

ANNUAL REPORT
2007

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

GENERAL
SETTLEMENT FUND
FOR VICTIMS OF NATIONAL SOCIALISM

LEAVING A MARK IN THE BOOK OF TIME

This business report on the activities of the National Fund of the Republic of Austria and of the General Settlement Fund for Victims of National Socialism appears in the form of a book.

Every book is in some way also a symbol of the relentless passing of time: It has a beginning and an end, and in between the individual pages mark the progression through time. This applies to the development of a story just as it applies to the portrayal of the course of business activities.

In this symbolic portrayal of a temporal sequence, which also constitutes a report of business activities, we have included a mark that counters the flow of progression and forgetting with a constant element of remembrance.

A simple bookmark.

With this, through a wordless symbolic gesture, much is said: The task of the National Fund of the Republic of Austria and the General Settlement Fund for Victims of National Socialism is to leave a mark in the book of time, through their work in the fields of victim recognition and compensation payment.

Thus, the symbolic bookmark creates not only an element of remembrance but at the same time also a bridge through time. Because “never forgetting” and “not suppressing” the events under National Socialism is a task which lies at the core of the work of the National Fund of the Republic of Austria and the General Settlement Fund for Victims of National Socialism – in the past, the present and the future.

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

GENERAL
SETTLEMENT FUND
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FOREWORD



President of the National Council
Mag.^a Barbara Prammer

A handwritten signature in black ink, which appears to read 'B. Prammer'. The signature is written in a cursive, flowing style.

The establishment of the National Fund of the Republic of Austria for Victims of National Socialism in 1995 on the occasion of the 50th anniversary of the foundation of the Second Republic was the expression of a shift in Austria's attitude towards dealing with its recent past.

A development had preceded this step, which had required decades. For a long time after the war, the Second Republic had avoided an open and critical confrontation with the injustices and crimes of that time. For decades Austria clung to the "victim's theory", based on a simplified interpretation of the Moscow Declaration of 1943, a widespread pattern of argument, effective in terms of both foreign and domestic policy. This one-dimensional perspective only started to crack in the mid 1980s as a result of increased discussion in the broader Austrian society about Austria's National Socialist past. The Federal Chancellor at the time, Dr. Franz Vranitzky, laid an important symbolic foundation stone when on 8th July 1991 in the National Council he urged the "shared responsibility for the suffering which not Austria as the state but citizens of this country have inflicted upon other people and peoples".

The establishment of the National Fund in 1995 took place in the spirit of this reprimand. Since then, around 30,000 people have been recognized as victims of National Socialism in the meaning of the National Fund Law by means of a gesture payment. Not least due to the comprehensive research of the Historical Commission, established in 1998, do we know today that although numerous statutory measures were enacted after 1945 for the restitution and compensation of material losses of the victims of National Socialism, they were however incomplete and unsatisfactory, as was their implementation.

The General Settlement Fund was called into being with the Washington Agreement of 2001. Its aim was “a comprehensive resolution of open questions of compensation of victims of National Socialism for losses and damages as a result of or in connection with events having occurred on the present day Republic of Austria during the National Socialist era”. In the same year, the introduction of the so-called compensation for withdrawn tenancy rights enabled a lump sum payment for withdrawn tenancy rights, household effects and personal valuables to over 20,000 people.

In 2006, when, as the president of the National Council, I assumed the Chairmanship of the Board of Trustees of the National Fund and the of General Settlement Fund, as well as of the Committee of the National Fund, the implementation of these measures was in full swing. Even after more than ten years of the National Fund’s operation, there were still landmark decisions to be made concerning matters of victim recognition in the meaning of the National Fund Law. Particularly the recognition of children, who suffered the consequences of National Socialist persecution in a very unique way, was a very important concern to me personally. The processing of around 20,000 applications, containing an estimated 120,000 individual claims, which had been received by the General Settlement Fund progressed well. It was the task of a young team of committed historians and lawyers to research and evaluate all losses suffered by the applicants or their predecessors during the National Socialist era as well as compensatory measures effected since 1945. This data was then to be prepared for the two decision-making bodies, the Claims Committee and the Arbitration Panel for *In rem* Restitution. Further to this, the so-called advance payments were underway.

The annual business report for 2007 of the National Fund and the General Settlement Fund appears for the first time as a bound edition. This step has been taken to provide for the growing need for information with respect to questions about the more recent compensation and restitution measures carried out by the General Settlement Fund as well as to questions about the sponsored projects and other tasks of the National Fund. In addition to the various agendas of the National Fund, the current business report also provides information on procedures at the General Settlement Fund. Besides the payments still to be made, the National Fund and the General Settlement Fund also continue to make an important contribution to social politics: to keep the memory of the suffering and fate of the victims alive and to promote a critical debate regarding the past. It is only when we are able to deal openly with our own history that we are able to consciously shape Austria’s future as a democracy.

The members of the Board of Trustees of the National Fund and General Settlement Fund, of the National Fund Committee, the Claims Committee of the General Settlement Fund and the Arbitration Panel for *In rem* Restitution are to be thanked here, as are the Secretary General and the employees of the Funds for their work, which is as difficult as it is responsible.

FOREWORD



Secretary General
Mag.ª Hannah M. Lessing

A handwritten signature in black ink, which appears to read 'Hannah M. Lessing'. The signature is fluid and cursive, with a prominent flourish at the end.

When the National Fund of the Republic of Austria for Victims of National Socialism commenced its activities in 1995, with but a few employees, there was no telling the size of the tasks it would face – regarding both the volume of its work and with respect to its socio-political role.

In its almost 13 years of existence, the National Fund has become a part of Austria's history of compensation, with a comprehensive database and manifold contacts to national and international people and organizations who deal with processing the National Socialist era and matters of restitution. A succession of additional tasks has since been transferred to the Fund.

In 2001, the General Settlement Fund was established to resolve open questions of compensation. The National Fund and the General Settlement Fund are connected in their organization through shared organs; the General Settlement Fund is administratively supported by the National Fund and they work together in the same offices.

We have taken the commemorative year 2008 as an opportunity to publish the business report for 2007 for the first time as a bound edition and for both funds. This is to offer the wider public an insight into the complex subject of current Austrian compensation and restitution politics as well as an overview of the achievements of both funds.

One thing, however, distinguishes this business report from other company reviews and other annual statements of account: Behind the numbers lie people and their fates – with which we, as employees of the National Fund and the General Settlement Fund, are confronted on a daily basis and of which one should be aware of when reading this business report. In this respect, it is also dedicated to remembrance and reflection; with this in mind, the attached bookmark is also to serve the reader as a symbol “against forgetting”.

Over the years, the employees of both funds and I have come to know many survivors and their fates personally. During my travels as Secretary General I have also often had the opportunity to personally attend to people living in exile. This contact has enabled a strong foundation of trust to develop between many survivors and the employees of both funds. The life stories of these people, with which we have been able to become acquainted, are as different and as varied as the people themselves – they are touching, often very moving stories. We were to repeatedly experience that that which for many Austrians already belongs to history and the past is still for many people a daily torment – the memories and the pain which do not want to fade and are today as vivid as ever. Time does not heal all wounds.

From the outset, our work was a race against time. The survivors are advanced in years, their voices as contemporary witnesses are growing increasingly fainter. The generations of our children and grandchildren will no longer have the opportunity to speak to these people in person. Our generation must therefore undertake to also provide the victims with a voice in the future. It is of particular importance to the National Fund to support projects that fight against forgetting – be it through contemporary witnesses appearing in schools, through scientific work or commemoration and remembrance projects. The experiences of those who have witnessed the mechanisms of National Socialist rule themselves must be documented in order to safeguard them for the collective memory. Under this portent, the National Fund is a center of authority for general questions regarding National Socialism in Austria but also for specific questions regarding compensation.

In this way, our work, as much as it is related to the past, is in equal measure related to the present and the future.

The hope of “never forgetting”, which was so urgently called for after the war when the terrible experiences were still fresh in the memory, can today only be realized with difficulty – the instinct of humanity to suppress traumatic events is too strong. Despite this, we cannot cease to continue to take active steps “against forgetting”. The conveyance of historical consciousness – above all to young people – forms a part of the educational mission of the National Fund. While it is succeeding in building a bridge to the present in which we are living, we can sharpen the sensibility for social development, for the current tendency towards exclusion and stigmatization.

The business report 2007 should therefore also be read in view of the socio-political role of the work of the National Fund and General Settlement Fund which lies behind the numbers and the facts.

MEMENTO

“The impressions and traces of my early experiences, and the constant awareness that I have not only lost so many relatives but also an important part of my identity remain indelible. The injustice of being segregated as an inferior being and the withdrawal of the right to defend yourself is still hard to bear.”

Applicant of the National Fund of the Republic of Austria for Victims of National Socialism, born 1924



Sch. Nr. 35899
trägt seine Führer
Konzentrationslager Dachau
20.1.44
Josef
7.02
Schonuhr zu
Lagerführer
Hauptsturmführer



PROFILE

The National Fund of the Republic of Austria for Victims of National Socialism was called into being with the Federal Law *BGBI* ("Federal Law Gazette") no. 432/1995 in 1995. Its task was to make so called gesture payments, as quickly and unbureaucratically as possible, to persons who had been victims of National Socialism in Austria between 1938 and 1945. Over the years, the National Fund evolved into a central point of contact for survivors of National Socialist injustice and as such was entrusted with further responsibilities. In 2001, the General Settlement Fund for Victims of National Socialism was established on the basis of the Washington Agreement in order to enable a comprehensive resolution to open questions of compensation for victims of National Socialism on the territory of the present day Republic of Austria.

Both institutions pursue a common goal: The recognition of Austria's special responsibility towards the victims of the National Socialist regime.

The common organs of the National Fund and the General Settlement Fund are comprised of the Board of Trustees and the Secretary General. The Committee decides on applications to the National Fund, and applications to the General Settlement Fund are decided on by the independent Claims Committee. The Board of Trustees is comprised of the three Presidents of the National Council, the Federal Chancellor, the Vice-Chancellor, the Federal Minister for European and International Affairs, the Federal Minister for Social Affairs and Consumer Protection, the Federal Minister for Finance and the Federal Minister for Education, Arts and Culture. Twelve additional members, who are selected from the Main Committee of the National Council, complete the Board of Trustees. On the cut off day of this review, 31st December 2007, National Council President Mag.^a Barbara Prammer held the chairmanship of both the Board of Trustees and the National Fund Committee; she has taken responsibility for both functions since October 2006.

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

The National Fund Law is fundamentally directed at surviving victims of National Socialist dictatorship in Austria, to whom a symbolic gesture payment of 5,087.10 Euro (70,000 Schilling) is awarded. The aim of this gesture payment is to express Austria's special responsibility for injustices suffered. Through a broad definition of the term victim, the National Fund also takes into consideration for the first time persons who in the past had as yet received no recognition.

There is no deadline for filing applications. As the large majority of applicants are somewhat older, the rapid and unbureaucratic processing of applications is of highest priority. Within the scope of these proceedings, the National Fund also carries out a considerable amount of research, as a large number of the documents and records were destroyed in the course of the persecution and flight of the victims. In addition to the payment of this symbolic amount, the National Fund also has the option of making second and third payments in cases of social need.

Between 1995 and the end of 2007, around 30,000 persons were recognized as victims of National Socialism. In total, the National Fund has made payments amounting to around 153 million Euro; the payments were made to applicants in over 75 countries. In 2007, 122 payments were made. This constitutes a total of 620,626.20 Euro. The number of applications in the past year for second or third payments due to social need increased and resulted in payments amounting to 86,480.70 Euro.

In 2001, on the basis of the Washington Agreement, the National Fund was entrusted with the implementation of compensation for withdrawn tenancy rights. 150 million US Dollars were made available for this; applications could be submitted until 30th June 2004. So far over 20,000 people have been compensated for tenancy rights, household effects and personal valuables which had been seized from them or their parents under National Socialist rule in Austria. These people received a lump sum of 7,630 Euro or 7,000 US Dollars per person. After the completion of the processing of applications, the remaining amount will be distributed among the entitled persons in the form of an additional payment of 1,000 Euro.

The National Fund makes further individual payments from the Hardship Compensation Fund, which was established in 1999, and from the funds that are transferred to it from the Nazi Persecutee Relief Fund.

From the outset, the National Fund has supported projects which benefit the victims of National Socialism, serve scientific research into National Socialism and the fates of its victims, remember National Socialist injustice or safeguard the memory of the victims. The focuses of the project sponsorship are, on the one hand, individual assistance for survivors and on the other hand, the fulfillment of an educational mission. So far over 700 projects have been sponsored.

Since 1998, the disposition of looted art which has remained heirless is also part of the agenda of the National Fund. Before the artworks are disposed of, the National Fund provides support in the search for the legal owners of the seized artworks by means of a comprehensive internet database of art objects.

In addition to the mentioned tasks, the National Fund is also active in international educational policy within the scope of the Task Force for International Cooperation on Holocaust Education, Remembrance and Research.

THE GENERAL SETTLEMENT FUND FOR VICTIMS OF NATIONAL SOCIALISM

On 17th January 2001, the Republic of Austria, the USA and the Jewish victims' organizations signed the Washington Agreement (Federal Law Gazette III no. 121/2001) which served to form the basis for the establishment of the General Settlement Fund for Victims of National Socialism. The aim of this fund is to recognize losses of assets which occurred through *ex gratia* payments in connection with National Socialism on the territory of present day Republic of Austria. The categories of losses include, for example, real estate, bank accounts and securities, companies or movable assets. Within the scope of the General Settlement Fund Law (Federal Law Gazette I no. 12/2001), those material losses which had not, or only inadequately, been compensated by prior compensation or restitution measures were to be taken into account.

The General Settlement Fund has at its disposal 210 million US Dollars, which are distributed among the applicants who have been directly subject to persecution or are the heirs of such people. These people had the opportunity to submit applications to the General Settlement Fund up until 28th May 2003. After the expiry of the application deadline, the Claims Committee of the General Settlement Fund decides on all applications and distributes the amount at its disposal to the applicants proportionally in accordance with the material losses suffered.

In 2007, over a third of the General Settlement Fund's designated sum has been disbursed. This corresponds to a total amount of around 76 million US Dollars which was distributed among 9,000 applicants. Around 70,000 documents were researched by the employees of the General Settlement Fund to assist in the assignment of these monies. These documents were assigned to the relevant applications, archived and used by the case-processing department for the examination of claims.

Besides the monetary payments, the General Settlement Fund Law also provides for the *in rem* restitution of property. Properties which were seized during the National Socialist regime and were publicly-owned on 17th January 2001 can be claimed back by the former owners or their heirs. Jewish communal organizations have the opportunity to apply for the restitution of seized assets of Jewish associations – religious objects or properties. Applications for *in rem* restitution could have been submitted to the General Settlement Fund until 31st December 2007. The Arbitration Panel for *In Rem* Restitution was established for the purpose of examining these applications. By the end of 2007 a total of 2,104 applications had been submitted to the Arbitration Panel, of which 531 have already been decided.

COMMUNICATION AND TRANSPARENCY

On the one hand, continuous information on the status of the application processing at the National Fund and General Settlement Fund is of importance to the applicants. On the other hand, the progress of the application processing and the way in which the consequences of the National Socialist era are being dealt with on an institutional level is time and again the focus of public attention.

The Board of Trustees and the Secretary General of both funds take these circumstances into account by means of a transparent and direct communication of the conduct of proceedings. The relevant channels of information were established at various levels and are directed, on the one hand, at the applicants and on the other hand at a national and international public.

The Secretary General directs the public relations of the National Fund and the General Settlement Fund. She represents the public face of the funds and outlines their work in annual lecture tours and visits to the countries in which many of the applicants live.

A separate communications department, which was established in December 2006, takes on the task of working directly with the applicants of the General Settlement Fund. On a daily basis, their telephone support provides information on organizational matters or forwards specific questions regarding the course of proceedings to the legal staff. Personal consultations are also available on request in the rooms of the General Settlement Fund.

Direct consultation with and care of applicants had already been integrated into the work of the National Fund and laid an important foundation of trust for people who, in the course of their applications, also told their stories of persecution.

Within the framework of its reports to the Board of Trustees, the Secretary General regularly provides information on the progress of proceedings and organizational requirements. In doing so the comprehensive expert knowledge of the employees of the National Fund and the General Settlement Fund in matters of victim recognition is often referred to.

The General Secretariat of both funds is often in demand from the media as an information point within its own field and with respect to the entire system of dealing with the consequences of the National Socialist era. For this reason, a Coordination Department for Media Service and Observation was established in 2005 for both the National Fund and General Settlement Fund. On the joint website www.nationalfonds.org, the wider public are able to learn in detail about the history, statutory bases and the procedural details at the National Fund and the General Settlement Fund. The weekly progress of the application processing at the General Settlement Fund can be viewed on the internet. Since 2008, the public have been offered an insight into the projects supported by the National Fund by means of an online database in which all projects sponsored by the National Fund since 1996 are recorded.

A JOURNEY THROUGH TIME

1995

On the 50th anniversary of the foundation of the Second Republic, the National Fund of the Republic of Austria for Victims of National Socialism is founded on the basis of the National Fund Law. The fund is directed at surviving victims of National Socialist dictatorship, to whom a symbolic gesture payment of 5,087.10 Euro (70,000 Schilling) is awarded.

1997

In November, by decision of the Austrian Parliament, the 5th May – the day of the liberation of the concentration camp Mauthausen – is designated as Day against Violence and Racism in memory of the victims of National Socialism.

1998

The Nazi Persecutee Relief Fund is established within the scope of the London Conference on Nazi Looted Gold. Through a parliamentary act, the National Fund is entrusted with the administration of the Austrian share of the Nazi Persecutee Relief Fund ("Looted Gold Fund"). This fund is for the benefit of Holocaust survivors and projects related to the National Socialist era.

On 1st October the Historical Commission of the Republic of Austria is established.

The Art Restitution Law comes into effect. The field of responsibility of the National Fund is extended to include the disposition of non-restitutable looted art under the ownership of the Republic of Austria.

2000

Austria participates in the Stockholm Holocaust Conference. Subsequent to this conference, the Task Force for International Cooperation on Holocaust Education, Remembrance and Research (ITF) is founded.

Within the scope of the Vienna Reconciliation Fund Conference in May, a continuation of the restitution negotiations after the conclusion of negotiations on compensation for forced laborers ("Reconciliation Fund") is decided. Secretary General Hannah M. Lessing is appointed to the Austrian restitution negotiations team under the direction of Ambassador Ernst Sucharipa.

The independent Historical Commission of the *Bank Austria Creditanstalt* commences investigations into the activities of the *Creditanstalt-Bankverein*, the *Länderbank* Vienna and the *Zentralsparkasse* of the Municipality Vienna during the National Socialist period (Austrian Bank Settlement). The National Fund informs its applicants about the initiative of the *Bank Austria Creditanstalt*.

2001

The Republic of Austria is accepted into the ITF; at the same time the coordination department for Austria is established within the National Fund.

The restitution negotiations are brought to a close with the Washington Agreement of 17th January 2001. On the basis of this agreement, the National Fund is entrusted with compensation of withdrawn tenancy rights, household effects and personal valuables (so-called tenancy rights compensation). A sum of 150 million US Dollars was made available for this purpose, which is disbursed in the form of lump sum payments of 7,630 Euro or 7,000 US Dollars per applicant. The deadline for submissions, which was to expire on 22 February 2002 is repeatedly extended and ends on 30th June 2004.

Furthermore, the establishment of the General Settlement Fund for Victims of National Socialism with 210 million US Dollars is resolved. The Federal Law on the Establishment of the General Settlement Fund comes into effect in May. This fund compensates victims of National Socialism by means of individual payments and *in rem* restitution of publicly owned assets for losses of assets incurred as a result of persecution.

The Secretary General of the National Fund, Hannah M. Lessing, is also appointed Secretary General of the General Settlement Fund.

In July, the opportunity to apply to the General Settlement Fund is announced worldwide by means of "Worldwide Notice".

In October and November the two independent decision-making bodies of the General Settlement Fund are established and release their rules of procedure: The Arbitration Panel taking responsibility for *in rem* restitution, the Claims Committee for the monetary payments of the General Settlement Fund.

The General Settlement Fund commences cooperation with public archives and offices of the Federation and provinces regarding making documents available for the examination of applications. Uniform standards for the processing of applications ("standardized procedure") are developed for the administration of expected mass proceedings for monetary compensation in 120,000 individual claims.

2002

The General Settlement Fund structures its own research system which serves for the investigation of conclusive documents for the uniform understanding of the claims of the applicants.

2003

On 27th January, the Historical Commission submits the documentation of the results of its research, comprising 53 individual reports and the final report, to their commissioners: the Federal Chancellor, the Vice-Chancellor and the Presidents of the National Council and of the Federal Council. By the end of 2004, all research results are published in 49 volumes as "Publications of the Austrian Historical Commission" by the publishing house Oldenbourg.

On 28th May, the application deadline for monetary payments from the General Settlement Fund expires. By this date, 20,641 applications have been received.

In October, the Arbitration Panel grants an application for restitution for the first time and recommends the competent Federal Minister to reconstitute a property in the first district of Vienna to the heirs of the former owners.

In November, the General Settlement Fund concludes a cooperative agreement with the International Commission for Holocaust Era Insurance Claims (ICHEIC). This cooperation comprises the mutual forwarding of applications for compensation of insurance policies to the relevant competent organization.

From November, the National Fund commences the payment of a further 1,000 Euro to all people who had already received a lump sum payment on the basis of an application for compensation of withdrawn tenancy rights (second payments).

2004

The General Settlement Fund receives the information on people compensated within the scope of the "Austrian Bank Settlement" in order to avoid repeat compensation of already compensated assets.

The General Settlement Fund introduces an internal reporting body for the further development of application processing and new legal information processing software for the standardized procedure.

2005

Through the announcement of the Austrian Federal Government on the completion of "legal closure", after relevant amendments to the law, the advance payments from the General Settlement Fund, endowed with 210 million US Dollars, can be commenced in December. The payment rates are based on statistical prognoses which estimate the anticipated total of all claims.

The functions of the research database of the General Settlement Fund are extended, thus, among other things, simplifying the ordering of files from external archives.

2006

In the summer, an integrated database covering the entire course of the proceedings for the National Fund and the General Settlement Fund is introduced.

In October, the National Fund publishes an online art database which enables people to search in museums and collections of the Federation or the City of Vienna for specific art objects which were seized and which qualify for restitution.

2007

By the end of the year, three quarters of the applications received by the General Settlement Fund have been decided. Furthermore, the archival research and the digital compilation of the case-related documents are able to be completed for the great majority of the remaining applications.

Within the scope of the advance payments by the General Settlement Fund, a total of 76 million US Dollars was paid to 9,000 applicants. A total of 2,104 applications have been received by the Arbitration Panel, of which 531 have already been conclusively dealt with.



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

General Information

The National Fund of the Republic of Austria for Victims of National Socialism was established in 1995 as an expression of Austria's moral responsibility towards all victims of National Socialism. 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 Euro (70,000 Schilling) per person as a symbolic recognition. The payments are financed from the Federation's annual budget. In cases of social need, a second and third payment is possible.

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:

- Austrian citizenship and residence in Austria on 13th March 1938 or
- continuous residence in Austria for around ten years leading up to 13th March 1938 or have been born in Austria as the child of such persons during this period or
- have lost Austrian citizenship or the place of residence of the last approximately ten years, having left the country due to the directly imminent entry of the German Armed Forces into Austria or
- have been born in concentration camps or under comparable circumstances, also in Austria, as children of such persons prior to 9th May 1945.

A committee consisting of the chairman of the Board of Trustees, a representative appointed by the Board of Trustees and three further members appointed by the chairman 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.

The National Fund represents the moral responsibility of the Republic of Austria towards all victims of National Socialism.

Processing the gesture payments is a central task of the National Fund. The gesture payment is a way of recognizing the injustices suffered by people in Austria under National Socialism.

The supreme body of the National Fund is the Board of Trustees, which either determines the payments to be made by the Committee or decides itself on payments, controls the appropriate use of Fund funds and approves the statement of account.

As an institution which is and has been working for the victims of National Socialism for approaching 13 years and supports them in many matters, the National Fund has become a symbol for consciously dealing with history and a visible sign for an Austria that has not forgotten the victims of National Socialism.

The special responsibility which Austria professes to have towards the victims of National Socialism is also expressed through the fact that the National Fund was established at the National Council. The President of the National Council presides over the bodies of the National Fund – the Board of Trustees, the Committee and the Secretary General. Hannah M. Lessing has been the Secretary General since 1995.

Before a backdrop of essentially unchanged work demands, the number of personnel in the National Fund remained the same in 2007 as in the previous year. On the cut off day 31st December 2007, the Fund employed a total of 24 staff, of which 13 are employed full time and four part time. Seven members of staff are employed on a freelance basis.

The personnel and material costs of the National Fund in 2007 came to 1,812,527.61 Euro.

Tasks

- The main task of the National Fund 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 are eligible to receive a payment – thus people who have so far received no recognition can also be taken into account. In contrast to the proceedings of the General Settlement Fund, there is no deadline for submitting applications.
- In addition to the gesture payments, the National Fund also deals with the processing of the compensation payments pursuant to Sec. 2b of the National Fund Law (NF Law) – the so-called compensation for seized tenancy rights. Through the Washington Agreement in 2001, the National Fund was also entrusted with the compensation of withdrawn tenancy rights, household effects and immovable property. 150 million US Dollars were earmarked for this purpose. Applications could be submitted until 30th June 2004. The compensation took the form of a lump sum payment of 7,630 Euro or 7,000 US Dollars per person.

In total, over 20,000 applications pursuant to Sec. 2b of the NF Law have been approved by the National Fund in the past years. The amount remaining after all applications have been processed will be distributed in the form of an additional payment of 1,000 Euro per person.

The National Fund is a symbol for consciously dealing with history. The establishment of the National Fund at the National Council also reflects Austria's special responsibility.

In addition to the gesture payments, for which there is no deadline, the National Fund is also entrusted with the so-called compensation for withdrawn tenancy rights. Over 20,000 applicants have received compensation in the form of a lump sum payment of 7,630 Euro or 7,000 US Dollars.

- The National Fund places particular emphasis on communication with the applicants. As a result, the staff of the National Fund are in regular contact with victims living in around 75 different countries. Personal support is particularly important for the applicants – regardless of the processing of their applications. The staff of the National Fund have been able to develop an especially trusting relationship with many of the victims.

Pursuant to the NF Law, the Secretary General is assigned the task of cultivating the relationship between Austria and the victims of National Socialism living abroad. In this connection, the public relations work of the Secretary General, in the form of business trips, lectures and work with the media, also constitutes a key component of the Fund's communication with the applicants.

- Due to the specific knowledge of its staff on questions regarding National Socialism and restitution, but also because of its experience in sensitively dealing with the victims, the National Fund has established itself as a reliable and competent point of contact and coordination in matters of restitution over the years. The National Fund also regularly responds to general inquiries in connection with the National Socialist era in Austria.

Since November 1995, the staff has personally met with over 19,000 people and in addition to this is also available for the applicants for communication by telephone or by letter.

- The spectrum of tasks carried out by the National Fund extends well beyond the mere processing of payments: The support of needy Holocaust survivors throughout the world, the utilization of looted art which has remained "heirless" and numerous projects to increase the consciousness of National Socialism and its consequences also count among the range of activities of the Fund.

- In accordance with its legal mandate, since 1996 the National Fund has been supporting projects which are dedicated to the survivors of National Socialist persecution and the remembrance and commemoration of the victims of the National Socialist regime.

The National Fund applies a specific focus in the distribution of sponsorship funds, and gives particular priority to the surviving victims of National Socialism. For this reason, socio-medical and psycho-therapeutical projects are of special importance. Moreover, projects are also supported which serve scientific research into National Socialism and the fates of its victims, which promulgates the remembrance of National Socialist injustice or which safeguard the memory of the victims. In this way, projects such as "Path of Remembrance through Leopoldstadt" and the project "Servitengasse 1938 – a neighborhood searching for clues" could be supported in 2007. Projects dealing with educational policy are also prioritized. (A list of projects sponsored in 2007 can be found on p. 68.)

Communication with the applicants is a high priority. The staff of the Fund is in regular contact with applicants from around 75 different countries.

Since 1996 the National Fund has been sponsoring projects which are dedicated to the survivors of National Socialist persecution and the commemoration and remembrance of the victims of the National Socialist regime.

The projects are financed from both the budget of the Fund and from the means of the Nazi Persecutee Relief Fund.

- By 1998/1999, the range of activities of the National Fund had already been extended to include the disposition of non-restitutable artworks for the benefit of victims of National Socialism. Artwork which was seized from its owners under the National Socialist regime is subject to this disposition. Before the art objects are disposed of, the National Fund endeavors, exhausting all routes of enquiry, to reach persons who are possibly entitled to a 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 museums of the Federation and the City of Vienna. This database so far contains information on around 9,000 objects and enables victims of National Socialist art theft or their heirs to specifically search for seized and restitutable art objects in public ownership.

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 art database is continuously updated.

The National Fund also maintains strong contacts with the Restitution Commission Vienna and the Commission for Provenance Research. This cooperation ensures that the database is continuously expanded and that it is up to date with the current research status.

So far, a total of over 200,000 visitors to the art database have been registered, around a quarter of them visited the English pages.

In the business year 2007, the work "Bauernbesuch"/"In der Bauernstube" by Adriaen van Ostade was able to be identified as a result of its publication in the art database by the Commission for Looted Art and restituted to the legal successors of the previous owner.

- Further to this, a bill was passed (Federal Law Gazette I no. 182/1998) in 1998 which authorized the National Fund to administer the funds transferred to it by the Nazi Persecutee Relief Fund, i.e. the *Internationaler Fonds für Opfer des Nationalsozialismus* ("Looted Gold Fund"). In addition to individual payments to needy Holocaust survivors, the projects are also partially funded from these funds. In 1999 around 109,100,000.00 Schilling were transferred to the National Fund from this fund.

Prior to the disposition of non-restitutable artworks, the National Fund had commenced operation of an online art database in 2006. This can be found at the address www.kunstrestitution.at and www.artrestitution.at.

Since 1998, the National Fund has administered the Austrian share of the "Looted Gold Fund". These funds are partially used for the sponsorship of projects.

- In 1999, the Hardship Compensation Fund was established by means of a decision of the Board of Trustees. The purpose of this fund is to take into account persons aggrieved as a result of National Socialism who fulfill the criteria of the National Fund to a large extent, however not in their entirety, and whose rejection by the National Fund would constitute a particular hardship. The Hardship Compensation Fund was bestowed with 508,710 Euro from the project funds of the National Fund. Between 2000 and 2006, 81 payments of 5,087.10 Euro have been made from the Hardship Compensation Fund, resulting in a total disbursement of 412,055.10 Euro.
- Austria has been an active member of the ITF (Task Force for International Cooperation on Holocaust Education, Research and Remembrance) since 2001. This task force has implemented transnational programs for research and educational work on the Holocaust. The coordination department for Austria is located at the National Fund.

Decision-making: Victim recognition

In accordance with the elements of persecution named in Sec. 2 (1) item 1, the NF Law provides the opportunity for various groups of persons to be recognized as victims of National Socialism. This recognition is expressed through the gesture payment.

Since 1995, in addition to people who already belong to a recognized group of victims, people who had until then failed to receive recognition were also gradually recognized on the basis of this provision. With its decisions, the National Fund was able to contribute to an increased socio-political sensitivity with regard to the perception of individual groups of victims and different forms of persecution.

In 1996, the so-called *Spanienkämpfer* received recognition as victims of political persecution. These persons had participated in the Spanish Civil War in the fight against General Franco's army and were subsequently extradited to the German Reich and detained in concentration camps.

In 1997, the National Fund recognized widows, widowers and children of people who were executed, had died in custody or in concentration camps as victims, as well as parents of children who fell victim to euthanasia. People with one Jewish parent – so-called first grade half-castes – were also assigned victim status without the existence of an act of persecution due to the general state of peril they were in, as did so-called Carinthian Partisans. In 2007, the children of Carinthian Slovenes, who were also affected by the National Socialist rule, were also recognized as victims, taking into account their special circumstances.

The recognition as a victim is expressed by the gesture payment. In addition to victims' groups which have already been recognized, since 1995, further groups have gradually been granted victim status.

The recognition practice by the National Fund also contributes towards a socio-political sensitivity with regard to the perception of victims' groups, for example with regard to the "Children of Spiegelgrund".

In 1998, people who had emigrated for “racial” or political reasons from 12th July 1936 – the day of the so-called July Agreement between Austria and the German Reich – were recognized as victims.

Children who were detained in the sanatorium “Am Spiegelgrund” during the National Socialist era and were subject to the danger of medical experimentation were also recognized as victims for the first time.

In 2002, the recognition of conscientious objectors and deserters of the German Armed Forces took place for the first time.

From the outset, people who were resettled from the “Döllersheimer Ländchen” between 1938 and 1941 for the purposes of the construction of the military training area Allentsteig (Lower Austria) also qualified as victims in the meaning of the NF Law.

The year 2007

By the end of 2007, around 32,300 applications for gesture payments of 5,087.10 Euro and around 23,000 applications pursuant to Sec. 2b of the NF Law had been submitted to the National Fund. Around 30,000 applications for gesture payments were approved and over 20,000 applications were approved in accordance with Sec. 2b.

If one were to categorize the applications by the country in which the affected persons are resident, the following picture emerges: The applications were filed from 75 countries worldwide. The large majority of applicants, about 36 %, reside in the USA, followed by victims living in Austria, 22 %, Israel, 14 %, Great Britain, 11 %, and Australia, 5 %.

In the 2007-period covered in this report, 122 gesture payments of 5,087.10 Euro each were made. Thus a total of 620,626.20 Euro was disbursed.

In addition to the base amount, 17 people received a further payment on grounds of social need – the amount disbursed for second and third payments amounted to 86,480.70 Euro.

Further in 2007, 16 applications pursuant to Sec. 2b of the NF Law were granted and a total of 82,330.46 Euro was disbursed.

709 additional payments from the remaining amount were made in 2007. In total, 552,795.29 Euro were disbursed.

Applications for gesture payments were also received by the National Fund in 2007. Experience has shown that particularly after so many years of waiting, the decision to file an application is for many victims a difficult and meaningful process as it concerns the fundamental recognition as a victim. For this reason, the staff of the National Fund is expecting to receive further applications in the future.

In the last completed business year, the National Fund recorded an overall increase in applications for second and third payments due to social need, which was predominantly to be attributed to the increasing age of the applicants. For many victims, some living under particularly difficult circumstances in some countries, the support of the National Fund is essential and enables aid which is often urgently required.

Since the establishment of the Fund, over 32,000 applications for gesture payments have been received – around 30,000 could be approved. Further applications were also received in 2007.

The majority of the applicants reside in the USA, followed by Austria, Israel, Great Britain and Australia.

Financing Projects

In 2007, 133 projects were financially supported with a total sum of 2,010,738.02 Euro. Of these projects, 118 were supported with funds from the National Fund to a total of 1,672,888.02 Euro and 15 projects were supported using funds from the Nazi Persecutee Relief Fund totaling 337,850.00 Euro.

Hardship Compensation Fund

At the end of 2006, the funds of the Hardship Compensation Fund stood at 96,654.90 Euro. In 2007, no payments were made from the Hardship Compensation Fund.

Funds from the Nazi Persecutee Relief Fund

Besides supporting 15 projects to a total of 337,850 Euro, in 2007 one individual payment of 5,087.10 Euro was made from the funds of the Nazi Persecutee Relief Fund.

Within the framework of its legal mandate to utilize heirless art objects, the National Fund also carried out its role as active observer of the sessions of the Commission for Provenance Research and the Restitution Commission Vienna in 2007. Moreover, the further expansion of the art database was of key importance.

Outlook

The continued receipt of applications for gesture payments is to be expected. An increase in the number of applications for second and third payments due to social need is also to be expected – not least due to the age of those concerned.

A special task of the National Fund is the support of projects with an educational political mandate: The support of projects in schools but also of exhibitions, films, books etc. constitutes a socio-political instrument for the future that is not to be underestimated. Since 2008, all projects supported from the funds of the National Fund or the Nazi Persecutee Relief Fund can be viewed in an online database.

As a next step in the field of art restitution, the National Fund plans to incorporate the provenance research of the provincial museums into the art database. In doing this, a very comprehensive art register for information on "heirless" art and cultural objects seized under National Socialism is to emerge, in line with the basic principles of the Washington Conference of 1998 (Washington Conference Principles on Nazi Confiscated Art).

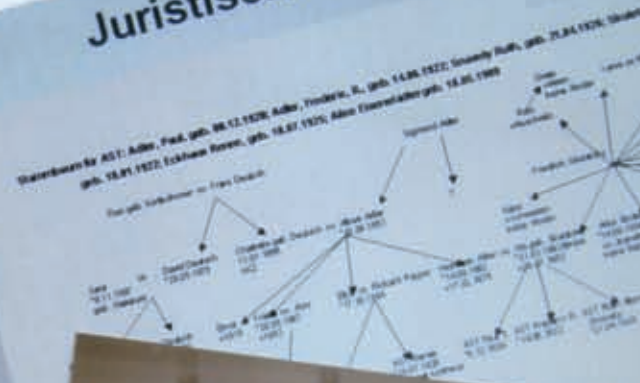
In 2007, 133 projects have been supported by the National Fund with total funding of over 2 million Euro. In addition to funds from the National Fund, resources were also drawn on from the Nazi Persecutee Relief Fund.

Over the coming years, further applications for gesture payments are to be expected. Since 2008, an online database has made details of all supported projects available to the public.



Juristische Vorabrecherche

Jurist. Vorabrecherche
↓
Recherche
↓
Datenerfassung



Suche: 1 für genauere Suche, * für 0 bis mehrere Zeichen

Suchbegriff	Suchergebnis	Relevanz	Erweitern	Filtern	Sortieren
171	171	100%	Erweitern	Filtern	Sortieren
172	172	100%	Erweitern	Filtern	Sortieren
171, 172	171, 172	100%	Erweitern	Filtern	Sortieren
171, 172; Eckhaus Revue, 98, 16, 87, 1925; Adm. Eisenbahner-98, 16, 86, 1989	171, 172; Eckhaus Revue, 98, 16, 87, 1925; Adm. Eisenbahner-98, 16, 86, 1989	100%	Erweitern	Filtern	Sortieren



GENERAL SETTLEMENT FUND FOR VICTIMS OF NATIONAL SOCIALISM

General Information

On the basis of the Washington Agreement of 17th January 2001, the Republic of Austria passed a resolution for the establishment of a General Settlement Fund. The General Settlement Fund (Federal Law Gazette I no. 12/2001) has the task of comprehensively resolving open questions of compensation for victims of National Socialism and recognizing through *ex gratia* payments Austria's moral responsibility for property losses suffered by victims of the National Socialist regime in Austria between 1938 and 1945. Those property losses which until now had not been taken into account, or had only been inadequately compensated by means of previous Austrian restitution or compensation measures are a priority.

The General Settlement Fund is endowed with 210 million US Dollars, of which 25 million US Dollars are reserved for seized insurance policies. The sum of the losses or damages is calculated on an individual basis. People directly affected and their heirs were able to file applications in two kinds of processes – claims-based and equity-based. The difference between these processes lies in the relaxed standard of proof and takes into account the fact

that the events occurred over 60 years ago and many applicants only have few documents relating to the National Socialist era at their disposal. The deadline for applications ended on 28th May 2003; by this cut off day, the independent Claims Committee had recorded 20,641 applications for monetary compensation.

The General Settlement Fund provides compensation in ten different categories of losses:

- Liquidated businesses, including licenses and other business assets
- Immovable property, unless an *in rem* restitution pursuant to the General Settlement Fund Law has been granted
- Bank accounts
- Stocks
- Bonds
- Mortgages
- Moveable property
- Insurance policies
- Occupational and educational losses
- Other losses and damages

In comparison with 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

The General Settlement Fund was called into being in 2001 on the basis of the Washington Agreement. Central functions are the resolution of open questions of compensation and the recognition of a moral responsibility by means of monetary payments.

There are a total of ten categories in which damages suffered can be compensated. In comparison to other compensation measures, this results in a very complex procedure.

sum payment, the terms of reference of the individual payments for damages in ten categories are incomparably more complex.

In agreement with the Allied occupying forces of the time and with regard to the economic capacity of the then still young Republic of Austria, Austria's restitution policies pursued the principle of restituting available assets and leaving assets which were no longer available uncompensated. The decision of that time is reflected today in the fact that most claims were made in the categories "liquidated businesses" and "occupational and educational losses", and the highest claims are recognized in these two categories.

By virtue of the General Settlement Fund Law, the General Settlement Fund is an independent legal entity and its headquarters are located in Vienna. On the cut off day, 31st December 2007, besides the Secretary General it had a staff of 116, of which 74 worked full time, ten worked part time and 32 were employed on a freelance basis.

The personnel and material expenses for the Fund in 2007 amounted to 5,728,890.57 Euro. This amount includes 753,275 Euro for the Arbitration Panel for *In Rem* Restitution. The costs for the *in rem* proceedings are borne by the Federation. The personnel and material expenses for the General Settlement Fund are financed from the interest earned from the investment of the 210 million US Dollars.

The Board of Trustees serves as the highest supervisory body of the General Settlement Fund. Its tasks include the approval of settlements of account, the financial plan and the draft of the annual business report. A further body is the independent Claims Committee, which examines and decides on applications to the General Settlement Fund for monetary compensation.

The members of the Board of Trustees and the Claims Committee are listed in the appendix on p. 60.

Procedure

The General Settlement Fund developed its own procedures which had to be drawn up completely 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 procedures were developed from scratch in order to implement the law as effectively as possible. It was necessary to enable the processing of the 120,000 individual claims as efficiently as possible – identical things were to be treated identically and disparate things were to be treated differently, relaxed standards of proof were to be applied, requirements were to be met with flexible transparent working methods and not least, the applicants were to be provided with comprehensive information on their claims.

The highest supervisory body of the Fund is the Board of Trustees. The independent Claims Committee examines and decides on applications from monetary compensation.

The development of standards of research of the Fund ensures clarity and a uniform basis for the examination of applications for compensation of assets.

Internal Reporting

In 2004, an internal reporting body was introduced in order to give high priority to the principle of procedural transparency. Within the scope of this reporting, a weekly report is produced that comprises the most important statistics of the individual departments. In this way, the course and development of operating procedures can be summarized and, if necessary, adapted.

IT Department

In 2004, with the introduction of the custom made software “standardized procedure”, the IT department took an important step towards increasing efficiency and the possibility of standardized case processing. The conception and implementation of this interdisciplinary software development project enabled the applications for complex mass proceedings to be processed in an integrated database application. The software solution developed by the General Settlement Fund also received particular attention among experts.

The research department of the General Settlement Fund is also able to rely on a database application developed by the staff of the IT department: The application aids the search for and ordering of files from external archives and simplifies the administration. The database application is also available for use by the specialist departments, for ordering files from the internal archive department. This allows for a swift ordering process and complete documentation on the location of the files.

Research

In the area of historical research, the standards of the Fund have been developed in order to historically document claims for compensation of assets and to comply with the principle of equality. This means that for each applicant, the same comprehensive sources and archives are taken into account. In individual cases concerning certain questions, special research is initiated. Newly researched facts are taken into consideration as a matter of course and can also result in an extension of the original task of the Fund. In the year 2007, research was concluded for around 1,600 applications, in around 1,300 cases more detailed further processing was required. Only 46 entirely new research proceedings were initiated. In total, around 8,750 documents relevant for the processing of applications were obtained and processed, 3,350 of which concerned applications for claims relating to insurance policies. By the end of 2007, the research had been completed for more than 20,400 applications.

In the past years, the General Settlement Fund has received numerous collections of data from archives, other institutions and also private individuals which it then supplemented with its own research of historical sources. This information, compiled in a database, currently amounts to over 220,000 entries and constitutes one of the most comprehensive research catalogues on seizure and restitution documentation in Austria. The research database is therefore a very efficient tool for swiftly identifying and ordering specific documents for applicants.

With the introduction of the custom-made software “standardized procedure”, the efficiency of a standardized processing of cases could be increased.

Using historical data from archives, other institutions, private individuals and its own sources it was possible to set up one of the most comprehensive electronic research catalogues in Austria on seizure and restitution documentation.

The following holdings are examined in detail in the course of standardized research:

- Historical land register
- Property notices from the Property Transaction Office
- “Index of businesses” from the collection agencies
- Insurance archives
- Files regarding the Ordinance on the Notification of Seized Property
- Files from the Financial Directorates
- Files from Collection Agencies A/B
- Files from the Compensation Fund
- Index from department 34 of the Federal Ministry for Property Control and Economic Planning (1945–1950, later integrated into the Federal Ministry of Finance)
- Files from the holdings of the regional archives

The General Settlement Fund obtained around 70,000 different copies of documents from across Austria, the large majority of which, around 46,500, originates from archives in Vienna, the remainder from other cooperative departments. Among others, in around 12,000 cases information regarding insurance policies was obtained. The research department maintains links with 450 different contacts in archives, authorities and institutions which provide documents or information for the Fund’s work.

Since the end of 2005, considerable provenance research has been carried out, as it was evident that information on claimed art objects and previous restitution measures with respect to these art works could not be adequately acquired by means of the standard research methods. By 2007, the processing of 70 “art cases” was able to be completed by the competent historians.

Processing those cases in which “extreme injustice” was asserted proves to be particularly time consuming. In order to be able to assess whether prior proceedings are to be qualified as “extremely unjust”, various arguments must be clarified. As a result, the research (following on from the historical case processing of the Arbitration Panel for *In Rem* Restitution) must be extended to new sources and special holdings. In 2007, research was completed for 66 applications asserting “extreme injustice”.

The subsequent inclusion of a new inventory, i.e. the list of “The Gestapo’s Office for the Disposal of Property of Jewish Emigrants” (*VUGESTA*), suggested by the Jewish Community Vienna, also presented a particular challenge. This *VUGESTA* list comprised 6,000 entries by name which were to be compared with people deemed aggrieved by the General Settlement Fund. 486 applicants were able to be identified and the concerned losses taken into consideration.

A total of 70,000 documents were obtained within Austria; among others, 12,000 were for insurance cases.

In cases in which extremely unjust prior proceedings are asserted, processing is particularly difficult. An extension of the scope of research is necessary.

The archive

The archive administers 80,000 individual applications of 39,023 people. Of these, 20,641 files are relevant for monetary compensation, the remainder concern applications for other compensation measures. The archive comprises around 525 linear meters of files in the premises of the National Fund and General Settlement Fund and around 80 linear meters of files in the Palais Epstein.

The archive department is active across all fields and functions within the General Settlement Fund and the National Fund as a distribution center for all applications received. Software developed in-house, which dramatically reduces the time between the order and actual delivery of files, ensures efficient administration and rapid access to the files.

In the past year, around 66,000 individual files were retrieved and returned to their correct location. Moreover, accrued internal and external correspondence was incorporated into the relevant files.

Data Compilation

Electronic processing of all applications submitted to the General Settlement Fund occurs in the data compilation department. All statements made by the applicants, the enclosed documents and also the results of the research department are compiled. This pre-processing is a basic prerequisite for the legal processing under the standardized procedure.

The examination of applications which are connected with one another (for example applications of siblings) for completeness and establishment of heirs and the extent of losses occurs on the basis of the "initial legal research".

In 2007, around 3,200 files could be compiled, 1,000 files were re-worked due to new research results.

The archive comprises 605 linear meters. The archive department is active across all fields and assumes the function of the distribution center of all received applications.

The data compilation department carries out the electronic compilation of all applications – in 2007 alone around 3,200 files were entered.

Case processing

The case processing department is entrusted with the preparation of the decisions of the Claims Committee. In doing so, the research results, the application to the General Settlement Fund, all available files regarding other proceedings (gesture payments from the National Fund and compensation for withdrawn tenancy rights) and all documents and letters sent to the General Settlement Fund are taken into consideration. If necessary, the application is supplemented with this information. If proof is missing, the applicants receive a written request to provide further particulars or documents, or special research is initiated.

The case processing department prepared approximately 5,900 applications for the Claims Committee in 2007 so that by the end of the year the processing of 18,243 applications had been completed by the department. The preparation of appeal decisions and re-openings which may arise for the Claims Committee also counts among the tasks of the department. By the end of 2007, 268 appeal decisions had been made and 757 cases were re-opened.

The Claims Committee

The Claims Committee is independent and is solely responsible for deciding on applications for compensation. The decision takes place either during the course of one of the quarterly meetings of the Claims Committee or by means of a procedure by correspondence.

One member of the Claims Committee was appointed by the government of the USA and one by the government of the Republic of Austria. The chairman was selected by these two members. Sir Benjamin Franklin holds the post of chairman of the Claims Committee, the other two members are Dr. Kurt Hofmann and G. Jonathan Greenwald.

The heirs department

Established in July 2007, the heirs department deals with the search for heirs of deceased applicants in order to continue General Settlement Fund proceedings. The search for heirs takes place on the basis of information contained in the file of the deceased applicant and with the aid of enquiries to the *Österreichische Pensionsversicherungsanstalt* ("Austrian Pension Insurance Institution"), Austrian embassies or victims' organizations both domestically and abroad. By far the most time consuming stage of the heirs department's work is making contact with close relatives and potential heirs to obtain necessary inheritance documents in order to verify the status as heirs. After an official decision by the Claims Committee on the resumption of proceedings, the proceedings are continued with the heirs.

The legal processing department prepares the decisions for the Claims Committee; in 2007 around 5,900 applications were processed.

The independent Claims Committee decides on applications for compensation – decisions are made by means of correspondence procedures or in the course of Committee meetings.

Since its establishment in July 2007 until the end of the year, the heirs department dealt with 1,961 cases; of these 707 were able to be prepared for the Claims Committee and 461 have already been approved. In 781 cases, staff of the heirs department were in contact with potential heirs, however, the search for heirs had not yet reached completion at the end of 2007.

Advance Payments

Originally, after the decision on and assessment of all applications, the total funds of the General Settlement Fund in the amount of 210 million US Dollars were to be shared pro rata between the approved claims and the payment to applicants or heirs was to take place.

After the rejection of the last class action suit in the USA, the proclamation of "legal closure" by the Austrian Federal Government and a corresponding amendment to the law, the General Settlement Fund commenced with the first advance payments in 2005. Hence, under certain conditions those applicants whose applications had already been decided were able to receive early compensation payments before the assessment of all claims.

The amount of the advance payment is calculated on the basis of everyone receiving a fixed portion of the claim amount established in each case. For claims that were approved in the claims-based proceedings, the portion amounts to 10 % of the determined claim amount. For claims from the equity-based proceedings and for claims resulting from seized insurance policies in the claims-based proceedings the portion amounts to 15 %.

The advance payments rendered in accordance with the portions cannot be less than 500 US Dollars or more than 2 million US Dollars (= the statutory upper limit for an awarded compensation payment). An important requirement for the determination of the amount of these payments was the estimate of the total amount of the approved claims, as only then was it possible to determine a portion for these preliminary payments.

In effecting the advance payments, older applicants who were directly affected by the National Socialist persecution and seizure of assets are given priority. The first advance payment letters with the offer of a preliminary payment to applicants were sent by the General Settlement Fund on 15th December 2005.

In the year 2007:

Delivery of advance payment offers	5,841
Receipt of replies to advance payment offers	5,294
Advance payments to applicants	5,109

In order to be able to continue the proceedings of deceased applicants at the General Settlement Fund, in many cases the search for heirs is necessary. This task is carried out by the heirs department.

In 2005, the advance payments to the applicants were commenced. The amount of the sum is determined according to the standardized portions. In total, 8,944 applicants have already received an advance payment.

Communication with the applicants

It has always been the primary concern of the General Settlement Fund to maintain direct contact with the applicants and to personally attend to them. The communication department provides answers to specific questions regarding the current status of the actual proceedings and organizational and general information. Appointments for personal consultations are also held. In 2007, over 13,200 telephone calls were answered, around 720 applicants were personally advised. Around 10,800 informative letters were sent to applicants. The establishment of the communication department was not only to serve to guarantee the comprehensive answering of questions regarding proceedings but also to maintain personal and valuable contact with the applicants.

The year 2007

In 2007, four formal sessions of the Claims Committee took place, each lasting several days. Within the course of the October session of the Claims Committee, on 10th October 2007 an additional session of the Claims Committee took place in the presence of representatives of twelve victims' organizations in the offices of the Parliament (the General Settlement Fund Law and – in implementation of the same – the Rules of Procedure of the Claims Committee provide for the admittance of observers, nominated by victims' organizations, to particular stages of proceedings).

The communication with the applicants is of utmost priority. In addition to giving information by telephone, numerous personal consultations are held.

Statistics for 2007:

Archive:	65,986	file movements
Research:	1,615	applications for which the research was completed
	1,353	applications for which special research was carried out
Data Compilation:	3,169	applications newly compiled
	1,023	applications reworked
Case Processing:	5,907	decisions on applications prepared for the Claims Committee
Claims Committee:	7,493	decisions made on applications
Advance Payments:	5,841	advance payment offers delivered
	5,109	applicants paid
Heirs Department:	1,961	applications of deceased applicants in progress
	461	decisions of the Claims Committee for the resumption of proceedings reached with the heirs

In total, in 2007 compensation payments amounting to 54,397,074.14 US Dollars were made to 5,109 applicants.

Overall Statistics at the close of 2007:

Research:	20,435	applications for which the research was completed
Data Compilation:	20,265	applications electronically compiled
Case Processing:	18,243	decisions on applications prepared for the Claim Committee
Claims Committee:	16,611	decisions made on applications
Advance Payments:	11,007	advance payment offers delivered
	8,944	applicants paid
Heirs Department:	1,961	applications of deceased applicants in pro- gress
	461	decisions of the Claims Committee for the resumption of proceedings with the heirs reached

By the cut off day 31st December 2007 a total of around 76 million US Dollars had been paid to around 9,000 applicants; that amounts to around one-third of the total sum of 210 million US Dollars.

Outlook

After the completion of the legal case processing the following steps are stipulated prior to the final payment:

Firstly, all applications for monetary compensation which remain open must be decided by the Claims Committee, which will meet for this purpose every two to three months in Vienna.

Subsequent to the final decision of the Claims Committee, also on the appeals received, the amount of the recognized claims will be determined and the available monetary funds will be shared out *pro rata*, taking into consideration the amounts already paid out since 2005.

As not all heirs of deceased applicants will have been traced and determined at that point in time, although some of these persons will be entitled to appeal, which can still result in a change to the amount, the portions to be disbursed will be based – similar to that used for the advance payments – on an even more precise statistical estimate.

After this settlement of accounts, the payments to the applicants will commence, even if the search for heirs will not have reached completion in all cases.

Before the final payment can be made, several more steps must be taken; among other things, all still unresolved applications for monetary compensation must be decided by the Claims Committee.

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Lebensversicherer
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IN REM RESTITUTION

General Information

In addition to monetary compensation for losses of assets, in rem restitution constitutes the second part of the General Settlement Fund Law of 28th February 2001. With this law, properties and buildings (superstructures) and moveable assets of Jewish communal organizations can be claimed back by their former owners or their heirs. The Arbitration Panel for In Rem Restitution was established at the General Settlement Fund for the purpose of deciding such restitution applications.

Properties, the majority of them in Vienna, were generally “aryanized” by means of forced sales or seized by direct action of the state, where the confiscation of properties as so-called assets hostile to the state and population affected not only Jews but also others persecuted by the National Socialist regime.

In principle, essential prerequisites for an actual return of assets are that the property was seized during the National Socialist regime in Austria between 1938 and 1945, had never been subject of restitution proceedings after 1945 and was publicly-owned on the cut off day 17th January 2001. How and when the public authorities had become owner of the seized property, whether they had been involved in the seizure during the National Socialist era or had only acquired the property after 1945, is irrelevant.

Public property comprises assets owned by the Federation as well as those provinces and municipalities, which have joined to the proceedings of the Arbitration Panel. Thus far, this includes the City of Vienna, the provinces Upper Austria, Salzburg, Carinthia, Lower Austria, Styria, Vorarlberg and Burgenland as well as the municipalities Bad Ischl, Eisenstadt, Grieskirchen, Kittsee, Mattersburg, Purkersdorf, Oberwart, Rechnitz, Stockerau, Vöcklabruck and Wiener Neudorf.

Should a compensation measure have already taken place after 1945 without an actual restitution having occurred – this is designated as a “prior measure” and can also constitute an out-of-court settlement – the Arbitration Panel can in special exceptional cases still recommend a restitution in so far as it reaches the conclusion that this prior measure was “extremely unjust”. The same holds true if the claim was rejected for lack of evidence or if this evidence was not accessible and – for example through the research of the Arbitration Panel – has in the meantime become available.

In rem restitution constitutes the second pillar of the General Settlement Fund Law in addition to monetary compensation. It enables claims for the return of properties and assets of Jewish communal organizations.

In rem restitution was enshrined in the Washington Agreement of 17th January 2001. A fundamental requirement for restitution is that the asset was seized during the National Socialist regime in Austria between 1938 and 1945 and was publicly-owned in 2001.

The Proceedings

The Arbitration Panel for *In Rem* Restitution works independently in the examination of applications and is neither an authority nor an internal organ of the Republic of Austria, but an international institution based on the Washington Agreement. Arbitration Panel proceedings result in either

- a recommendation for the restitution of the requested property subject of the application,
- a rejection or
- a dismissal of the application.

One member of the Arbitration Panel was appointed by the US government and one by the Austrian government. The chairman was appointed by these two members. The chairman of the Arbitration Panel is Prof. Josef Aicher; Prof. August Reinisch was nominated by the American government and Hon. Prof. Erich Kussbach was nominated by the Austrian government.

The working methods and case law of the Arbitration Panel are shaped by the fact that the particulars to be examined occurred many decades ago. The Arbitration Panel makes allowances for this situation through the processing of applications being completed by historians and legal staff working in interdisciplinary teams.

The majority of applications submitted to the Arbitration Panel are incomplete as documents relating to the seizure or to possible restitution or compensation measures after 1945 are only in rare cases available to the applicants. Moreover, in most cases the persons concerned were not themselves the owners of the claimed property but the descendants of aggrieved persons. The majority of applicants only have limited access to Austrian archives and authorities, for example due to their place of residence being abroad. Only the clarifications by the historians of the Arbitration Panel within the scope of an establishment of the truth through "official channels" enable the findings to be established necessary for reaching a juridical decision. The results of this active research therefore constitute the basis for the processing of all applications in addition to the documents and documentation of the Historical Commission, which contain fundamental findings on seizure, restitution and compensation.

Through the comprehensive research carried out during the course of the application processing, many applicants receive for the first time detailed information on the fate of their relatives and their assets during and after the National Socialist era. Furthermore, the National Socialist policies of persecution and seizure are documented with the example of the individual fates of persons of the most differing origins through the publication of the decisions in anonymous form, thus rendering an important contribution to the socio-political acknowledgement of the National Socialist regime in Austria.

The Arbitration Panel decides on the applications for restitution. It functions as an international institution and consists of two members appointed by the US and Austrian governments respectively and the chairman appointed by these two members.

All decisions are published online in anonymous form. Hence, the National Socialist policies of seizure and persecution are documented on the basis of individual cases.

The course of proceedings

By means of “contradictory proceedings” which can also be described as a mutual exchange of arguments, both the applicants and the public owner have the opportunity to present their views on the case. In doing so the principle of a “fair hearing” is ensured. The participating parties are of course first provided with all relevant documents.

In principle, the order in which the applications are processed is based on the date on which the application was received; however, the applications of older applicants are prioritized.

As an initial step, the applications are examined for the formal statutory requirements of public ownership on the cut off day in 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, for example if the requested property was privately owned on the cut off day, it is a “formal application”.

In the case of applications in which no specific property is named, a further step is taken in which, on the basis of the submissions of the applicant, the land register, the historical address books and registration details as well as possible property notices from the National Socialist era are examined in order to determine to which property the application could relate. The results of this research are conveyed to the applicants by letter and he/she is given the opportunity to “improve” the application.

In this way, the applicants are also directly involved in the proceedings of “formal applications” and can submit a statement before the processing is resumed. As a result of supplementary submissions or research, a “formal application” can prove to be a “substantive” application. In many cases, the applicants learn that their claims for *in rem* restitution have already been dealt with or granted in earlier restitution proceedings.

“Substantive” applications are each 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 due to the comprehensive research of archives and official offices. 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.

Should the Arbitration Panel reach the opinion that the applicant could have further documents or informative material regarding a questionable point of evidence, then, similarly to the “formal applications”, a written request for improvement is conveyed. Subsequently, the application and the researched documents are delivered to the public owner with the request to submit a statement. This statement is subsequently – again with the opportunity to submit a statement – delivered to the applicant with the researched documents.

The parties to the proceedings are provided with the researched documents and granted the opportunity to submit a statement – thus, the principle of a fair hearing is ensured.

Every application is initially examined for the existence of the formal statutory prerequisites for an application: Substantive decisions are subsequently processed by a lawyer and a historian working as a team.

After the research has been concluded and the statements have been obtained, the responsible case workers compile a draft of the decision that reproduces the facts of the case and presents the resulting legal issues. This draft is discussed in detail in the monthly sessions of the Arbitration Panel with the relevant staff of the senior management. Finally, the three member panel decides on the applications.

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 relevant public owner. If *in rem* restitution is impractical or not feasible (for example in the case of municipal housing estates or schools) a comparable asset, which is determined on the basis of an expert valuation, is restituted to the applicants. Moreover, experience has shown that proceedings which have already been concluded were to be supplemented with so-called supplementary decisions due to applications received at a later date, for example from further heirs.

Since 2007, concluded proceedings can also be reopened. In the case of such applications, the Arbitration Panel initially decides if the application for the reopening of proceedings is granted. Should this be the case, the Arbitration Panel again decides on the object of the application.

For every decision on a “substantive” application and for supplementary decisions and reopenings the Arbitration Panel publishes press releases in German and English, which outline the facts of the case and the juridical appraisal in a condensed form.

The Year 2007

Application processing

By the end of 2007, a total of 2,104 applications for *in rem* restitution had been received. 531 applications have already been decided and 698 applications were being processed on the cut off day 31st December 2007. These 698 applications concerned 481 “formal applications” and 217 “substantive” applications. For 760 applications, informative letters and letters requesting improvements were sent. 40 applicants withdrew their applications and for 75 represented applicants, no power-of-attorney reached the Arbitration Panel.

The Arbitration Panel decides on the applications in monthly sessions and can also call hearings. The implementation of a restitution falls under the competence of the public owner.

By the end of 2007 a total of 2,104 applications for *in rem* restitution had been received; of these 531 have already been decided. In 2007 alone there were 108 decisions.

In 2007, the Arbitration Panel decided a total of 108 applications, of which eleven “substantive” decisions affected 28 applicants. In these decisions, the Arbitration Panel pronounced rejections regarding eleven applicants, dismissals regarding eleven applicants and recommendations concerning six applicants. Five of the recommendations were the result of reopened proceedings, another was pronounced in a supplementary decision. Furthermore, within the period covered by this report, 80 “formal applications” were able to be decided. The value of all properties restituted thus far amounts to an estimated 30 million Euro.

In 2007, ten one-day sessions of the Arbitration Panel took place, one hearing and numerous meetings with the members of the Board of Trustees of the General Settlement Fund for the exchange of information.

Amendments to the Rules of Procedure

During the period covered by this report, the Rules of Procedure were extended by one provision on the reopening of concluded proceedings. In 2007, two applications for reopenings were received which were able to be positively decided in the same year.

Statutory Amendments

In April 2007, the deadline for submitting applications was extended by the legislator until 31st December 2007 with Federal Law Gazette I no. 20/2007.

Outlook

A high priority for 2008, in addition to the rapid processing of applications, is the expansion of the online database which since October 2007 publishes the “substantive” decisions of the Arbitration Panel. It is also to be made available in English. Furthermore, the expansion of its functions and contents is planned. Among other things it will comprise the complete publishing of all decisions, i.e. also those regarding the “formal decisions” and the English translations in anonymous form. Additionally, elaborate search and filter functions, for example according to the outcome of the decision, are to be implemented.

For 2008/9 it is further planned to issue volume 2 of the bilingual book series “Decisions of the Arbitration Panel for *In Rem* Restitution”, which commenced with volume 1 in May 2008.

The general deadline for the submission of applications ended on 31st December 2007. Since then, with Federal Law Gazette I no. 89/2008, the legislator has provided the opportunity for those provinces and municipalities that have adopted the Arbitration Panel’s procedures (Opt-In) to extend the deadline for submitting applications to 31st December 2009. Moreover, provinces and municipalities that have thus far not adopted the *in rem* restitution proceedings can make use of the Opt-In until the end of 2009; after this date the consent of the Arbitration Panel is required.

In 2007, a fundamental amendment to the Rules of Procedure was decided: The reopening of proceedings that have already been concluded in the field of *in rem* restitution has been possible since January 2007.

Rapid processing of applications is a high priority for 2008. Furthermore, the online database is to be extended with regard to its functions, contents and language – an English version is in planning.

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Objekt drucken

Kunstkultur.at • Dienstleistungen • Medien • Übersetzt

[zurück zur Ergebnisliste](#)

Datensatz-ID	80757
Name des Künstlers/Autors	Moser, Koloman (1868-1918)
Titel des Objekts	Anna Bah-Mildenburg am Lido
Museum / Sammlung	Wien Museum
Inventar-Nummer / Signatur	87.001
Beschreibung des Objekts	Öl auf Leinwand; Gemälde mit Goldrahmen; monogrammiert KM; nicht dat.; mit Stempel: "Nachlass Koloman Moser"; auf der Rückseite Kleber: "Ant. Schallemer...waren-Fabrik"
Höhe des Objekts in cm	60
Breite des Objekts in cm	60
Anhängigkeit	Ein Kunstrückgabeverfahren ist anhängig.
Provenienz-Kategorie	Ankauf / Spende von Julius Fargel
Provenienz laut Museum / Sammlung	Ankauf von Julius Fargel
Zuständiges Gremium	Wiener Rückstellungskommission
Empfehlung	Das zuständige Gremium hat empfohlen, dass der Kunst- und Kulturgegenstand nach Möglichkeit zu restituieren ist, falls Rechtsnachfolger/Eigentümer festgestellt werden können.
Zuständiges Organ	Stadt Wien, zuständiger amtsführender Stadtrat (Magistrat)
Entscheidung	Bisher liegt keine Entscheidung vor.
Umsetzung	Der Kunst- oder Kulturgegenstand befindet sich im Museum / in der Sammlung.

Sechster Restitutionsbericht Wien, 15. November 2005 (S.241): "Die Wiener Restitutionskommission hat in der Sitzung vom 19. Oktober 2005 festgestellt, dass es sich bei sämtlichen Kunstgegenständen der Sammlungen von Julius Fargel um Kunstgegenstände handelt, die zwischen 1936 bis zum 6. Mai 1945 von der Reichsmuseumskommission für die deutschen Sammlungen beschlagnahmt wurden, obwohl es die



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[zurück zur Ergebnisliste](#)

Datensatz-ID	81093
Name des Künstlers/Autors	Krafft, Josef
Titel des Objekts	Dame in rotem Spitzenhaube
Museum / Sammlung	...
Inventar-Nummer	...
Beschreibung	...

KUNST RESTITUTION AT

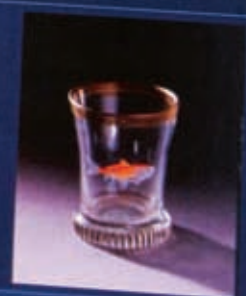


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APPENDIX

ORGANS

Board of Trustees of the National Fund of the Republic of Austria and of the General Settlement Fund as at January 2007

Mag. ^a Barbara Prammer (Chairperson)	President of the National Council
Dr. Michael Spindelegger	Second President of the National Council
Dr. Eva Glawischnig-Piesczek	Third President of the National Council
Dr. Alfred Gusenbauer	Federal Chancellor
Mag. Wilhelm Molterer	Vice Chancellor and Federal Minister of Finance
Dr. Erwin Buchinger	Federal Minister for Social Affairs and Consumer Protection
Dr. Ursula Plassnik	Federal Minister for European and International Affairs
Dr. Claudia Schmied	Federal Minister for Education, Arts and Culture
Dr. Johannes Hahn	Federal Minister for Science and Research
Dr. Gertrude Brinek	Delegate of the National Council, Club of the Austrian People's Party
Hofrat Dr. Franz Danimann	Chairman of the Camp Community Auschwitz
Dr. Peter Fichtenbauer	Delegate of the National Council, Club of the Austrian Freedom Party
Hofrat Paul Grosz, honorary member	Jewish Community Vienna
Univ.-Prof. Dr. Clemens Jabloner	President of the Supreme Administrative Court
Prof. Dr. Udo Jesionek	President of the Juvenile Court, retired
DDr. Helmut Krätzl	Suffragan Bishop
Dr. Ariel Muzicant	President of the Jewish Community Vienna
Prim. ^a Dr. Elisabeth Pittermann	Director of the 3rd Medical Department for Haematology, Hanusch Hospital
Prof. Rudolf Sarközi	Chairman of the Cultural Association of Austrian Roma
Herbert Scheibner	Delegate of the National Council, Club of the Alliance for the Future of Austria
Dipl. Vw. Dr. Ludwig Steiner	State Secretary, retired Ambassador plenipotentiary, retired
Mag. ^a Therezija Stoisits	Ombudsman
em. Univ.-Prof. Dr. Erika Weinzierl, honorary member	Institute for Contemporary History of the University of Vienna

Committee of the National Fund of the Republic of Austria

Mag. ^a Barbara Prammer (Chairperson)	President of the National Council
Dr. Michael Spindelegger	Second President of the National Council
Dr. Eva Glawischnig-Piesczek	Third President of the National Council
PR Dr. Susanne Janistyn	Director of the National Council Service
Dr. Wolfgang Schallenberg	Ambassador, retired

**Claims Committee
(General Settlement Fund)**

Sir Franklin Berman, KCMG QC (Chairman)

G. Jonathan Greenwald, LL.B., Vice President of the International Crisis Group
Hofrat Dr. Kurt Hofmann, Vice President of the Supreme Court, retired

**Arbitration Panel
(General Settlement Fund)**

o. Univ.-Prof. Dr. Josef Aicher (Chairman)

Honorary Professor DDr.h.c. Erich Kussbach LL.M., Ambassador, retired
ao. Univ.-Prof. MMag. Dr. August Reinisch LL.M.

Control Committee

Univ.-Prof. Dr. Clemens Jabloner	President of the Supreme Administrative Court
SC Dr. Helmut Fehrer	

DECISION “PAULA LOWY”

The model of a decision text* on the opposite page is sent to the applicant with a detailed letter, signed by the Chairman of the Claims Committee. In this letter, on the one hand the review procedures are explained and on the other hand the possibility of including co-heirs in the proceedings is described. The further steps concerning the advance payment are also explained. All communication with the applicant is conducted in one of his/her preferred procedural languages of the Claims Committee: German or – as in the text of this decision – English.

In principle, the applicants can request a new decision regarding claims that were decided in claims-based proceedings. In lodging an appeal, the statutory periods of limitation are to be complied with.

In an application of this kind, the reasons which speak in favor of an amendment to the decision must be stated. Particularly reasons such as the evidence of new circumstances or factual or legal errors in the judgment by the Claims Committee are possible.

The applicants only have the opportunity to apply for the loss of assets of a deceased person to the extent of their own inheritance quota. The quotas of those co-heirs, who have themselves not submitted an application to the Fund can be asserted by way of assignment of rights from co-heirs and are taken into consideration in the payment. A period of limitation of three months applies to the application for the consideration of additional inheritance quotas.

Due to the “legal closure” which was reached in 2005, in principle, preliminary payments to applicants are possible on the condition that the calculated sum exceeds 500 US Dollars. In this regard, after the expiration of all deadlines applicants receive an information pack with all details.

Only after all applications have been decided and the proceedings have been concluded can the amount of a possible payment be examined taking into account the remaining funds of the Fund.

* All names and entries have been changed for data protection purposes.

Entwurf

EE Paula Lowy 15.02.1933
16.09.2008/jad

ALLGEMEINER ENTSCHÄDIGUNGSFONDS
FÜR OPFER DES NATIONALSOZIALISMUS
General Settlement Fund for Victims of National Socialism
ANTRAGSKOMITEE · CLAIMS COMMITTEE

The Claims Committee of the General Settlement Fund for Victims of National Socialism takes the following

DECISION

on the application of

Paula Lowy,
born on 15 February 1933

by its Chairman Sir Franklin Berman and the Members of the Claims Committee G. Jonathan Greenwald and Dr. Kurt Hofmann.

I. Overview

1. **Losses of Paula Lowy, born on 15 February 1933**
 - 1.1. **Occupation / Education:** pupil
2. **Losses of Gideon Cohn, born on 22 May 1875**
 - 2.1. **Movable Property:** according to the property declaration
 - 2.2. **Movable Property:** household goods
 - 2.3. **Insurance Policies:** Phoenix/OEVAG, policy no. 267.593
 - 2.4. **Occupation / Education:** pension
3. **Losses of Mendel Cohn, born on 12 March 1903**
 - 3.1. **Immovable Property:** Taborstrasse 157, 1020 Vienna
 - 3.2. **Movable Property:** household goods, antiques, oriental rugs, jewellery
 - 3.3. **Business:** textile business, Heinestrasse 8, 1020 Vienna
 - 3.4. **Stocks / Securities:** no further details
 - 3.5. **Insurance Policies:** Phoenix/OEVAG, policy no. 205.629
 - 3.6. **Bank Credits:** Postsparkasse, account no 76.320
 - 3.7. **Occupation / Education:** businessman

II. Decision

ad 1. Losses of Paula Lowy, born on 15 February 1933

ad 1.1. Occupation / Education: pupil

The claim is **accepted in the equity-based process**. The loss is assessed at US-\$ 12,283.78.
The claim therefore amounts to **US-\$ 12,283.78**.

ad 2. Losses of Gideon Cohn, born on 22 May 1875

The applicant is entitled to an inheritance share of 1/2.

Gideon Cohn was the applicant's paternal grandfather. He passed away in 1949. He had two sons Alexander and Mendel Cohn. Alexander Cohn passed away in 1980, he left two daughters Susan Campell and Violet Davis. They share their father's estate to equal parts. Mendel Cohn passed away in 1987, he had one daughter Paula Lowy. Therefore Susan Campel and Violet Davis are entitled to an inheritance share of 1/4 each and the applicant is entitled to an inheritance share of 1/2 of Gideon Cohn's estate.

Entwurf

ad 2.1. Movable Property: according to the property declaration
The applicant has chosen the claims-based process.
The claim is **accepted in the claims-based process**. The loss is assessed at US-\$ 4,289.50.
Taking into account the applicant's inheritance right the claim amounts to **US-\$ 2,144.75**.

ad 2.2. Movable Property: household goods
The applicant has chosen the claims-based process.
The claim was dismissed in the claims-based-process and was therefore transferred to the equity-based process.
The claim is **accepted in the equity-based process**. The loss is assessed at US-\$ 4,495.21.
Taking into account the applicant's inheritance right the claim amounts to **US-\$ 2,247.60**.

ad 2.3. Insurance Policies: Phoenix/OEVAG, policy no. 267.593
The applicant has chosen the claims-based process.
The claim is **accepted in the claims-based process**. The loss is assessed at US-\$ 3,850.76.
Taking into account the applicant's inheritance right the claim amounts to **US-\$ 1,925.38**.

ad 2.4. Occupation / Education: pension
The claim is **accepted in the equity-based process**. The loss is assessed at US-\$ 12,283.78.
Taking into account the applicant's inheritance right the claim amounts to **US-\$ 6,141.89**.

ad 3. Losses of Mendel Cohn, born on 12 March 1903

The applicant is entitled to an inheritance share of 100,00%.

Mendel Cohn was the applicant's father. He passed away in 1987. His wife Alma predeceased him. They had daughter, Paula Lowy. According to Austrian Law of Succession the applicant is the sole heiress of her father.

ad 3.1. Immovable Property: Taborstrasse 157, 1020 Vienna
The applicant has chosen the claims-based process.
The claim was finally decided by Austrian courts or administrative authorities or settled by agreement.
The applicant does not claim that the decision or agreed settlement constituted an extreme injustice.

According to the historical land register excerpt the immovable property was restituted to Mendel Cohn by decision of the restitution commission on 23 March 1950.

The claim was dismissed in the claims-based-process and was therefore transferred to the equity-based process.

The claim was finally decided by Austrian courts or administrative authorities or settled by agreement.

This decision or settlement was not inadequate.

The Claims Committee has no reason to believe that the decision was inadequate in the sense of Sect. 20.1 General Settlement Fund Law.

The claim is **dismissed in the equity-based process**.

ad 3.2. Movable Property: household goods, antiques, oriental rugs, jewellery
The applicant has chosen the equity-based process.
Compensation for this claim has already been awarded on the basis of other measures.
The claim is already fully compensated by this measure.
The applicant received a payment from the National Fund for the compensation of apartment and small business leases, household property and personal valuables for herself and her parents. She signed a waiver in which she declared to renounce the right to present claims whatsoever for losses in any of these categories suffered as a result of, or in connection with, events between 13 March 1938 and 9 May 1945 in the territory of the present-day Republic of Austria.

The claim is **dismissed in the equity-based process**.

ad 3.3. Business: textile business, Heinestrasse 8, 1020 Vienna

EE Paula Lowy 15.02.1933
16.09.2008/jad

Entwurf

The applicant has chosen the claims-based process.
The claim is **accepted in the claims-based process**. The loss is assessed at US-\$ 31,299.07.
Taking into account the applicant's inheritance right the claim amounts to **US-\$ 31,299.07**.

ad 3.4. Stocks / Securities: no further details

The applicant has chosen the equity-based process.
Ownership has not been established.

The applicant did not provide any details regarding the claimed stocks and securities. In the application form, no particular stocks were named. The office of the General Settlement Fund carried out extensive research to establish the existence of stocks owned by Mendel Cohn, but no indications for the existence could be detected.

The claim is **dismissed in the equity-based process**.

ad 3.5. Insurance Policies: Phoenix/OEVAG, policy no. 205.629

The applicant has chosen the claims-based process.
The claim is **accepted in the claims-based process**. The loss is assessed at US-\$ 1,687.34.
Taking into account the applicant's inheritance right the claim amounts to **US-\$ 1,687.34**.

ad 3.6. Bank Credits: Postsparkasse, account no 76.320

The applicant has chosen the claims-based process.
The claim is **accepted in the claims-based process**. The loss is assessed at US-\$ 2,456.76.
Taking into account the applicant's inheritance right the claim amounts to **US-\$ 2,456.76**.

ad 3.7. Occupation / Education: businessman

The claim is **accepted in the equity-based process**. The loss is assessed at US-\$ 24,567.56.
Taking into account the applicant's inheritance right the claim amounts to **US-\$ 24,567.56**.

III. Summary

1. Losses of Paula Lowy, born on 15 February 1933

1.1. Occupation / Education: pupil
The claim is **accepted in the equity-based process** and valued at **US-\$ 12,283.78**.

2. Losses of Gideon Cohn, born on 22 May 1875

2.1. Movable Property: according to the property declaration
The claim is **accepted in the claims-based process** and valued at **US-\$ 2,144.75**.

2.2. Movable Property: household goods
The claim was dismissed in the claims-based-process and was therefore transferred to the equity-based process. The claim is **accepted in the equity-based process** and valued at **US-\$ 2,247.60**.

2.3. Insurance Policies: Phoenix/OEVAG, policy no. 267.593
The claim is **accepted in the claims-based process** and valued at **US-\$ 1,925.38**.

2.4. Occupation / Education: pension
The claim is **accepted in the equity-based process** and valued at **US-\$ 6,141.89**.

3. Losses of Mendel Cohn, born on 12 March 1903

3.1. Immovable Property: Taborstrasse 157, 1020 Vienna
The claim was dismissed in the claims-based-process and was therefore transferred to the equity-based process. The claim is **dismissed in the equity-based process**.

3.2. Movable Property: household goods, antiques, oriental rugs, jewellery
The claim is **dismissed in the equity-based process**.

3.3. Business: textile business, Heinestrasse 8, 1020 Vienna
The claim is **accepted in the claims-based process** and valued at **US-\$ 31,299.07**.

3.4. Stocks / Securities: no further details
The claim is **dismissed in the equity-based process**.

3.5. Insurance Policies: Phoenix/OEVAG, policy no. 205.629
The claim is **accepted in the claims-based process** and valued at **US-\$ 1,687.34**.

3.6. Bank Credits: Postsparkasse, account no 76.320
The claim is **accepted in the claims-based process** and valued at **US-\$ 2,456.76**.

3.7. Occupation / Education: businessman
The claim is **accepted in the equity-based process** and valued at **US-\$ 24,567.56**.

Entwurf

The claim value amounts to **US-\$ 39,513.30**.
(This claim value consists of the amounts which were accepted in the **claims-based procedure**.)

The assessed value in the equity-based process amounts to **US-\$ 45,240.84**.
(This assessed value consists of the amounts which were accepted in the **equity-based process**.)

The **total payment** will only be a percentage of the value now assigned:
approaching **13 %** in the claims-based procedure (10 % as advance payment) and
around **18 %** in the equity-based process (15 % as advance payment).

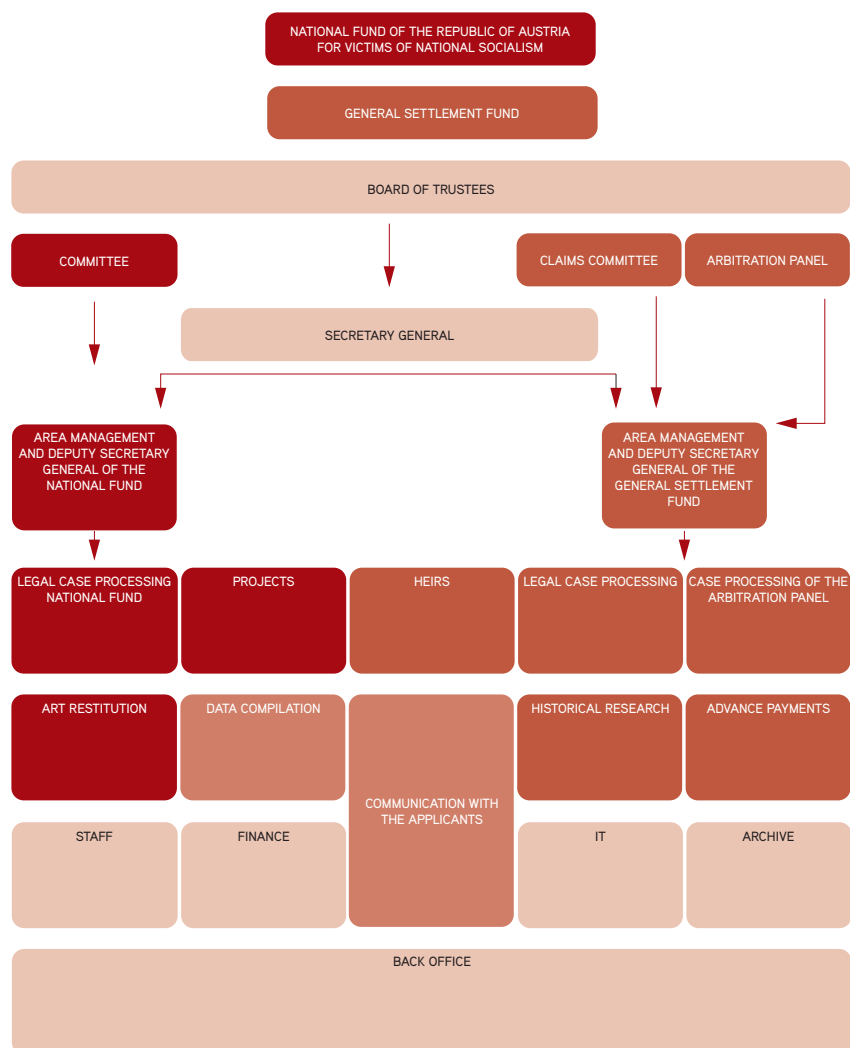
This decision is based on the General Settlement Fund's records and knowledge at the time, when it was passed. The right to change this decision in every direction, especially for reasons of newly emerged facts or proof, remains reserved to the Claims Committee until all applications to the General Settlement Fund have been processed.

Vienna, 27 February 2008



Sir Franklin Berman
(Chairman of the Claims Committee)

ORGANIGRAM



LIST OF PROJECTS SPONSORED IN 2007

Applicant	State	Project Description
Roma Service	Austria	Interview project with Holocaust survivors
Austrian Exile Library at the House of Literature, Research and Documentation Point for Recent Austrian Literature	Austria	"99 ways to invent the self and the world"; Walter Abish: materials, analyses, discussions
Ruth Beckermann Film Production	Austria	The effects of the Shoah on the portrayal and self-portrayal of the post-war Jewish Community in Vienna by means of the image archive of the photographer Margit Dobronyi – Research project by Ruth Beckermann
The Exhibitors – Association for the promotion of historical and art historical exhibitions	Austria	Art and culture in the concentration camp Mauthausen
Jewish Community Baden/Center for intercultural encounters of the Jewish Community Baden near Vienna	Austria	Photo exhibition "A sky so blue" Photographic impressions of Auschwitz Birkenau
Educult – Institute for the Promotion of Art and Science	Austria	"The memory and remembrance of learning open the gates to the future" – Cultural and educational projects conveying the cultural and historic importance of the Jewish Cemetery in Vienna Währing
Mandelbaum Publishers	Austria	"Desertion im Hohen Haus" by Hannes Metzler
National Socialism and Holocaust: Memory and the Present	Austria	"The Legacy"; DVD-tutorial with reports of survivors of the Shoah, descriptions of the survivors, interviews and didactic analyses
National Socialism and Holocaust: Memory and the Present	Austria	Coordination Point Vorarlberg – School year 2006/2007 "Telling Naftali Fürst's Story. A survivor of Buchenwald"
Persons' Committee – Future requires remembrance	Austria	A visible sign – Memorial in the town center of Gleisdorf
Institute of History of the Karl-Franzens-University Graz	Austria	Research project: "Contemporary history: National Socialist governing practice in Styria, Power – Persecution – Resistance – Daily life"
Austrian Exile Library Documentation Point for Recent Austrian Literature	Austria	"History and Memory in Transition: Austrian Exiles and Cultural Transfer" by Dr. Goldstein
Association for the preservation and cultural use of the Synagogue Kobersdorf	Austria	On faded trails: Taking stock of Jewish heritage in Burgenland and creation of a guide to the sites of Jewish past
Association "Theater im Hausruck"	Austria	Trilogy of contemporary history: hunt - zipf - lenz Theater of Contemporary History against Forgetting
Ludwig Boltzmann-Institute for research into the consequences of war, Graz-Wien-Klagenfurt, an Institute of the history cluster of the Ludwig Boltzmann Community	Austria	Research project "The flight of Jews to Latvia and their further Emigration"
CLIO – Association for Historical and Educational Work	Austria	Research and book project Karl Drews (1901–1942): Actor, Director, Member of the Resistance
Cultural Community of Austrian Roma, Documentation and Information Center	Austria	List of Names of all Roma and Sinti murdered under National Socialism, part IV

Vienna Museum	Austria	The attitudes of young migrants in Austria to National Socialism and the Holocaust. An investigation of the requirements for history lessons in multi-ethnic classrooms
Theater Association Ecce Homo	Austria	Ecce Homo Archive for gay/lesbian history
Theodor Kramer Society	Austria	Compilation of a "Handbook of Austrian Exile Literature"
CEC – Center for Research and Documentation of Jewish Life in Eastern and Central Europe/Centropa	Austria	The Library of Rescued Memory – Jewish Witnesses of a European Century: the DVD – the Film project
Tapuz Communications Ltd.	Israel	"The Finaly Affair" Documentary
Society for Critical Research into Anti-Semitism	Austria	Documentary of the life of the journalist Karl Pfeiffer
Mandelbaum Publishers	Austria	"Death wagon – Childhood at Spiegelgrund" by Alois Kaufmann
Mandelbaum Publishers	Austria	"Of Barons and Brandy makers – a Jewish Cemetery in Vienna explains", by Martha Keil (ed.), with photos by Daniel Kaldori
Mandelbaum Publishers	Austria	"The Jews of Vienna" by Hans Tietze
Educational and Homeland Works Lower Austria	Austria	Preparatory seminar for an excursion to the memorial Auschwitz Birkenau: "Suddenly everything was forbidden"
Austrian Camp Community Ravensbrück and Friends	Austria	Group visit to the liberation celebration of the former concentration camp Ravensbrück
Austrian Camp Community Ravensbrück and Friends	Austria	60 years of the Austrian Concentration Community Ravensbrück – celebratory event
Austrian Camp Community Ravensbrück and Friends	Austria	Conference of the International Ravensbrück Committee in Barcelona
Salzburg National Park Fund	Austria	"Alpine Peace Crossing" On the genesis of transgressing memory 1947–2007
Association Schloss Hartheim	Austria	Further development of the educational and memorial site Schloss Hartheim as a permanent establishment with regard to the development of the pedagogical and educational work on the history of National Socialist euthanasia and murder of prisoners and care of victim's relatives
Association Schloss Hartheim	Austria	Research into the history of National Socialist euthanasia in Austria with a special focus on the biographies of victims and perpetrators in Schloss Hartheim and further development of the memorial site with regard to biographical presentation
Institute for the History of Jews in Austria	Austria	"Learning workshop 2007" – School project in cooperation with the BRG und BORG St.Pölten
Central Committee of Jews from Austria in Israel, Austrian Association of Pensioners in Israel	Israel	Austrian Club in Jerusalem/activities in the Austrian Milieu-Jerusalem
Central Committee of Jews from Austria in Israel, Austrian Association of Pensioners in Israel	Israel	"Meals on wheels" and "Meals in the club restaurant in Tel Aviv for seniors from Austria in Israel", 2007/2008
Association of emigrated Slovenes	Austria	Deportation and memory. On the remembrance of the resettlement/expulsion of Slovenes in 1942 in and from Carinthia: The collection camp in Klagenfurt
GRg 1 Stubenbastei	Austria	School project with contemporary witnesses – Ernst Allerhand, part II
District Museum Alsergrund	Austria	Art exhibition "Gerda Svarny"
District Museum Alsergrund	Austria	Exhibition: early photos by Harry Weber, bunker of remembrance
Akademisches Gymnasium, Vienna	Austria	Publication of the life story of Dr. Robert Tauber – a former pupil of the Akademisches Gymnasium – in a special edition of the newspaper "Gedenkdienst". School project
Association Stones of Remembrance of Jewish Holocaust Victims	Austria	„Path of Remembrance through Leopoldstadt" Path of Remembrance, 3rd stage
Studien Publishers	Austria	Temporary monument. Processes of Memory by Andrea Sommerauer and Franz Wassermann

Appendix

Agency Milli Segal	Austria	"In a foreign world": Film presentation and exhibition
Association for Research of the History and Society of the 20th Century	Austria	"The dead of Ebensee": Research and database project
Austrian Society for Contemporary History c/o The Institute for Contemporary History of the University Vienna	Austria	"The whereabouts of the mortal remains of Dutch National Alexander Katan, murdered in the concentration camp Mauthausen/Gusen"
National Socialism and Holocaust: Memory and the Present	Austria	The 6th Central Seminar
Austria in Hollywood Society – Society on the History of Austrian Emigrants in Hollywood	Austria	"Hollywood in Vienna" – Gala concert in honor of Erich Wolfgang Korngold on the occasion of the 50th anniversary of his death
BHAK (Federal Commercial Academy) International Klagenfurt HAK 2	Austria	In memory of Helene Weiß; memorial
Cultural platform in Mariahilf	Austria	"Memory for the Future"; memorial project
Art on location – Association for the promotion of culture and networking of creative artists	Austria	Book project "I know what I'm worth" A Woman in Resistance: Irma Trksak
Central Committee of Jews from Austria in Israel, Austrian Association of Pensioners in Israel	Israel	Social Aid Services for Austrian Holocaust Survivors in Israel
Jewish Community Vienna	Austria	Yiddish and Cantonal Music from the Stejtl before the Shoah Cantonal Memorial Concert
London Jewish Cultural Centre	UK	"Survivor Tour to Vienna 2007" School project with contemporary witnesses
Association Learning from Contemporary History	Austria	"A Letter To The Stars – Ambassadors of Remembrance" School project
Mauthausen Committee Carinthia/Koroška	Austria	Book project "NS violence against Concentration Camp Inmates at Loib/Ljubelj reflected in British case files and in the light of the Carinthian Media"
Milena Publishers	Austria	„Shanghai Passage. Emigration to the Ghetto“ by Franziska Tausig
Kinoki – Association for audio-visual self-determination	Austria	Documentary on Hilde Zimmermann
Concentration camp association Buchenwald – Association of former political prisoners	Austria	Participation in the celebrations of the memorial Buchenwald, 13–16 April 2007
Yad Vashem Jerusalem	Austria	Austrian Holocaust Documentation – Collection and Cataloguing Acquisition of Austrian Holocaust Documentation
Exile Association – Association for the promotion of comprehensive further education	Austria	Exile Focus 2007 Charlotte Salomon Theater and exhibition with workshops for school groups
Festival of the Regions 2007	Austria	Festival "Terrible Journeys – Escape Routes and Dead Ends" memorial project
edition lex liszt 12 – Association for the promotion of publications and media	Austria	Sources on the History of "Gypsy Politics" between 1921 and 1945 in the district Neusiedl am See by Herbert Brettl
National Socialism and Holocaust: Memory and the Present	Austria	Erinnern.at – Educational DVD "The Legacy"
Austrian Camp Community Ravensbrück and Friends	Austria	Film matinee celebrating 90 years of Irma Trksak
Austrian Camp Community Ravensbrück and Friends	Austria	General meeting and fringe events with concentration camp survivors in Amerlinghaus
buchenwald	Austria	"The Color of Deportation. Death is Life. Network Europe o8" memorial project
Jewish Museum of the City of Vienna	Austria	The Archive of the Jewish Community Vienna
Syndicate of Concentration Camp Associations and Resistance Fighters Austria	Austria	Memorial celebrations Stein on 1 April 2007 and Mauthausen 6 May 2007
Association Stones of Remembrance of Jewish Holocaust Victims	Austria	Paths of Remembrance through Leopoldstadt, 4th stage

Association Stones of Remembrance of Jewish Holocaust Victims	Austria	Stations of Remembrance in Alsergrund
Association Stones of Remembrance of Victims of the NS Regime in Josefstadt	Austria	"Stones of Remembrance of Victims of the NS Regime in Josefstadt"; Memorial Path
Cooperation Austrian Friends of Givat Haviva with Agency Milli Segal	Austria	"Boarding Pass to Paradise"; film project
University of Vienna, Social Sciences Faculty Institute for Journalism and Communication Science	Austria	Jewish Journalists in Austria 1848–1945
Knut Ogris Films	Austria	"The Secret War"; film project
Unlimited. Association for the Promotion of Dialogue between Art and Science	Austria	"Talking Objects", an exhibition on the subject of restitution
ASPIS – Research and Advice Center for Victims of Violence c/o Institute for Psychology, University of Klagenfurt	Austria	The Life After – a transgenerational study on the after effects of the Holocaust
Association "Remembrance for the Future"	Austria	Topography of the Shoah. Memorial sites of destroyed Jewish Vienna
Association Memorial Service	Austria	Establishment of a memorial sites excursion service through the Association Memorial Service
Memorial Carinthia-Koroška – Platform against the revival of Fascism, Racism and Anti-Semitism	Austria	Digital archive and research project on victims of NS persecution and resistance in and from Carinthia/Koroška
kuland – Association for the Variety of Culture and Information	Austria	"From the Memory into Remembrance"; Remembrance and school project
Studien Publishers	Austria	"Between East and West – Identity Structures of Jewish Women in Vienna"; volume 10 of the series "Writings of the Center for Jewish Studies" by Michaela Raggam-Blesch
Provincial Association of Anti-fascists, Resistance Fighters and Victims of Fascism in Upper Austria	Austria	Contemporary Witness' Portrait – DVD with Rudolf Haunschmid
Sport Club Hakoah Vienna	Austria	"Hakoah Leads" – Documentary play by Helmut Korherr
Mauthausen Committee Austria	Austria	Relaunch of the anti-racist experimental game Miramix
Mandelbaum Publishers	Austria	"1938 Servitengasse – a Neighborhood Searching for Clues" by Birgit Johler and Maria Fritsche (eds.)
dieloop.at – Michael Kofler keg	Austria	Herklotzgasse 21 and the Jewish Spaces of a Viennese Quarter Research, Remembrance and Presentation
exil.arte Austrian Coordination Point for Exile.Music, Institute for Analysis, Theory and History of Music at the University for Music and Interpretive Arts Vienna	Austria	Concert series in the Haus der Musik
Milena Publishers	Austria	Women 1938. Female positions on the National Socialist assumption of power; Evelyn Steintaler (ed.)
Ludwig Boltzmann Institute for Historical Social Science	Austria	Silence and Words of a Generation – Discussions of memories with victims, perpetrators and followers of National Socialism, Gerhard Botz (ed.)
Armin Berg Community – Association for the Promotion of and Research into the Jewish Entertainment Culture in Vienna	Austria	"Have You Ever Been in Love with Me?" – a Homage to the forgotten Viennese Cabaret stars Paul Morgan and his long-term partner Max Hansen
Institute for Science and the Arts	Austria	Austrian Women in the Resistance Against National Socialism A Biographical Database
Erinnern! Association for the Acknowledgement of the Surpressed Past, Villach	Austria	Restoration of the "Memorial of Names" in Villach
Böhlau Publishers	Austria	Erich Korngold biography by Gerold Gruber (ed.)
Böhlau Publishers	Austria	"Alfred Bader. Memories" by Gerhard Botz (ed.)
Institute for People's Sciences	Austria	International Conference in Honor of Alfred Schütz
Lhotsky-Film – commissioned by the ORF	Austria	Documentary "Exile" by Robert Gokl
Mandelbaum Publishers	Austria	"I know what I'm worth" – A Woman in Resistance: Irma Trksak by Cecile Cordon

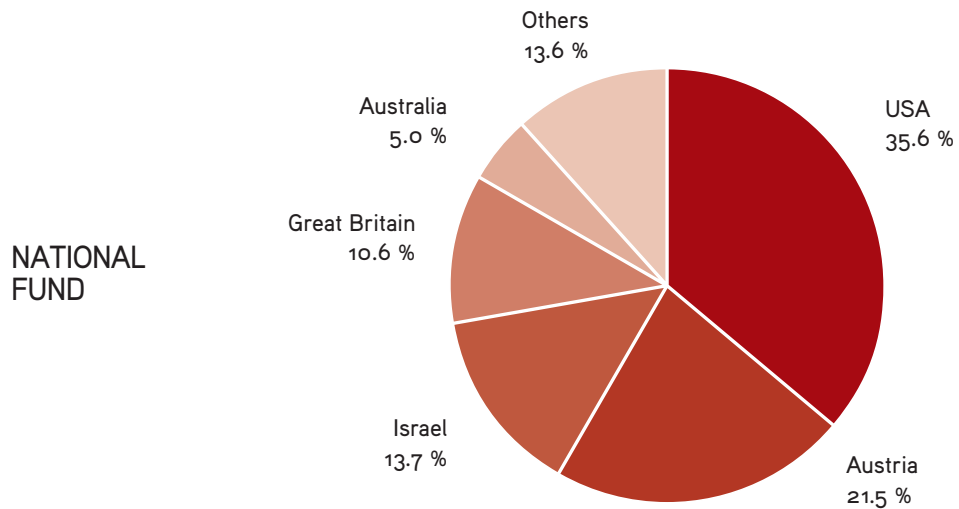
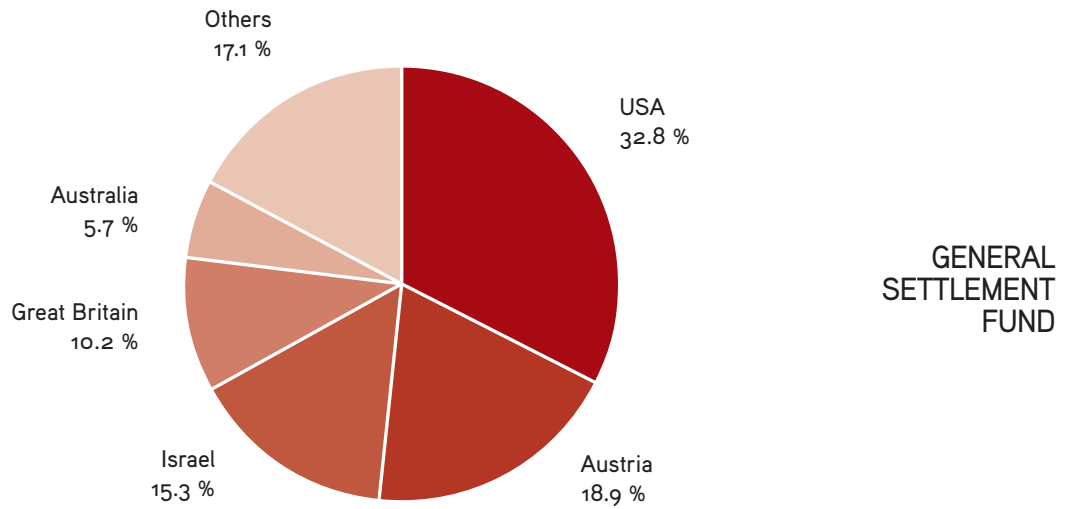
Appendix

El-La Productions	Austria	"I didn't have time to finish writing" A Homage to Selma Meerbaum-Eisinger; scenic reading with music
CEC – Center for Research and Documentation of Jewish Life in Eastern and Central Europe/Centropa	Austria	"Cafe Centropa", the club for Vienna's golden Jewish citizens
Ludwig Boltzmann Institute for Historical Social Sciences	Austria	Alfred Bader. Art, bible and chemistry in one hand Recollections
Böhlau Publishers	Austria	Unyielding Awareness. The Public Representation of Austria's State and National Identities in its Monuments. Volume 2, 1945 – present.
Drava Publishers	Austria	Publication of the book by Anton Haderlap "Graparji" in German translation by Metka Wakounig – "The People from the Mountain Valleys"
Grundstein. Association for Art and Communication	Austria	Dichterherbst – 100 Years of Ernest Dichter, the family Dichter, department store Dichter; public exhibition and interventions
Austrian National Library Scientific Institution under Public Law Publishers Anton Pustet	Austria	Monography on the restitution case Raoul Korty
WIFAR – Vienna Film Archive of the Workers' Movement	Austria	Mauthausen Pictures: Literary texts and photographs of the concentration camp Mauthausen by Christian Angerer, Karl Schuber (eds.) The Man on the Balcony Rudolf Gelbard, Concentration Camp Survivor – Contemporary Witness – Man of Politics
Burgenland Research Society	Austria	Recollections of Burgenland Jews in video interviews
University of Vienna	Austria	The Deaf during National Socialism in Austria
Federation of Social Democratic Freedom Fighters and Victims of Fascism	Austria	Book project "Now is the right Moment"; Fritz Inkret, February Fighter
Laube Social-Psychiatric Activities Ltd.	Austria	NS Euthanasia Research Department
CEC – Center for Research and Documentation of Jewish Life in Eastern and Central Europe/Centropa	Austria	The Library of Rescued Memories: the Austrian stories; 8 DVDs
Lungau Culture	Austria	Exhibition "Not Worthy of Life" in Tamsweg/Lungau
Association RaumSpur – Association for research into individual space constructions and their presentability	Austria	Street of Exile – Exhibition of Austrian exile literature
National Socialism and Holocaust: Memory and the Present	Austria	Topography of National Socialist terror in Klagenfurt – Dealing with regional history Concept and financing plan for the scientific research and publication of the results (part 2 of the project)
Association for the preservation and cultural use of the Synagogue Kobersdorf	Austria	Series of events "Culture in the Temple 2007" on the subject of "Surviving the Holocaust"
Jewish Community	Austria	Commemorative CD for the victims of the Holocaust and modern Jewish life
Ephelant Publishers	Austria	The Stronger Ones – A report from Auschwitz and other concentration camps by Hermann Langbein

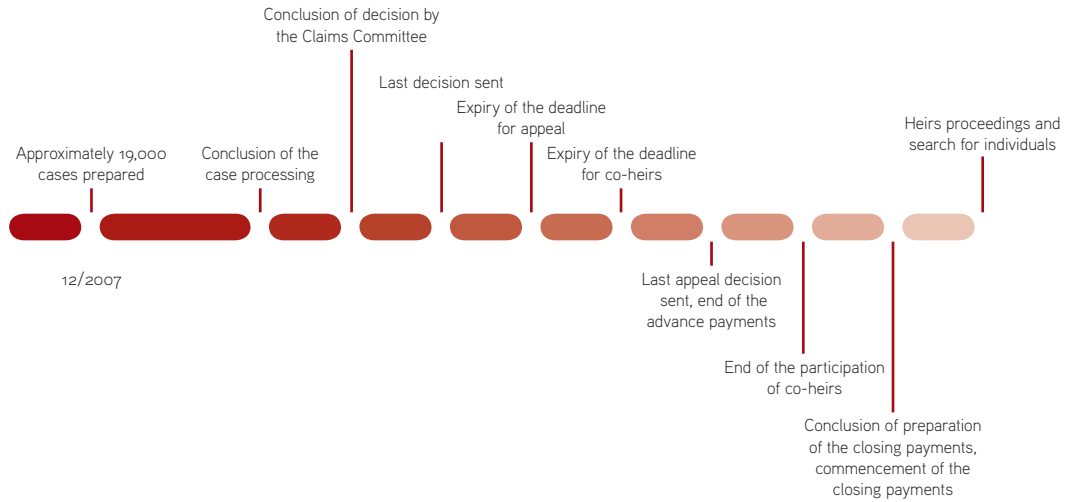
Looted Gold

Yad Vashem	Israel	Striving for Life – To be a Woman During the Holocaust Travelling exhibition
Association of Russian Jews	Austria	Support of cultural work 2007/2008
AMCHA – National Israeli Center for Psychosocial Support of Survivors of the Holocaust and the Second Generation	Israel	Psycho-social services to Holocaust survivors who live outside the large towns of Israel, some who have Austrian origin or who were in Austria during the 2nd World War
Humanitarian Aid Foundation	USA	Holocaust survivors assistance project
Center for Jewish Cultural History – University of Salzburg	Austria	Film and research project “Austro-American youth”
Austrian Embassy Berlin	Germany	Commemorative plaque in remembrance the Austrian victims of the concentration camp Sachsenhausen
American Jewish Joint Distribution Committee	Serbia	Day care center and homecare for Holocaust survivors in Belgrade, Serbia
Leo Baeck Institute New York	USA	Austrian Heritage Collection
Central Committee of Austrian Jews in Israel, Association of Austrian Pensioners in Israel	Israel	“CV of Aaron Menczer” – Film production
Association for the Research and Creation of Rituals and Ceremonies – rites institute	Austria	Israel complex – an educational project regarding 60 years of Israel
pArtisan – Art in the social and socio political context	Austria	Commemorative project “The end of remembering – Carinthian partisans”
Schlebrügge Editor – Publishers	Austria	Viennese family album. The Jewish Cemetery Währing by Tina Walzer
Facultas Publishers and Bookshop Corp.	Austria	Publication of decisions 1 to 7 of the Arbitration Panel for In Rem Restitution
Society for the Social History of Medicine	Austria	“History of Forensic Medicine in Vienna 1938–1945”
Knowledge Management Austria, Cooperative society	Austria	“The Festival of the 1000”

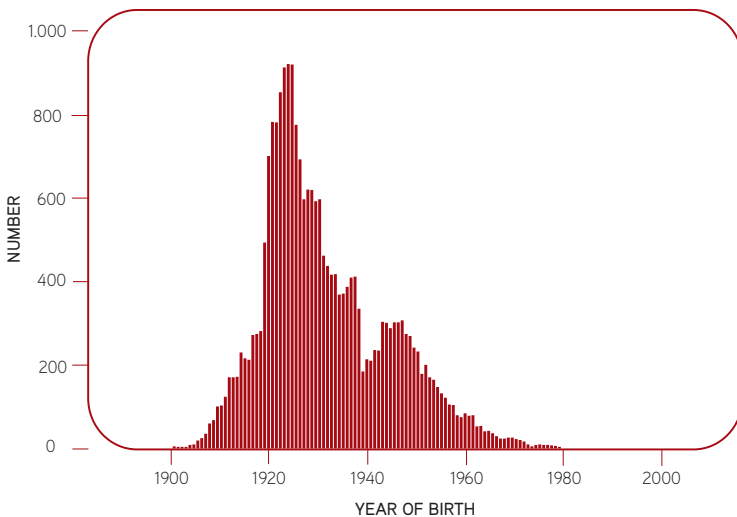
APPLICANTS ACCORDING TO COUNTRY



PROCESS OF COMPENSATION – GENERAL SETTLEMENT FUND



AGE DISTRIBUTION OF THE APPLICANTS OF THE GENERAL SETTLEMENT FUND



AN OVERVIEW OF *IN REM* RESTITUTION RESOURCES

Resources and holdings (Cooperating archives and authorities):

a) Standard Research

District Courts:

- Historical land register
- Collection of documents regarding the land register
- Electronic land register
- Probate files

Austrian State Archives*:

Archive of the Republic, Finance and Restitution Matters:

- Property notices
- Property Transaction Office (available holdings: property, industry, commerce, trade, legal, statistics, industry, provisional administrators and trustees)
- Financial Directorate Vienna
- Files of the collection agencies A/B
- Collection Agencies: property index, company index, property notice duplicates, restitution index
- Old Assistance Fund
- New Assistance Funds I and II
- Compensation Fund
- Federal Ministry for Property Control and Economic Planning – Federal Ministry of Finance (1st and 2nd Restitution Acts, 2nd instance), dept. 6, 8, 9, 16, 32, 33, 34 and 35
- State Financial Procurator's Office, dept. 6

Vienna State and Provincial Archives:

- Ordinance on the Notification of Seized Property
- Restitution Files (3rd Restitution Act, 1st instance)
- Probate files
- Estates/certificates of death
- Representative/trustee files
- Historical registry disclosures
- Historical land register and collection of documents (regarding individual districts)

Offices and Authorities:

- Federal Office for Metrology and Surveying
- Federal Ministry of Finance, index dept. 34
- Victims' Welfare Files Vienna: Municipal department 15

Jewish Community:

- Registry office of the Jewish Community
- Archive of the Jewish Community Vienna

IN REM Project:

- Federation
- City of Vienna
- Eisenstadt

Documentation Center of Austrian Resistance:

- Database "Collection of Names of the Austrian Holocaust Victims"
- Documents related to individuals' persecution

Literature:

- Reports of the Historical Commission
- Legal texts
- Internet research

* In the provinces, files on seizure and restitution are mostly located in the relevant provincial archives.

b) Case related special research
(demonstrative selection of holdings used to date)

Austrian State Archives, Archive of the Republic:

Judiciary:

- Federal Ministry of Justice, dept. 3 (in the case of German Property)
- Supreme Administrative Court Files (1945–1979)

Federal Chancellery, civil files of the National Socialist era:

- National Socialist German Workers Party – Regional Files
- Federal Chancellery – German Property
- Federal Chancellery – Liason office for the Allied Council (in the case of German property)
- Federal Chancellery – Liquidation Commissar (associations, foundations and funds)
- Federal Chancellery – Council of Ministers protocols of the First Republic
- Liquidator for the German Reich

Labor, Social Affairs:

- Holdings Reich Ministry of Labor/Regional Employment Office

Trade, Technology, Transport:

- Federal Ministry for Trade and Reconstruction (Public Administration)

Finance:

- Files of the Federal Compensation Commission

Estates and Collections

Vienna State and Provincial Archives:

- Vienna Municipal Council protocols
- Holdings municipal dept. 236 – building inspection
- Holdings municipal dept. 114 – administrative building inspection
- Holdings municipal dept. 245 – property administration (primarily transaction files)
- Holdings municipal dept. 218 – city regulation
- Trade register/commercial registers
- Holdings – public administration
- Index People’s Court case files
- Commercial Court files
- Commercial Court settlement files

Offices and Authorities:

- Municipal dept. 37 – building inspection
- Police archive Vienna
- Federal Office for the Protection of Monuments
- Municipal dept. 21 a/b – Zoning and Development Office
- State Financial Procurator’s Office (files of dept. 1)
- Federal Real Estate Corporation (formerly Federal Building Administration)
- Municipal dept. 35 – Resident index cards and cadastral sheets
- Municipal dept. 63 – Central Commercial Register
- Financial Directorate Vienna: Files on the War and Persecution-Related Material Damages Act
- Bar Association, Vienna
- Austrian Embassies abroad

Courts:

- Provincial Court for Civil Matters Vienna (Index of names 1955–1956 concerning German Property)
- Provincial Criminal Court Vienna (People’s Court case files; files of the public prosecutor’s office)
- Supreme Administrative Court (3rd instance, 1st and 2nd Restitution Acts)
- Supreme Court (3rd instance, 3rd Restitution Act – files of the Supreme Restitution Commission, including the 2nd instance, 3rd Restitution Act – judgments of the Higher Restitution Commission)

Documentation Center of Austrian Resistance:

- “Resistance and Persecution” in Austria (paper documentation)
- Secret State Police files (daily reports)
- People’s Court case files against “aryanizers” (copies and microfilms)
- Individual related holdings

Libraries:

- Parliamentary Library
- National Library (e.g. protocols of the Allied Council and the Executive Committee)
- University libraries
- Library of the Federal Ministry of Finance

Literature:

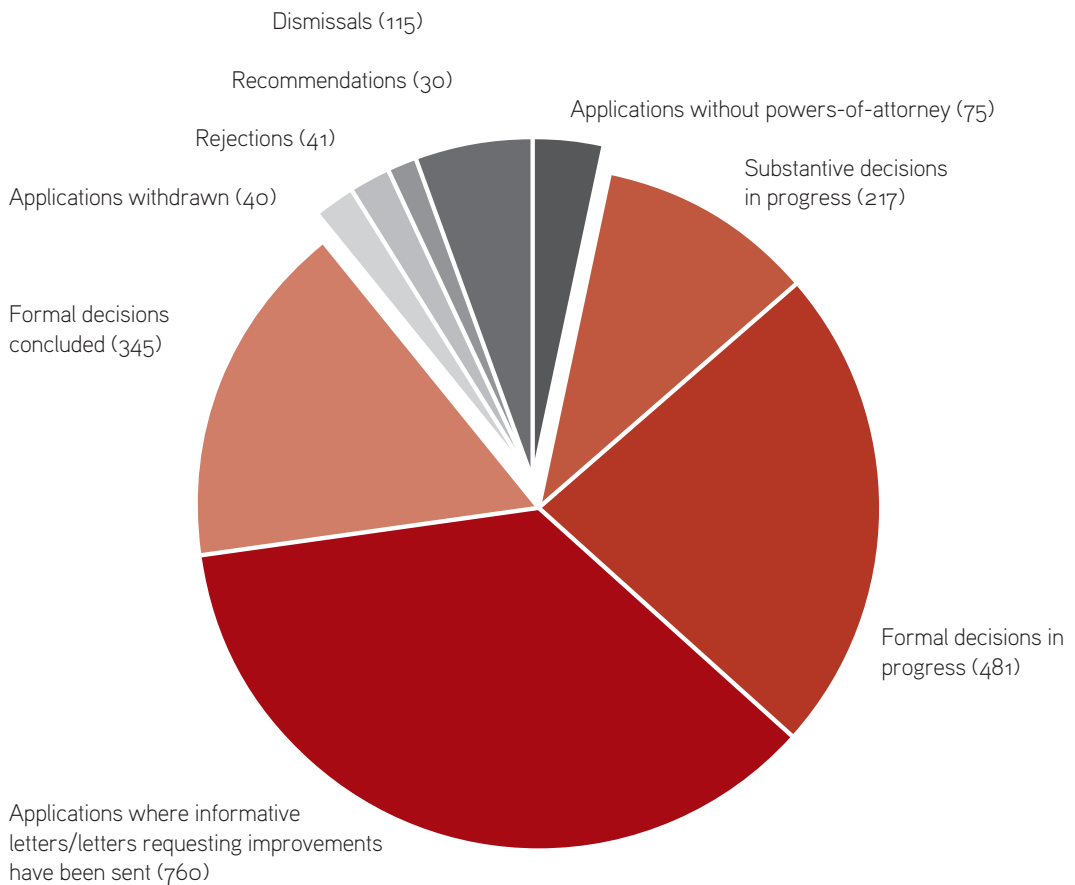
- Project ANNO – full text versions of the historical newspapers (internet)
- Case-specific specialized literature

Foreign Institutions:

- Federal Archives Berlin (special queries)
- Institute for Contemporary History Munich (Office of the Military Government of the United States – OMGUS-files; reports of the US Allied Commission in Austria)
- International Tracing Service of the Red Cross in Bad Arolsen (Germany)
- Yad Vashem database

APPLICATIONS TO THE ARBITRATION PANEL FOR *IN REM* RESTITUTION

Total applications received by the Arbitration Panel by 31st December 2007: 2,104



SPECIALIZED LITERATURE OF THE STAFF

Select bibliography of specialized literature by (former) employees of the National Fund or General Settlement Fund on both Funds and the subject of compensation and restitution:

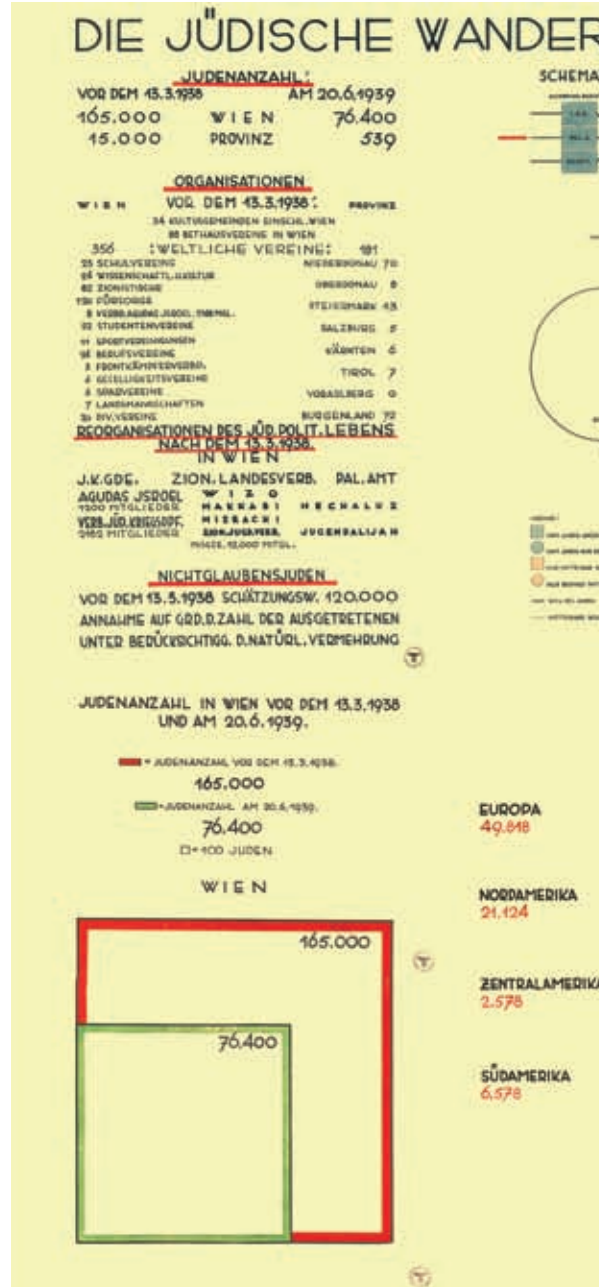
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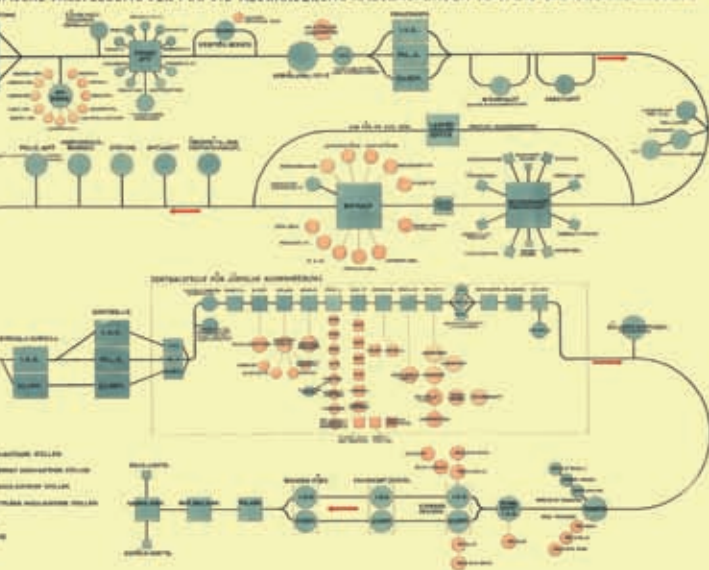
A DIAGRAM AS A SYMBOL

The large format poster with the euphemistic title “The Jewish Emigration from Ostmark 2.5.1938 – 20.6.1939” represents on the one hand the method of the National Socialist regime of involving on a massive scale the Jewish Community, supervised by Eichmann’s “Central Office for Jewish Emigration”, in the expulsion policies after the *Anschluss*. On the other hand, the diagram can be representative of the “long shadow of the past” (Aleida Assmann) inherent in Austrian compensation policy: The poster, which came into the possession of the Austrian National Library is the object of current restitution proceedings and is to be restituted to the Jewish Community almost 70 years after its conception.



AUSWANDERUNG AUS DER OSTMARK

GRAPHISCHE DARSTELLUNG DER FÜR DIE AUSWANDERUNG ANZULAUFENDEN ÄMTER UND ORGANISATIONEN.



2.5.1938 – 20.6.1939.

BERUFSSUMSCHICHTUNG



DIE AUSWANDERUNG NACH DEN EINZELNEN LÄNDERN UND WELTTEILEN



PALÄSTINA
6.338

ASIEN
17.135

AFRIKA
2.583

AUSTRALIEN
4.016

GESAMTAUSWANDERUNG BIS 20.6.1939: 107.772 JUDEN.

JUDENANZAHL IN DER PROVINZ VOR DEM 15.3.1938 UND AM 20.6.1939.



LEGAL DISCLOSURE

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for Victims of National Socialism
1017 Vienna, Parlament
www.nationalfonds.org

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Pleon Publico
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1030 Vienna, Neulinggasse 37
www.pleonpublico.at

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Georg Schenk (p. 14, 26, 34, 44, 58)

Photo credits

CEC – Center for Research and Documenta-
tion of Jewish Life in Eastern and Central
Europe/Centropa, Parliamentary manage-
ment/Parliamentary Archive (p. 14)
Edition lex liszt 12, Milena Publishers,
Remembrance Society – Villach (p. 26)
Association Stones of Remembrance (p. 26)
Austrian State Archives/Archives of the
Republic, Austrian National Library/Picture
Archive (p. 44)
Austrian National Library (p. 80+81)

Print Production

o8/16 print production gmbh

Printers

Bösmüller Druck
Obere Augartenstraße 32
1020 Vienna

Copy deadline: 30th September 2008