution Acts had been completed.

For research on persons and companies outside the period 1933-1955, the ZEDHIA archive offers digitized historical sources with the personal directories contained in the publication series „*Der Compass*“ or the „*Personen-Compass*“, which makes it possible to search for people beyond Austria in the countries of (the former) Austria-Hungary. This and other information on the economy, finance, public authorities etc. can be used on the basis of paid subscriptions by both private individuals and institutions.

Approx. 215 million US dollars paid out to around 25,000 beneficiaries

Announcement, 23 May 2019

On 30 April 2019 the period for collecting payments from the General Settlement Fund for Victims of National Socialism ended.

By early May the Fund had sent 24,706 beneficiaries closing payment offers, as a result of which it was able to make 22,281 payments. By this time around 53.4 million US dollars had been disbursed in the form of closing payments; by early May the General Settlement had made payments totaling 214.9 million US dollars.

Around 1,200 applications could not be paid out in full, which corresponds to a sum of approx. 1.9 million US dollars. These applications have now fallen under the statute of limitations. The General Settlement Fund Law stipulates that the remaining money be assigned to the National Fund. Due to the fact that the 210 million US dollar with which the Fund was originally endowed was fully disbursed and that the government provided an additional approx. 4.5 million US dollars on the basis of the amendment to the law (Federal Law Gazette I 54/2009), this provision is no longer applicable.

Once all 20,702 applications for financial compensation received by the General Settlement Fund had been ruled on by 2012, the competent body in this matter, the Claims Committee, determined that all decisions that could not be served by 31 December 2013 would be served by means of deposit with the Office of the Secretary General. Around 500 decisions were deposited on this basis on 31 December 2013.

An amendment to the General Settlement Fund Law (Federal Law Gazette I 9/2013) set out the limitation period on payments from the General Settlement Fund. According to this amendment, entitled beneficiaries could claim the amounts awarded within a period of five years after the service of the decision, no earlier, however, than 31 December 2017. The majority of applications that were not paid out in full fell under the statute of limitations on 31 December 2017: The final limitation period expired on 30 April 2019.

Besides providing information about the expiration of the claims the General Settlement Fund also intensified its efforts to trace people who were entitled to receive the payments. The applicants, or those who were eligible to enter into the proceedings in their place, were contacted in writing and by telephone and informed that the period for collecting their payments would soon lapse. As a result of these and other efforts, such as making announcements and undertaking other publicity measures, between deposit of the decisions that could not be served in late 2013 and the expiration of the last date for collecting the payments on 30 April 2019 a total of around 4.1 million US dollars could be disbursed to applicants or persons eligible to enter the proceedings in their place.

Year	Amount disbursed
2014	774,851.30 US dollars
2015	789,836.45 US dollars
2016	690,952.59 US dollars
2017	1,010,838.27 US dollars
2018	578,742.41 US dollars
2019	291,651.15 US dollars

It now remains for the General Settlement Fund to publish the Claims Committee's Final Report in bilingual (German and English) book form. The Fund shall also continue to function as the apparatus of the Arbitration Panel, which submitted its Final Report in 2018 and still has a number of proceedings with open deadlines for reopening applications. Moreover, the databases, files and the materials and documents created and collected since 2001 within the scope of the Fund's assistance provided to the Claims Committee and the Arbitration Panel must be secured and documented.

Administrative preparations are now underway to wind down the General Settlement Fund. These include terminating contracts entered into by the Fund and the final account for the Fund's means. Once the General Settlement Fund has completed its tasks it will be deemed dissolved.

APPLICANT STATISTICS BY COUNTRY OF RESIDENCE





Country of residence	Compensation of assets	<i>In rem</i> restitution	Gesture payment	Compensation for seized tenancy rights
USA	6,795	822	11,073	8,610
Austria	3,802	225	8,450	3,810
Israel	3,160	254	4,261	3,477
Great Britain	2,180	211	3,315	2,454
Australia	1,178	114	1,544	1,246
Canada	554	52	757	601
Argentina	535	32	460	367
France	406	44	511	411
Germany	349	49	346	255
Switzerland	229	21	318	235
Serbia	33	67	14	493
Sweden	137	17	200	153
Brazil	119	19	188	139
Belgium	114	11	172	129
Uruguay	91	4	107	85
Hungary	118	8	68	67
Czech Republic	123	4	82	48
Chile	64	3	104	74
Poland	33	2	109	5

* This table shows in which countries at least 100 applicants to the National Fund or the General Settlement Fund are/were resident. Persons who have filed several applications in different proceedings are, accordingly, listed several times. Persons whose applications had to be rejected are also included.

