



Report of the State Comptroller of Israel | March 2022

The Ministry for Social Equality

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# **Restitution of the Rights and Property of Holocaust Victims and Survivors Confiscated in European Countries during the Rule of the Nazis and their Accomplices**





# Restitution of the Rights and Property of Holocaust Victims and Survivors Confiscated in European Countries during the Rule of the Nazis and their Accomplices

## Background

From 1939 to 1945, approximately six million Jews were murdered in the Holocaust, and about four million Jews survived its horrors (the survivors). The assets and rights owned by the Jews who lived in Europe on the eve of the outbreak of World War II consisted of private and communal property (the Jewish property). The Nazi regime and its accomplices confiscated most of the assets. After World War II, residents in the various countries of Europe looted some of the property; assets were either nationalized or realized by the government of the stated countries, and funds remained unclaimed in banks and insurance companies, with no effort made to locate heirs. At present, 75 years after World War II, a great deal of property belonging to the approximately 10 million Jews who lived in European countries until 1938, is still in possession of civic and government bodies in Europe, including financial corporations and individuals. In 2007, the Ministry for Social Equality (under its previous names) was put in charge of handling the restitution of Jewish property.



## Key figures

**Approx.  
400,000  
Holocaust  
survivors**

Jews live in the world in 2019, approx. 190,000 of them were in Israel

**Approx.  
15,000  
Holocaust  
survivors**

passed away in Israel from the beginning of 2019 until April 2020, an average of 41 deceased per day

**USD  
212–673  
billion**

the estimated value of the Jewish property in European countries in 2010; in 1938, the value was estimated at approx. USD billion 13.5

**Approx. NIS  
1.6 million**

allocated by the Ministry for Social Equality in the years 2015–2019 for handling the restitution of property, compared to NIS 16 million allocated to the ministry by the government in 2007

**47 countries**

who participated in the Prague Holocaust Era Assets Conference in 2009 signed the Terezin Declaration concerning the restitution of the Jewish property

**in 16 countries**

in Europe, in 2020, no regulation exists supporting the restitution of Jewish property








## Audit actions



From July 2018 to July 2020, the State Comptroller's office audited intermittently, the government's handling of the restitution of Jewish property from European countries in the wake of a complaint submitted to the State Comptroller's office in June 2018 concerning government activity in this matter. The audit was conducted in the Ministry for Social Equality and in the Ministry of Foreign Affairs.



## Key findings

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**The government's handling of the restitution of Jewish property** – designated ministerial committees and steering committees set up by the government in 2003, ceased to function in 2009 and have not been reestablished since then. A designated committee of director generals established in 2015 has not convened since 2017.
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**Implementation of the Terezin Declaration** – from a report submitted to the U.S. Congress in 2020 by force of the JUST<sup>1</sup> Act, it was raised that most Eastern European countries have yet to implement the principles of the Terezin Declaration approved in 2009, nor the guidelines for its implementation approved in 2010. However, the Ministry of Foreign Affairs has not yet exhausted the diplomatic and explanatory means to promote the implementation of this necessary declaration.
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**Handling the restitution of the property of the Jews of North Africa confiscated during World War II** – despite the government decision of 2009, the administrative bodies dealing with the restitution of the property of European Jewry have not dealt with the restitution of the Jewish property confiscated in the countries of North Africa during the Holocaust period.
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**Partial implementation of work plans in the Ministry of Social Equality** – in three of the five countries in which the annual work plans of the ministry were focused, the objectives set in the work plans have not been achieved, while in two of the five countries, objectives have been partially achieved.
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**Accurate data on the Jewish property's value** – since 2010, the Ministry for Social Equality has not made any estimates of the value of the Jewish property in European countries, communal and private, in its entirety with deduction of the amounts of compensation paid.
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**Initiative for Documentation of the Jewish Property** – the strategic plan for mapping, location, and restitution of the Jewish property from the countries of Europe, authored by the Ministry for Social Equality in 2008, has not been fully implemented, except for the HEART<sup>2</sup> project, that had taken place in the years 2013–2014. The raw data received from applicants as part of the project was not improved or processed, and the ministry did not publish this data and its significance.
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**Inter-ministerial cooperation** – until the audit findings were updated in January 2021, the Ministry for Social Equality has not yet established a professional co-operation

1 Justice for Uncompensated Survivors Today (JUST) Act of 2017, Pub L. 115-117 (5.9.2018).

2 Holocaust Era Asset Restitution Task Force.



with the Custodian General's Department in the Ministry of Justice regarding the required mapping of the Jewish property in the relevant European countries and locating its heirs. The aforementioned subject was one of the main objectives of the Ministry for Social Equality's strategic plan.



The State Comptroller's office commends the present achievements of the Ministry for Social Equality regarding allowances and pensions for survivors, particularly those who had been in the ghettos in Romania, and the ministry's initiative to promote research on the origins of the works of art stolen from their Jewish owners and found in Germany.

The State Comptroller's office also commends the activity of Israel's representatives abroad in guiding the special envoy of the Ministry of Foreign Affairs to convince countries in Eastern Europe to adopt the Serbian model of legislation, arranging various aspects of restitution of Jewish property.

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## Key recommendations



It is recommended that the Ministry for Social Equality determine measurable and achievable objectives in the annual work plans, in consultation with the relevant bodies in the government ministries. As part of this, it is recommended that the ministry form an action plan based on the JUST Act report and set a schedule for presenting the plan to the relevant government bodies.



It is recommended that the Ministry for Social Equality share its raw data with the relevant government bodies, particularly with the Custodian General in the Ministry of Justice; examine legal ways of presenting this data to the potential heirs, and consider the limitations created during data gathering as part of the HEART project.



In case the Ministry for Social Equality does not consider itself suited to achieving the objective set in the strategic plan for restitution of the Jewish property on the individual level, it is recommended that it transfer to the Custodian General the handling of the restitution of private Jewish property abroad, regarding locating Israeli citizens' rights holders and their heirs.



It is recommended that the Ministry for Social Equality publish the value of the private and communal Jewish property that is being discussed between it and government authorities in the European countries and also update the estimates of the Jewish



property according to experts on the topic to validate and improve the data for negotiation purposes.



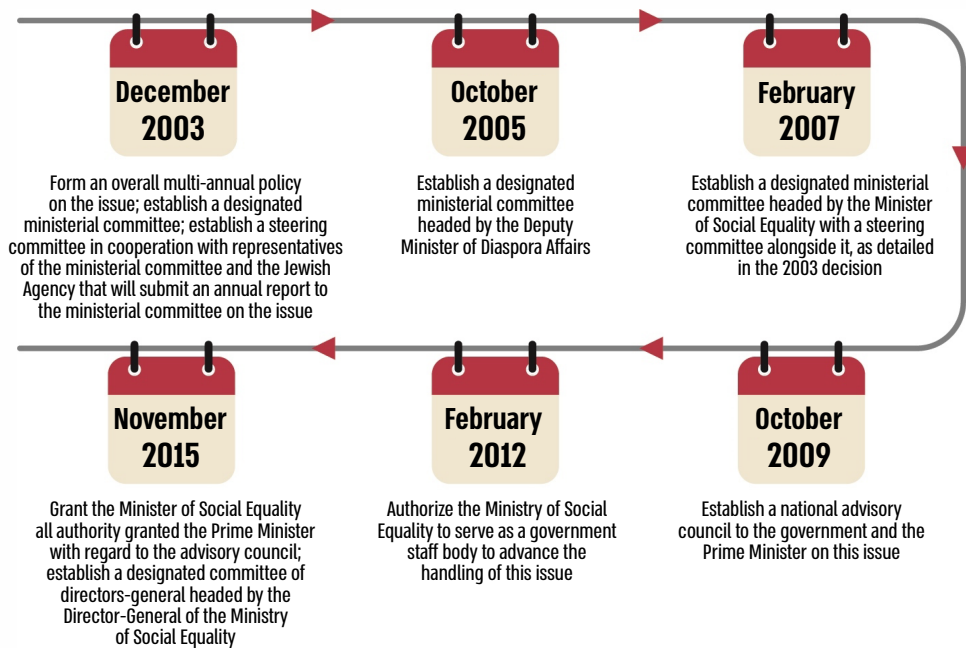
It is recommended that the Ministry for Social Equality encourage additional countries to locate works of art looted from Jews during the Holocaust, alongside efforts to find their heirs. As part of this activity, it is appropriate to include the location and restitution from Europe of Judaica articles such as Torah scrolls, ritual articles, and Jewish cultural treasures.



It is recommended that the Ministry of Foreign Affairs instruct Israel's diplomatic representatives in the relevant countries in Europe to meet and implement the understandings between the Israeli embassies and the local administrative authorities, to remove the bureaucratic obstacles in handling claims of survivors and their heirs. The Ministry should update the public on the approved arrangements regarding the applicable procedures to make the claims.



## Government decisions in the years 2003–2015 regarding the promotion of the restitution of Jewish property







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## Summary

Nazi Germany brought the Holocaust upon the Jewish people, which numbered approximately 10 million in Europe before the Second World War. From 1933 to 1945, the Nazis and their collaborators looted Jewish property, including the assets of Jewish communities, families and individuals, most of whom were murdered. The value of the Jewish property, both private and communal, is estimated (as of 2010) from USD 212 billion to USD 673 billion. Since 1991, successive governments of Israel have considered the restitution of Jewish property as a moral obligation and commitment to make historical justice. In 2007, the Ministry for Social Equality (under its previous names) was put in charge of the restitution of Jewish property. Its activity in this field, with its partners in government ministries and non-governmental organizations, has only met partial success. It should presently enhance its activity and create professional tools to deal with the diplomatic and legal challenges of handling this matter. Since 2015, the government has not been tracking the Ministry for Social Equality's activity on the restitution of Jewish property. Therefore, it would be appropriate for the Ministry for Social Equality to inform the government of its achievements in this field until now, alongside the difficulties it has encountered, for the government to form an up-to-date policy and instruct the suitable bodies on how to proceed towards advancing restitution of the Jewish property. In light of the government's moral and national commitment to act on this matter, it is appropriate that the Ministry for Social Equality and the Ministry of Foreign Affairs present the government with a comprehensive operative plan concerning the political and diplomatic aspects of handling this issue.