

ANNUAL REPORT

2010 - 2011

15th Anniversary of the National Fund
10th Anniversary of the Washington Agreement

NATIONAL FUND

OF THE REPUBLIC OF AUSTRIA FOR VICTIMS OF NATIONAL SOCIALISM

GENERAL

SETTLEMENT FUND

FOR VICTIMS OF NATIONAL SOCIALISM

FUND FOR THE RESTORATION

OF THE JEWISH CEMETERIES IN AUSTRIA

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PRESIDENT OF THE NATIONAL COUNCIL BARBARA PRAMMER

Since its establishment in 1995, the National Fund of the Republic of Austria for Victims of National Socialism has been expressing Austria's special responsibility towards the victims of National Socialism through its broad range of tasks and projects.

The Fund provides assistance to survivors, it makes a substantial contribution towards research into the National Socialist era and it promotes the documentation and dissemination of knowledge of these years to future generations. It has become one of the Republic of Austria's key institutions. However, its recognition and support of the victims of National Socialism does not mark the end of its work. In the future its tasks will continue to lie in the field of research and, increasingly, focus will also be placed on education and remembrance. The number of survivors who can describe these years in person continues to wane; documenting their stories and passing on their knowledge to subsequent generations is therefore gaining in importance.

In 2010, we took stock of 15 years of the National Fund and the outcome was overwhelmingly positive.

Around 30,000 gesture payments amounting to around 156 million Euro were made to the victims of National Socialism. Many projects were sponsored which are directly related to the National Socialist era in Austria. The range of projects for which sponsorship is requested is wide: it includes social and medical projects for Holocaust survivors, school projects and academic research, events, exhibitions, books and films. The number of applications for project sponsorship has continually risen in recent years, which not only indicates that the opportunity to request funding from the National Fund has become more widely known but also that increasing numbers of associations, schools and other organizations are addressing the subject of National Socialism. Many of the projects carried out contributed towards documenting unknown fates, some brought back to Austria those who had been forced into exile and others gave forgotten victims a name.



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**President of the National Council
Barbara Prammer**

A handwritten signature in black ink, appearing to read 'B. Prammer'.

The year 2011 marked the 10th anniversary of the conclusion of the Washington Agreement of 23 January 2001 between the Republic of Austria and the USA. Among other things, Austria undertook to resolve open questions of compensation for victims of National Socialism and to acknowledge moral responsibility for the losses of assets suffered by people under the National Socialist regime between 1938 and 1945, in the form of monetary payments. The General Settlement Fund for Victims of National Socialism was established in fulfilment of this obligation. The payments from this Fund can only be understood to be a gesture and not a comprehensive reimbursement of the actual losses. Nevertheless, after ten years we can also take stock in this regard and be satisfied.

The enormous challenges involved in processing the many applications were met by the staff of the General Settlement Fund with a huge depth of knowledge and the desire to provide maximum support to the applicants.

Thanks to their dedication, the 210 million US Dollar with which the Fund was endowed has been almost entirely disbursed and the imminent completion of its task can be expected. The Arbitration Panel for *In Rem* Restitution was also established at the General Settlement Fund. It is responsible for deciding on applications for restitution of publicly-owned property, for the most part real estate. I would like to take this opportunity to thank the Members of the Claims Committee, which decides on applications for monetary compensation, and the Members of the Arbitration Panel, for their many years of service.

In December 2010, the Fund for the Restoration of the Jewish Cemeteries in Austria was founded to put into practice Austria's obligation under international law to restore known and unknown Jewish cemeteries in Austria, which was also set out in the "Washington Agreement".

Until 2030, the Republic of Austria shall provide an annual amount of 1 million Euro for the restoration of the over 60 Jewish cemeteries in Austria.

I am confident that in the coming years the necessary arrangements shall be reached with both the cemetery owners and with the relevant towns and municipalities in order to be able to carry out the pending renovations and subsequent maintenance. The upkeep of the Jewish cemeteries in Austria is not only a responsibility the Republic of Austria has towards its Jewish citizens, most of whom were forced into exile or murdered. It is also a matter of showing respect for places of remembrance, where the memory of the dead should be preserved.

The planning for the redesign of the Austrian memorial in Auschwitz-Birkenau, resolved by the Austrian Federal Government in 2009, which the National Fund has been entrusted with coordinating, is already very advanced. It is of great importance that the present exhibition be swiftly renewed as its contents and themes are no longer in keeping with the Republic of Austria's view of her own history. It is intended that the exhibition reflect the historical and political knowledge gained in the last decades and be a further sign of Austria's avowal to responsibly deal with and actively come to terms with her past.

This is also to be achieved through the Societal Advisory Board which involves representatives from religious communities and victims' organizations and also from the Federal Government and political parties in the work on the redesign.

I would like to express my deep gratitude to all those who, with their tireless work for the National Fund, the General Settlement Fund and the Fund for the Restoration of the Jewish Cemeteries in Austria, are making a fundamental contribution to the successful processing of the thousands of applications and the projects. Special thanks are due to Secretary General Hannah Lessing and her staff.

SECRETARY GENERAL HANNAH M. LESSING

This year, the publication of the Annual Report for the years 2010 and 2011 is not only, as in previous years, a documentation of the work of two Funds – the National Fund and the General Settlement Fund – but, for the first time, also a documentation of the work of the Fund for the Restoration of the Jewish Cemeteries in Austria, which commenced its activities in early 2011. All three Funds share a common aim: the expression of Austria’s historical responsibility arising from the National Socialist era and its consequences.

The year 2010 was a special milestone for the National Fund in several respects:

In 1995, the Fund was established at the National Council; its 15th anniversary was an opportunity for us to present in a two volume publication not only the diverse aspects of its work but also some of the stories which are at the root of every application. The survivors, and providing them with recognition and support, have always been at the very heart of our work and this will remain unchanged in the future. But there are also new challenges which are increasingly gaining in importance: as the last surviving eyewitnesses fall silent, the need to create a lively culture of remembrance moves to the forefront. The publication of life stories and sponsorship of projects on remembrance, research and education, are, in different ways, contributions towards safeguarding memories and, as such, “planting the seeds of a better future amidst the soil of a bitter past”¹.

In 2010, the National Fund was also entrusted with the coordination of the redesign of the Austrian national exhibition at the former concentration and extermination camp and present State Museum Auschwitz-Birkenau – a redesign which is intended to demonstrate the change in Austria’s historical consciousness on an international stage.

The year 2011 saw a further anniversary: ten years previously, in 2001, the Washington Agreement had been concluded, leading to the establishment of the General Settlement Fund and the Arbitration Panel for *In Rem* Restitution. The present publication also marks this event: several articles reflect on the past ten years and take stock, providing information on the Agreement and a report on the event held to mark ten years of the Arbitration Panel’s work.



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**Secretary General
Hannah M. Lessing**

Additionally, people who have significantly influenced the three Funds – Dr. Susanne Janistyn, Dr. Hans Winkler, Stuart E. Eizenstat, Hon.-Prof. Dr. Wolfgang Neugebauer, Dr. Herta Neiß and Dr. Barbara Neugebauer – provide varied insights into the Funds’ history. I would like to take this opportunity to thank them for their contributions.

I myself had the honor of participating in the negotiations in Washington as part of an outstanding team, led by the Special Envoy for Restitution Issues Dr. Ernst Sucharipa and supported by Ambassador Dr. Hans Winkler. The negotiations were fascinating, if not always easy, and Stuart Eizenstat was impressive in his role as vis-à-vis.

Reflecting on these years also brings personal memories to the surface – vivid recollections of intense discussions, questions which extended beyond the official negotiations and continued to have a hold on us.

One such memory: when the negotiations had again stretched on into the night, I took a stroll at three in the morning with Ernst Sucharipa; the questions that were troubling us all – are we doing the right thing? Do compensation payments have any meaning, do they restore at least a small piece of justice? Will the sums being negotiated suffice to meet the possible claims to an acceptable extent? All of these questions in the painful knowledge that money cannot set anything right. Nevertheless, these payments were a gesture which it was important to make.

Ten years after the negotiations reached their conclusion, the General Settlement Fund is in the process of completing the tasks with which it was charged:

Over 20,700 applications containing 160,000 individual claims have been decided, almost all payments have been disbursed, the final preparations are being made for its closure. The Arbitration Panel for *In Rem* Restitution is also well on the way towards completing its application processing in the foreseeable future.

Although first and foremost a great achievement in terms of restitution and compensation, winding down the General Settlement Fund also meant that at the end of 2010 we had to part with many trusted members of staff as their work had been completed. I would like to take this opportunity to thank all those who accompanied us on this long and sometimes difficult journey – also on behalf of their colleagues – for their many years of dedication and for their idealism.

I would also like to take the opportunity presented by the publication of the Annual Reports to thank the people without whom the three Funds would not be able to carry out their work:

I thank the Members of the Board of Trustees and its chairperson, Barbara Prammer, for their excellent work, and equally the Members of the Committee of the National Fund, of the Claims Committee of the General Settlement Fund and of the Arbitration Panel for *In Rem* Restitution. I also extend my thanks to the members of the Societal and Academic Advisory Boards for the redesign of the

Austrian national exhibition at the Auschwitz-Birkenau memorial – particularly the two chairpersons Dr. Herta Neiß and Hon.-Prof. Dr. Wolfgang Neugebauer – for lending their support to an initiative which is of such importance for Austria.

For the first time, I can also thank the Advisory Board of the Fund for the Restoration of the Jewish Cemeteries in Austria, chaired by Dr. Barbara Neubauer – it is often the early stages of a project which prove to be the trickiest. I hope that the new Fund will be able to carry out its work in the same spirit that has guided the National Fund and General Settlement Fund throughout the years.

Finally, very special thanks go to my staff at the National Fund and the General Settlement Fund, under the leadership of my deputies Dr. Renate Meissner and Christine Schwab. It is important, especially in times of great change, to approach new tasks with fresh enthusiasm and flexibility and to keep sight of our common goals.

¹ "Declaration of the Stockholm International Forum on the Holocaust" of 2000, accessible online at www.holocaust-taskforce.org/about-the-itf/stockholm-declaration (accessed on 18 July 2012).

TAKING RESPONSIBILITY. SENDING A SIGNAL.

National Fund, General Settlement Fund, Fund for the Restoration of the Jewish Cemeteries in Austria: despite the many differences between these Funds – their origins, their tasks, their structure and their working methods – there is one thing they have in common: they are proof that Austria is coming to terms with the darkest sides of its history – the years of National Socialist rule – and has been for a while; that it is assuming responsibility for the victims of this regime, a regime which was also supported by many Austrian citizens.

The National Fund, with its payments to all Austrian victims of National Socialism as a gesture of recognition; the General Settlement Fund, with its payments for losses of assets suffered as a result of National Socialist persecution and the possibility of restitution of property; and, finally, the Fund for the Restoration of the Jewish Cemeteries in Austria, with its efforts to nurture a cultural, religious and also emotionally important element of Austria's history – they are all striving towards the same goal: that dealing with Austrian history not be limited to speeches on special occasions but manifested in a practical way, which can be felt by the victims and their descendants and demonstrates that they have not been forgotten.

The work of the General Settlement Fund is largely completed; the gesture payments by the National Fund are also becoming less frequent. Only a handful of eyewitnesses still survive to bring us closer to their experiences. But this does not mean that the time has come to draw the frequently called for line under the past ("*Schlussstrich*"). On the contrary, with the advent of a new generation, focus shifts towards safeguarding recollections for the collective memory.

Remembrance work and learning from the mistakes of the past form part of a political learning process which each generation must absolve for itself. Today's children and young people are at the heart of this learning process, for it is they who will shape the society of tomorrow. The National Fund renders a contribution by funding projects and publishing the life stories of survivors. The redesign of the Austrian exhibition in Auschwitz concentration camp, coordinated by the National Fund, also sends an important political signal that Austria no longer sees itself only as the first victim of Hitlerite Germany.

The National Fund and the General Settlement Fund place special importance on good communication with the applicants. Over the years, the expert knowledge of its staff and their experience in dealing with the victims has seen its development into a reliable and competent information and support point in questions of National Socialism, property seizure, compensation and restitution. In addition, the documents collected during the course of the application processing have grown into a unique archive, from which not only historians but also researchers from other disciplines will profit.

All three Funds – the Fund for the Restoration of the Jewish Cemeteries in Austria, projected to span 20 years; the National Fund, with the realignment of its main points of focus; and the General Settlement Fund, which stands on the cusp of completing its work – remain indispensable elements in Austria's efforts to responsibly come to terms with her past.



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The building in Kirchberggasse, 7th District of Vienna, which is home to the offices of the National Fund of the Republic of Austria for Victims of National Socialism, the General Settlement Fund for Victims of National Socialism and the Fund for the Restoration of the Jewish Cemeteries in Austria.

MILESTONES

1995

June: establishment of the National Fund of the Republic of Austria for Victims of National Socialism (Federal Law Gazette no. 432/1995).

1996

Recognition of the *Spanienkämpfer* as victims of political persecution.

1997

Recognition for widows, widowers or children of people who were executed, died in prison or in a concentration camp and of parents and children of people who fell victim to "euthanasia".

2001

January: The Joint Statement is signed by representatives of the Republic of Austria, the USA and victims' organizations – the Washington Agreement enters into force.

28 May: the *Entschädigungsfondsgesetz* ("General Settlement Fund Law", Federal Law Gazette I no. 12/2001) is enacted.

October/November: The Claims Committee and the Arbitration Panel for *In Rem* Restitution have their constituent meetings.

Austria becomes Member of the Task Force for International Cooperation on Holocaust Education, Remembrance, and Research (International Task Force, ITF).

Commencement of compensation payments for seized tenancy rights by the National Fund.

2002

Recognition for conscientious objectors and deserters from the German Armed Forces.

2003

27 January: the Historical Commission submits its final report.

28 May: expiry of the deadline for applications for monetary compensation from the General Settlement Fund.

22 October: the Arbitration Panel recommends the restitution of a property for the first time.

2007

At the end of the year the deadline for applications for *in rem* restitution of property owned by the Federation expires.

Recognition of children of Carinthian Slovenes as victims.

2008

Austria takes over the chairmanship of the ITF for one year.

To mark the year of remembrance 70 years after the *Anschluss* of Austria to the German Reich, the National Fund commences the publication of applicants' life stories on its website.

The Federation makes a "remembrance payment" to the victims of National Socialism to mark the year of remembrance.

2009

By resolution of the Council of Ministers, the National Fund is entrusted with the coordination of the redesign of the Austrian national exhibition in Auschwitz-Birkenau.

Presentation of the first two volumes of the series "Decisions of the Arbitration Panel for *In Rem* Restitution".

Commencement of the closing payments by the General Settlement Fund (Federal Law Gazette I no. 54/2009).

1998

Establishment of the Nazi Persecutee Relief Fund; administration of the Austrian share by the National Fund.

Constituent meeting of the Historical Commission of the Republic of Austria.

The *Kunstrückgabegesetz* ("Art Restitution Law", Federal Law Gazette no. 181/1998) is enacted.

Recognition for the "Children of Spiegelgrund".

1999

Establishment of the Hardship Compensation Fund at the National Fund.

2000

18 May: Ambassador Dr. Ernst Sucharipa is appointed Special Envoy for Restitution Issues.

October: Agreement on the compensation of slave laborers; commencement of the negotiations on restitution.

2004

30 June: expiry of the deadline for applications for compensation of seized tenancy rights.

2005

Achievement of legal peace after the dismissal of the last class action suit against the Republic of Austria and Austrian enterprises in the USA (Federal Law Gazette I no. 145/2005 and Federal Law Gazette II no. 414/2005).

2006

January: the General Settlement Fund is endowed with 210 million US Dollar.

October: in cooperation with the Federal Museums and Museums of the City of Vienna, the National Fund publishes an art database containing around 9,000 objects.

2010

Establishment of the Fund for the Restoration of the Jewish Cemeteries in Austria (Federal Law Gazette I no. 99/2010).

The Austrian share of the Nazi Persecutee Relief Fund has been fully utilized.

Transfer to the National Fund by the National Library of around 8,000 books looted during the National Socialist era.

2011

The first two applications for funding from the Fund for the Restoration of the Jewish Cemeteries in Austria are approved.

At the end of the year the deadlines for applications to the Arbitration Panel expire.

The Republic of Austria pledges 6 million Euro towards the upkeep of the Auschwitz-Birkenau memorial (Federal Law Gazette I no. 128/ 2011).

National Fund of the Republic of Austria for Victims of National Socialism

General Settlement Fund for Victims of National Socialism

Fund for the Restoration of the Jewish Cemeteries in Austria

THAT'S THE THING ABOUT NUMBERS

SUSANNE JANISTYN

The expectations of an annual report usually extend no further than statistics, facts and possibly a sober look at developments to come. I believe that the annual reports of the National Fund and the General Settlement Fund not only fulfill the statutory mandate to account for taxpayers' money; they also have another function which is by no means to be underestimated. They connect the dry facts and figures with the actual fates of the victims of National Socialism.

The work of both Funds centers on the historical events which occurred in Austria between 1938 and 1945. During these years, millions fell victim to the inhumanity and despotism of the National Socialist reign of terror. Today, both the study of contemporary history and the testimonies of the eyewitnesses provide us with a clear insight into the mechanisms of this violent regime which were applied at the time. As such, they form a solid basis for the conclusions which need to be drawn for the present. As we are now aware, the National Socialist regime penetrated all areas of people's lives with unimaginable brutality, keeping fastidious records in the concentration camps and prisons, reducing people to mere numbers. These events were the culmination of centuries of marginalization and racism. They led to the greatest catastrophe of the 20th century.

For this reason, I believe that one of the most important undertakings of the National Fund and the General Settlement Fund is returning to the victims their personal and individual stories of persecution, seizure and murder.

When the National Fund Law was enacted in June 1995, there was no fixed notion of how many victims may have survived the Holocaust, political persecution and National Socialist terror. As the victims of National Socialism were scattered across the world, the Fund was first publicized in national and international newspapers. Initially only the odd letter arrived but it was not long before the mail was being delivered by the sack. Although the survivors were hesitant at first, in the months that followed their confidence in the new institution grew.

I was deeply moved by the experiences related by the survivors in the early stages. Until this time, I had had no concept of how state-endorsed acts of will could determine people's survival. A Jewish lady described to me how during a morning roll call in a concentration camp, those with an "uneven" position in the row – every other person – were shot. Numbers instead of names: in concentration camps the obliteration of a personal identity was achieved by tattooing the prisoners with a number. No one was interested in Mrs. Mayer or Mr. Singer anymore, friendly or perhaps unpleasant neighbors who had their own jobs, who maybe liked to read or enjoyed sport. The sum of these qualities makes or characterizes a person; they were replaced by the prisoner number or by the classification either "worthy of life" or "unworthy of life". This seemingly facilitated the "economic exploitation" of people. The fact that this madness was put into practice is documented in photos.

The wide variety and diversity of these people's fates cannot always be legally categorized and for this reason the interpretation of the Law proved extremely challenging for the Committee of the National Fund. The National Fund renders payments to persons who were persecuted by the National Socialist regime on political grounds, on grounds of origin, religion, nationality, sexual orientation, on grounds of a physical or mental handicap or of the accusation of so called asociality, or who were otherwise victims of National Socialist persecution or who left the country in order to escape such persecution. I would like to provide a brief insight into the people and the stories behind this legal definition.

Persecution on political grounds could mean the following:

Walter F. deserted from the German Armed Forces in 1943, traveling to Italy where he fought with the Italian Communist Party against Hitler and Mussolini. In August 1944 he was caught and brought before the Verona Court Martial; in November 1944 he was sentenced to death for desertion, espionage and sabotage. After he had lodged a petition for clemency the sentence was amended to 25 years in prison and he was used for bomb disposal and deactivation. In April of the following year he was liberated by the Americans.

Johann K. did not hide from his like-minded friends and colleagues that he was against the ideals of National Socialism and in favor of an Austrian monarchy. In 1938 he was arrested for making such a statement and was sentenced to 8 weeks strict detention for slandering the *Führer* and incitement of the public. He was subsequently imprisoned in the Linz Police Jail by the Secret State Police before being taken into “protective custody” in Dachau concentration camp in 1939.

Those who were subjected to persecution on grounds of origin told stories such as this: Lea B.’s family lived in Vienna. Although many of her friends and family had emigrated after the *Anschluss*, her father continued to run his tinsmith company. His business was destroyed during the November Pogrom. The family was compelled to leave the country, leaving everything behind them. They tried to rebuild their lives in Palestine.

A Roma family was persecuted by the National Socialist regime and had to go into hiding until the end of the war. According to the father, the family hid in the woods and on farms in Hungary and Czechoslovakia. Several relatives were deported and murdered in the camps.

Johanna M. and her husband were Jehovah’s Witnesses, which led to their arrest by the Secret State Police. She was released a few days later but had to live in hiding from this time onward. Her husband was deported to Dachau concentration camp.

Sometimes it was enough just to be of a certain nationality: Karl S. was discriminated against as a result of his Polish roots and was expelled from school at the instigation of his school teacher, “a grimly determined National Socialist”. This had a lasting impact on his later career. His father was briefly imprisoned and had to report weekly to the police. The family had been living in Vienna for over 20 years at the time.

Persons with physical or mental handicaps were classified as unworthy of life. Elisabeth G. and her husband had been deaf from birth. In 1943, she gave birth to a son, who was also deaf. Mrs. G. and her husband were then subjected to an enforced sterilization. The Law on Preventing the Transmission of Hereditary Diseases of 1933 legitimized the systematic “prevention of reproduction”, a direct consequence of the notions of “racial hygiene”. In a study carried out in 1998, Dahl estimates that between 200,000 and 350,000 persons were forcibly rendered infertile between 1934 and 1945 as a direct result of the Enforced Sterilization Act.¹

For people accused of being “work-shy”, the road led straight to a labor training camp or similar institution on grounds of their “asociality”. The inmates were used as slave laborers and held in prison-like conditions. From 1940, people who refused to work were systematically registered. The legal basis for committing these people to camps was the German Ordinance on the Obligation to be Self-Supporting of 1924, introduced to Austria in September 1938, according to which persons over the age of 18 who “due to their own moral fault must seek recourse to public welfare” could be committed to a labor camp by decision of the District Commissioner or the Mayor, without a court order being necessary.

These accounts show that the most negligible grounds were sufficient enough to pose a serious threat to a person. The large number of life stories which have been published from this period bear witness to this reality. But they also show that despite constant threats, it was possible to survive.

In many cases the victims of National Socialism told their life stories for the first time to the staff of the National Fund, as they had wanted to spare their families these terrible experiences by keeping their memories to themselves. On occasion, it was “survivor’s guilt” which did not allow them to speak of the terrors, as many of their friends or relatives had not survived.

The staff of the National Fund in turn became a “family” with which the survivors could share their experiences.

The survivors’ testimonies that have been provided to the National Fund and the General Settlement Fund embody valuable historical knowledge of a period in which human life was subjected to a merciless, racist cost-benefit calculation.

That in itself is reason enough for the central task of the National Fund to lie in keeping the memory of these events alive and giving the victims a name – in keeping with the spirit of the memorial in Jerusalem whose name “Yad Vashem” refers to the Old Testament book of Isaiah, 56:5: “Even unto them will I give in mine house and within my walls a place and a name better than of sons and of daughters: I will give them an everlasting name, that shall not be cut off.”



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Dr. Susanne Janistyn

studied Law at the University of Vienna. She initially worked on the academic staff of the Supreme Administrative Court before moving to the Parliamentary Administration. In 2006 she became the Head of the National Council Service and since 2008 she has been the Parliamentary Vice-Director of the Legislative Division. Dr. Janistyn was the first Chairperson of the Parliamentary Workgroup for Equality. She also played a role in the foundation of the Margaretha Lupac Foundation for Parliamentarianism and Democracy, of which she has been Managing Director since 2002. She has been a Member of the Committee of the National Fund since 1995.

¹ Matthias Dahl, *Endstation Spiegelgrund. Die Tötung behinderter Kinder während des Nationalsozialismus am Beispiel einer Kinderfachabteilung in Wien 1940 bis 1945*, Vienna 1998, p. 19.



GIVING THE VICTIMS FACES AND NAMES A PERSONAL ENCOUNTER WITH HISTORY

RENATE S. MEISSNER

Everything has changed –
or are we the ones
who have changed ...?
(Rose Ausländer)*

Two anniversaries provide a context for this Annual Report: in 2010, the National Fund of the Republic of Austria for Victims of National Socialism celebrated its 15th anniversary, and 2011 marked ten years since the conclusion of the Washington Agreement, which formed the basis for the General Settlement Fund for Victims of National Socialism.

This article shall focus on the activities of the National Fund, whose formation and development as an institution I was able to shape and observe as one of the founding members of its staff. As such, I was requested to collect a few thoughts on the National Fund's intentions and development, the adaptation and evolution of its tasks and, in a broader sense, its importance on a social and political level. The portrayal of fifteen intensive, eventful years within the space of a few pages in a way which is comprehensible to the reader – this is by no means a simple undertaking!

“Actually, I just wanted someone to show an interest in me, to ask me what it had been like and if I’m alright ...”¹

In her speech, held in Parliament on the Day of Remembrance against Violence and Racism 2011, Ruth Klüger described how, as a 13 year-old-child who had narrowly survived the concentration camps, she had longed to tell someone what it had been like, how she had felt.

While still in the camp she had attempted to express the inconceivable and unspeakable in the form of a poem; after her liberation she wanted it published. At first, she found no one willing to publish it and when it was later accepted it was only printed in an abridged form considered fit for the consumption of the post-war public. She described her disappointment: “I was hoping for a word of acknowledgement or at least recognition, I wanted to have a face. And there was a face but not mine, it was a sketch which wasn’t me but a collective definition of how such a child was supposed to look, with terror-stricken eyes, presumably screaming. Actually, I just wanted someone to show an interest in me, to ask me what it had been like and if I’m alright [...].”²

And, in the context of the tasks bestowed upon the National Fund by law, it is precisely this that lies at the heart of the National Fund and at the heart of the remit to which the Secretary General and her staff continue to feel bound: while carrying out the Republic of Austria’s symbolic gesture payments, they offer the victims a platform for their individual stories by opening a dialogue – be it face-to-face, by letter or by telephone – and, in doing so, wrest them from anonymity and return to them their names, faces, voices and the feeling – which they were once denied – of being human.

Simply being there and asking: how are you now? What was it like back then? That is exactly what was needed: someone to be there, to listen and to ask questions, the questions which barely anyone in this country in direct contact with Holocaust victims had asked them.

“...to acknowledge the facticity of the Holocaust...”³

Both the installation and the development of the National Fund and of the General Settlement Fund are a reflection of social and political processes whose origins can be traced back as far as a few decades. The creation of the National Fund and its activities could be described as a concrete expression of a new approach to the past, by adding to Aleida Assmann’s question “how does history encounter us?”⁴, the question “how do we encounter history?”

This dialectical process, which plays a key role in the interplay of each interpretation of history, can be traced back to 1945 and be roughly divided into two main phases, demarcating the fundamental developmental steps and the resulting reappraisal of Austria’s history: on a political level, this is the time before 1995 and the enactment of the National Fund Law. In terms of society, it is the developments which have since occurred in the field of victim recognition, during the course and as a consequence of the work of the National Fund.

It was the new official approach⁵ to the long denied or repressed factuality that Austria was not the first victim of Hitler’s policies of aggression but rather “a shameful number of Austrians were collaborators, perpetrators, accessories to crimes”⁶ that enabled Austria finally, 50 years after the foundation of the Republic, to approach the victims of National Socialism with a symbolic gesture of regret and acknowledgement.

This symbolic act, awaited by so many, for so long that it was no longer expected, marked the start of a multifaceted and enriching (belated) dialogue with the surviving victims of the Holocaust.

During the period between the enactment of the National Fund Law and the formation of the Office of the Secretary General, finding suitable offices, and the creation of an organizational infrastructure, I was able to make first contacts with the victims of National Socialism who found their way to our makeshift office in the Parliament building. They included people who had been persecuted for their political beliefs, Roma and Sinti and emigrants from Europe and further afield.

They all had one thing in common: besides filing an application for a symbolic gesture payment they also wanted to talk – to tell their stories and to open a dialogue with their former homeland, where there had been an about turn in official attitudes. Some also expressed their anger at Austria’s past behavior.

“Today I am welcomed here; I’m even invited to speak in Parliament...”⁷

Thanks to this dialogue between the applicants and the staff of the two Funds – a personal encounter with history – certain accents were placed in our work, we gained new knowledge and experiences and put them into practice. New historical details and nuances came to light, were elaborated by historical research and brought before the Board of Trustees. Historians submitted a range of research projects to the National Fund; their findings promoted and accelerated the process of acknowledging further groups of victims. This could be described as a dialectical process of reappraising history, which led to the successive political and societal acknowledgement of groups of victims⁸ which had previously gone unnoticed, such as the so called children of Spiegelgrund [a notorious Viennese children’s institution where 800 sick or disabled children were murdered and many others mistreated and abused; *comm. by the translator*]; the widows/widowers of people tried and executed by the Nazis for political reasons; deserters from the German Armed Forces and other victims of National Socialist court martial; Jehovah’s Witnesses; Carinthian partisans and their children; the families of those murdered as part of the National Socialist euthanasia program.

On a socio-political level, this process is not only documented by the successive extension of the decision-making practice of the Committee of the National Fund to include these groups of victims when awarding the gesture payments but also by the development of the original tasks of the National Fund and the addition of new ones during the course of its work.

Will there also be a need for the National Fund in Austria’s future?

Even though, as Ruth Klüger put it⁹, “at the root of the matter” what occurred remains “inconceivable” and the question of how the Holocaust could even have happened remains “an unsolved mystery”, and despite the fact that it is not possible to get to grips with dealing with the past – with a view to creating a peaceful future – with “catchphrases like ‘never again’ or with memorials or [...] remembrance days”, the hope remains that by coming to terms with what happened in the past, in a spirit of self-awareness fundamental milestones can be set in the present. In order to achieve this, institutions are needed which actively deal with history on various levels within their range of activities, both domestically and abroad.

One of the original tasks of the National Fund is of ongoing, if not continually increasing, importance: the sponsorship of projects which serve to promote academic research into National Socialism and remembrance and commemoration, or which directly benefit those affected through social-medical and socio-therapeutic measures.

I would like to thank everyone who has championed the National Fund, established with the Parliamentary Administration, making it a firm fixture and clear sign of the will of the Republic of Austria to continue its efforts in coming to terms with its National Socialist history.

When considered in socio-political terms, Austria’s altered approach to its history can be described by the triad “nation – history – identity”¹⁰. Alone by virtue of its existence, the National Fund can be considered a reflection of the socio-political processes towards the development of a historical awareness in Austria. The Funds activities and constant, guiding evolution in interplay with victims, academia, society and politics further contribute to this picture.

In this regard, entrusting the National Fund with the coordination of the redesign of the Austrian exhibition at the State Museum Auschwitz Birkenau seemed like a logical step. The old exhibition originating from the 1970s, although very worthwhile and of a high standard, is no longer in keeping with Austria's current understanding of her own history as far as its basic message is concerned.

The fact that the Republic of Austria is stepping up to its obligation to restore the Jewish cemeteries, enshrined in the Washington Agreement in 2001, can also be seen as another important step towards the acknowledgement of Jewish culture as a part of the Austrian identity.

Having been entrusted with accomplishing the administrative duties of the Fund for the Restoration of the Jewish Cemeteries in Austria, established in 2010, the National Fund was afforded the opportunity to bestow not only the living but also the dead with the dignity they deserve.

In view of the circumstance that the number of survivors of Nazi persecution is waning, it is by no means a coincidence that documentation of life stories and memories is becoming ever more important, within society and at the National Fund: before long, there will be no one left to describe the events of the Nazi era first hand.

The victims perceive the publication of their life stories as a validation, an acknowledgement of their individual fate and, as such, broader recognition of their suffering. At the National Fund, this has manifested itself in the form of a gradual shift in focus, from monetary payments to a sort of "non-material compensation" for the victims.

Although much wanted and aimed for by Dr. Heinz Fischer (at the time President of the National Council and Chairman of the Board of Trustees) ever since the creation of the National Fund in 1995, for a long time the documentation and publication of life stories remained a "poor relation" among the Fund's undertakings. Finally, in the Year of Remembrance 2008 a strong shift towards this area – which the National Fund had always considered to be of great social importance and relevance – started to become noticeable.

Today, the National Fund has a small team which documents, publishes and distributes the life stories and testimonies of survivors. The life stories have become established as a key element in the National Fund's range of tasks and will foreseeably continue to gain in importance, so that the valuable experiences of the surviving eyewitnesses can be safeguarded for posterity.

The effect of the words

Austria's words of apology, which found their expression in the symbolic gesture payment of the National Fund, and the words written in letters or spoken by telephone and face-to-face, have helped build bridges between people, between generations, and from the applicants back to their former homeland. We cannot bring back the dead and we cannot undo the material or non-material damage but these words, according to Moshe Jahoda had "a certain psychological effect... [and] provided a little illumination in the darkness of abandonment" ¹¹. In this way, from the very beginning of the National Fund words have been able to create small wonders and act as a balm to sooth old wounds.

This dialogue with the victims shall be continued and the results made available to the public, and above all to the younger generation, in the form of life stories – this will remain one of the central tasks of the National Fund. In doing so, the National Fund hopes to make a contribution towards Austria's historical understanding and identity-building which goes beyond the gesture payment and project sponsorship, both as acknowledgement of the victims' personal stories and in socio-political terms.

The thoughts and words of Ruth Klüger have profoundly shaped this article. However, I would like to close with the words of a poet who survived the Holocaust in Czernowitz ghetto and, in contrast to Ruth Klüger, after trying to settle in the USA found her homeland back in Europe after all – Rose Ausländer:

I believe in the wonder
of words
which work their way through the world
and create worlds...*



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Dr. Renate S. Meissner, MSc. (geboren 1959) studied Ethnology and Jewish Studies at the University of Vienna and undertook numerous field trips to Israel. From 1986 to 1992, she worked as a member of the academic staff at the Institute for Jewish Studies of the University of Vienna and from 1989 to 1993 also at the Museum for Ethnology in Vienna, where she was not only co-curator of the exhibition "Yemen. In the country of the Queen of Sheba" (1989/1990), but also responsible for building up the collection of Oriental Judaica. Since 1995, Dr. Meissner has been Deputy Secretary General and since 2005 Scientific Director of the National Fund. She has also been Head of Personnel for the National Fund and General Settlement Fund since 2003. She has authored several publications including on Yemenite Jewry and is also the editor of the anniversary publications of the National Fund (2005 and 2010).

* From: Rose Ausländer, *Mutterland/Einverständnis*, Frankfurt am Main 1986.

1 Ruth Klüger, speech on the Day of Remembrance against Violence and Racism in the Austrian Parliament on 5 May 2011, accessible at www.parlament.gv.at/ZUSD/pdf/gedenktagsrede_ruthklueger.pdf (accessed on 18 July 2012).

2 Ibid.

3 Ibid.

4 Aleida Assmann, *Geschichte im Gedächtnis. Von der individuellen Erfahrung zur öffentlichen Inszenierung*, Munich 2007 (= *Krupp-Vorlesungen zu Politik und Geschichte am Kulturwissenschaftlichen Institut im Wissenschaftszentrum Nordrhein-Westfalen*, volume 6), p. 12.

5 A decisive factor for this was former Federal Chancellor Franz Vranitzky's speech at the National Council on 8 July 1991 in which he made an avowal of Austria's shared responsibility for the crimes under National Socialism and deemed this avowal to be a benchmark against which we should measure our current understanding of history (see legislative period XVIII, 35th session of the National Council on 8 July 1991, 3282 f.).

6 Wolfgang Schallenberg in: Renate S. Meissner on behalf of the National Fund (ed.), *National Fund of the Republic of Austria for Victims of National Socialism. Development, function, impact*, Vienna 2010, p. 36.

7 Klüger (see footnote 1).

8 See Renate S. Meissner, *The National Fund as an Expression of the Change in Austria's Policies of Coming to Terms with the Past. Reflections on the Work of the Early Years*. In: Meissner 2010, p. 33–55, particularly p. 39–48, and Maria Luise Lanzrath, *Because much remains unresolved... Victim Recognition and New Tasks Assumed by the National Fund since 2001*. In: Meissner 2010, p. 59–80, particularly p. 69–79.

9 Klüger (see footnote 1).

10 A modification of Karl Heinz Bohrer in Assmann 2007, p. 23.

11 Moshe Jahoda in: Meissner 2010, p. 32.

PEOPLE, FATES, MEMORIES – THE DOCUMENTATION OF LIFE STORIES AT THE NATIONAL FUND

MIRJAM LANGER, MICHAELA NIKLAS

Working with the wide-ranging recollections of the victims of National Socialism as part of the National Fund's efforts to document and publish their life stories is interesting and stimulating, but it is not always easy – above all else, it is an undertaking which never fails to both deeply move and affect us. At the same time, it is also a great privilege to be able to become acquainted with "living history" through the applicants to the National Fund.

After receiving the Republic of Austria's recognition as victims of National Socialism in the form of a gesture payment made by the National Fund, many of the victims view the National Fund's documentation and publication of their life stories to be a long overdue acknowledgement of their difficult fates, a "second, non-material" recognition of their victimhood.

As we know from our work, the victims have a myriad of reasons for deciding whether – if at all – and how to relate their stories of persecution to us and if they wish to see them appear in print.

"...to my children, who know some of this story, but not all and I expect they may show it to my grandchildren someday when they are old enough..."

(Mark Abramowicz, applicant to the National Fund)

In many cases the documentation of an individual's life story serves as a legacy for their family; for their children, with whom they were perhaps unable to discuss those terrible years, and for their grandchildren, who, not having experienced them, have a completely different take on the subject and are beginning to ask questions.

After long years of silence, even within the closest family, many people gain a sense of release from telling their story and are relieved to be able to finally speak openly about their experiences and suffering.

"...I have always had a deep seated need to bear witness to the darkest days of my life, which are no doubt also the darkest days in Austria's history..."

(Ernst Otto Allerhand, applicant to the National Fund)

For many Nazi persecutees, the opportunity to present their stories and recollections of this terrible time means more than leaving a record of their experiences for their family; they also want their stories to find resonance in a broader social and historical context.

Beyond documenting their stories for family reasons, many applicants see it as their social and moral duty to tell their story to the world. These dedicated individuals often appear in schools etc. as contemporary eyewitnesses. They firmly believe it is their "survivors' duty" to prevent these events from being forgotten and, in doing so, hope to render their own contribution towards a peaceful future. It is an undertaking which requires great courage – to draw attention to a past which has been met by many people with apathy for so long.

Most of the applicants willingly put their names to their experiences and memories. Only a small number of those who wish to tell their story prefer to remain anonymous – perhaps for fear of being identified, overburdening their families or of experiencing inconveniences as a result. Others don't want to discuss the matter at all – perhaps not wanting to open old wounds after a lifetime of silence; often the fear that it could all happen again is simply too great.

As varied and interesting as these people and their stories, are their strategies for dealing with their experiences and coming to terms with the "unmentionable". Some refuse to let things get them down and resolutely look on the bright side. Others are bitter, cynical and unforgiving. Some accept their unbearably tragic experiences as an intrinsic part of their identity; others struggle with their difficult fates until the last.

“...I was overwhelmed to see the entire diary [...] in print! [...] I feel deeply honored that you have the original for safekeeping, thank you...”

(Romaine de Nijs, daughter of an applicant to the National Fund)

The materials which are provided to us by the survivors or their families take many different forms and viewing a file is always an adventure – one never knows what incredible, often terrible, sometimes wondrous story lies within.

The reports submitted to the National Fund during the course of the application process form the starting point for the publication of the life stories. They contain the information about the applicants’ persecution given in the questionnaire which is necessary to receive a gesture payment. Sometimes they give no more than a few words, which suffice to convey the catastrophic dimensions of their persecution; often there are pages of detailed descriptions of exclusion, persecution, terror and flight.

Applicants often also enclose documents, photos, letters, notes and diary extracts with their applications or long, handwritten passages full of their memories or half-finished manuscripts, all of which are valuable sources for the publication of the life stories. This also applies to the documents submitted with applications to the General Settlement Fund.

When requested, many people are happy to elaborate on their texts so that they can be published by the National Fund. In several cases, people have even composed entirely new texts with their publication in mind. There are also people who, moved by the need to pass on and document their stories, come to us asking for their recollections of the National Socialist era to be published.

Despite our efforts to publish life stories from all groups of victims, it is not always possible; for some groups there exists barely any written material.

“...It gives me great pleasure that via your website I’m able to share my father’s story with others and to keep the memories of past events alive for future generations...”

(Barbara Gelb, daughter of an applicant to the National Fund)

In the Year of Remembrance 2008 the National Fund began to publish victims’ life stories on its website. Since then, 74 autobiographical testimonies have appeared on its pages and new life stories are added regularly. The website provides a platform for texts which document the individual fates of people from the most diverse groups of victims and, where possible, they are illustrated with photos and pictures from the applicants’ private collections. Over the years the National Fund has built up a comprehensive photo and picture archive.

To mark the fifth anniversary of the National Fund in the year 2000, for the first time a small booklet containing life stories of the victims of National Socialism was published with the title “In die Tiefe geblickt”. Five years later, the National Fund once again released a publication (“A Closer Look and Future Prospects”) containing life stories. Finally, to mark the 15th anniversary in 2010, a two volume edition was published, the second volume of which is devoted entirely to the life stories of the victims of National Socialism.

This volume was so positively received that in 2011 the decision was made to use it as the basis for a series “Lives Remembered. Life stories of Victims of National Socialism”, with a new volume being brought out every year. A third edition of volume one of the series is currently in the offing and volume two will be published in 2012.

“... we believe that the victims’ life stories are more appealing to the schoolchildren and more thought-provoking than facts from the history textbooks alone...”

(Andrea Decker-Jenny, history teacher in Vorarlberg)

With the distribution of the individual volumes of this new series among interested schools, in 2011 the National Fund entered new socio-political territory. Through these testimonies, it aims to bring younger generations who didn’t experience National Socialism themselves closer to our country’s recent history. In early 2011, volume one was distributed to 100 schools in Vienna and in fall/winter 2011 to 100 high schools in other provinces. By the end of 2011 around 1,700 books had been circulated in Austrian schools. Feedback from teachers was so overwhelmingly positive that the books will be distributed to even more schools in the future. For an interested public, the individual volumes of the series “Recollections” can also be purchased directly from the National Fund and, from 2012, they will also be available in selected book stores.

“...your offer to contact survivors for me is extremely generous! Without a specific victims’ organization it’s almost impossible to meet survivors...”

(Astrid Böhacker, diploma student at the University of Vienna)

Another of the tasks of the life story team is establishing contact with Holocaust survivors for a wide range of projects. This usually involves a time-consuming search for people who could conceivably be suitable for each project.

The National Fund works in strict compliance with the data protection laws and contacts the applicants on behalf of the persons or institutions who have made the inquiry. That way, the applicants can decide for themselves whether to contact the project organizers if the project is of interest to them.

In 2010 and 2011, the National Fund was able to answer a number of inquiries for projects spanning a broad spectrum of topics; examples include publications – such as a diploma thesis on enforced sterilization and an opus on exiled Jews from Linz – a school project, an exhibition, a project on the life stories of the children of Spiegelgrund and a project searching for families in which there had been both perpetrators and victims. In total, the National Fund has been able to assist with around 100 such inquiries.



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“...this demonstration of responsibility will also be important in the future...”

(Dr. Heinz Fischer, Federal President)

In addition to the continued publication of life stories on the website and within the scope of the new series, in the future we will also be seeking to work in closer cooperation with archives and institutions which are also dedicated to collecting and publishing the life stories of the victims, at both a national and an international level.

When it comes to reaching as many survivors as possible to ask them for their life stories, time is of the essence and regrettably we are increasingly confronted with news of an applicant's passing. In view of the sad fact that the number of contemporary eyewitnesses is steadily diminishing, the National Fund's documentation and publication of the autobiographical testimonies, which started on a small scale in the year 2000 and has increasingly gained in significance, will also render an important contribution to Austria's collective memory in the future.



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Mirjam Langer (born 1970)

studied Theater, Film and Media Studies and Hispanics. She has been responsible for the documentation and publication of life stories and dealing with academic inquiries to the National Fund since 2006; since 2009 she has also been Assistant to the Scientific Director of the National Fund.



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Pictures of Ernst Otto Allerhand accompanying his life story, which is published on www.nationalfonds.org



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Michaela Niklas (born 1974)

studied Cultural and Social Anthropology and European Ethnology in Vienna. She worked for the General Settlement Fund from 2003 until 2011. She has worked in the National Fund on the team for the documentation and publication of life stories since 2011 and since 2009 has also worked for the Coordination Office for the Redesign of the Austrian Exhibition at the State Museum Auschwitz-Birkenau.

EVENTS LEADING UP TO THE WASHINGTON AGREEMENT

HANS WINKLER



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Gideon Taylor and Israel Singer, at the time representatives of the Conference on Jewish Material Claims, and Stuart Eizenstat (from right) at the signing of the Joint Statement on 17 January 2001 in Washington D.C.

Only a few hours after his inauguration as Federal Chancellor of the Republic of Austria, Wolfgang Schüssel took a noteworthy step which within an astonishingly brief timeframe led to the conclusion of an historical Agreement on restitution of aryanized real estate and compensation payments from Austria to the victims of the Nazi regime.

On 4 February 2000, Federal Chancellor Schüssel instructed the International Law Office of the Foreign Ministry to indicate to various competent representatives of the larger Jewish organizations in the United States Austria's willingness to enter into immediate negotiations on material compensation for the Austrian victims of National Socialism.

In the offer of negotiation signed by Federal Chancellor Schüssel and faxed to Israel Singer, at the time Secretary General and later President of the Jewish Claims Conference, he stated:

"I would like to reiterate the commitment of Austria to continue to cooperate with all international institutions and bodies [...] to look into all questions relating to Holocaust assets [...] I fully understand the concern that in view of the age of the Holocaust survivors quick solutions are asked for [...] In this connection, I have taken note with interest of the proposal to adopt interim measures which would benefit the surviving victims and help especially those who live in difficult personal financial circumstances to spend the remaining years of their lives in dignity. At this stage, I cannot be more precise as to the details of such an interim solution than just to inform you about the willingness to quickly react to the concerns that you personally and other institutions who present Holocaust victims have expressed."

The willingness to enter into negotiations was no coincidence. Even as the last days of the Klima-Schüssel government were drawing to a close it had become apparent that Austria too, like Switzerland and Germany before her, would have to take responsibility for the losses of assets inflicted on Austrian citizens by the National Socialist regime.

A key event in this respect was the Stockholm International Forum on the Holocaust, which took place from 26th to 28 January 2000 and was attended by key political figures – among them the Austrian Federal Chancellor

Klima – and numerous representatives from international, predominantly American, victims' organizations (led by Israel Singer). The conference not only marked the shift towards dealing with the Holocaust in terms of the present and the future but also presented the opportunity for the victims' organizations to more closely specify their previously rather vague claims for compensation directed at various states.

As regards Austria, an hour-long meeting between Federal Chancellor Klima, Israel Singer and other representatives of the Claims Conference laid the foundation for the new Federal Chancellor Schüssel to offer, only one week later, to participate in negotiations on restitution and compensation for Austrian victims of National Socialism. In this discussion (in which the author of this article, at the time Head of the International Law Office at the Foreign Ministry, was a participant), Singer set out in no uncertain terms that, having already approached Switzerland and Germany regarding uncompensated losses of assets, his organization's attention would now fall on Austria; in view of the advanced age of the victims, he would push for swift and non-bureaucratic compensation payments, explicitly naming a sum of 150 million US Dollar as a kind of "down payment" for the future global claims for compensation.

The starting point for the international efforts to provide restitution and compensation was gold; more specifically the gold that Hitler's regime had looted from conquered and occupied countries and incorporated into the Reich's own currency reserves. In 1997, US Under Secretary Stuart Eizenstat proposed that what remained of this looted gold be used to set up a fund benefiting victims of the Nazis ("Nazi Persecutee Relief Fund"). He called for the states which still had claims to this gold to forego their share. The Austrian government was the first of these states to immediately declare its support for the idea and signaled that it was prepared to waive the right to the share to which Austria was entitled.

In view of this spontaneous declaration of goodwill, the US Government and its Chief Negotiator Eizenstat were well-disposed towards Austria, which proved to be a blessing two years later when the negotiations commenced with Austria on a compensation package, led by Stuart Eizenstat for the US Government.

After the inauguration of the new Federal Government under Wolfgang Schüssel in February 2000, not only was the mentioned offer of negotiation made but the new government also rethought the stance towards the claims of slave laborers and Jewish victims' organizations in other ways. Both the preamble to the government program and the policy declaration made by Federal Chancellor Schüssel before the Parliament contained statements which made explicit reference to the various claims for compensation. They included statements such as: "Austria shall face up to its responsibility arising from the calamitous history of the 20th century and the monstrous crimes of the National Socialist regime: our country accepts responsibility for the light and the dark sides of its history and the deeds of all Austrians, be they good or evil."

The statements in the policy declaration addressing the pending matters of slave labor and restitution read as follows: "The new Federal Government shall push for measures to be taken in order that former slave laborers under National Socialism receive indemnification with utmost expediency [...] In the interest of the surviving victims, we shall give priority to the Holocaust survivors who have not yet received (sufficient) compensation under the measures to date and who today live in difficult financial circumstances, and shall swiftly provide them with the necessary assistance."

Daunted by the difficulties experienced by Germany in its negotiations with victims' representatives on the same subject and following the advice of Under Secretary Eizenstat, Austria decided to make a clear distinction between the two different areas, slave labor and compensation and restitution for victims of National Socialism (an area where the victims were predominantly Jewish in origin), holding separate negotiations for each matter.

Even as the final stages of the negotiations on slave labor were being conducted, which led to the conclusion of an Agreement signed on 24 October 2000, the representatives of the other Nazi victims were pressing for the commencement of negotiations on restitution and compensation for seized (aryanized) property and other losses. In a framework agreement dated 5 October 2000, Austria made a binding pledge to the victims' lawyers and representatives of the victims' organizations that negotiations on restitution and compensation would commence immediately upon conclusion of the agreement on slave labor. At the same time the framework for the negotiations was determined.

A key term was already set out in this "framework agreement", namely the provision of 150 million US Dollar for swift compensation by the Republic (this money was subsequently used to compensate persons whose apartments had been aryanized in Austria after the *Anschluss* in 1938).

By way of compliance with a further demand, on 18 May 2000 Federal Chancellor Schüssel appointed the Director of the Diplomatic Academy in Vienna, Ambassador Dr. Ernst Sucharipa, as Special Envoy for Restitution Issues and Dr. Herbert Pichler, legal advisor of the Federal Section for Banking and Insurance of the Federal Economic Chamber as representative for the Austrian economy.

The formal compensation negotiations commenced on 24 October 2000 immediately after the Agreement on Slave Labor had been signed. They were held in the so called *Neues Amtsgebäude* on Minoritenplatz, in the vicinity of the Foreign Ministry and the Federal Chancellery.

While the negotiations resulting in a compensation package for former slave laborers had already been relatively complex, the negotiations on restitution and compensation for aryanized assets presented an even greater challenge. Despite this, looking back on the countless rounds of negotiations in Washington, D.C., where participants included Stuart Eizenstat on behalf of the US Government, prominent victims' organizations and around a dozen attorneys specialized in class action suits as well as a comparatively small Austrian delegation whose ability to keep its nerve was often put to the test, it is possible to say that although tough, the negotiations were conducted fairly and with a high degree of mutual understanding. On 17 January 2001, they ultimately led to the "Agreement between the Austrian Federal Government and the Government of the United States of America on the Settlement of Questions of Compensation and Restitution for Victims of National Socialism".

Stuart Eizenstat summarized his experience as follows (in excerpts):

"As a result of my negotiations [...] with the Austrian government to resolve class action suits against Austrian companies, I reached a series of agreements for slave labor compensation and private property compensation and restitution, with then Chancellor Wolfgang Schüssel (with whom I developed a relationship of great trust and confidence) [...] Our agreements resulted in close to a total of \$1 billion in payments [...] Austria has travelled a long way in recent years to come to terms with its wartime past [...] Austria has turned an important page in its history".



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Dr. Hans Winkler (born 1945)

entered the Austrian diplomatic service in 1970. In the 1970s and 1980s he worked in the embassies in Washington, Belgrade and Cairo; from 1987 he was the Deputy Director of the International Law Office at the Foreign Ministry and from 1992 to 1996 Austria's Permanent Representative to the Council of Europe. In 1999 he became Director of the International Law Office, a position which he held until 2005. In this function, Dr. Winkler played a decisive role in the negotiation which led to the Washington Agreement of 2001. From 2005 to 2008 he was State Secretary at the Foreign Ministry. In 2009 he was appointed Member of the Committee of the National Fund. Since 2009 he has also been Head of the Diplomatic Academy Vienna.

THE WASHINGTON AGREEMENT IN PRACTICE – TEN YEARS ON, AN INTERIM REVIEW

The contract drawn up in 2001 between the Austrian Federal Government and the Government of the United States of America under international law to resolve questions of compensation and restitution for victims of National Socialism – in short: the Washington Agreement ¹ – stipulates measures to benefit victims of National Socialism in its ten-paragraph “Annex A”. The following is a brief overview of how they have been put into practice.

Paragraph 1 of this Agreement provided for immediate compensation to survivors for seized tenancy rights, household effects and personal valuables totaling 150 million US Dollar. The National Fund was charged with processing the approximately 23,000 applications received and has essentially completed this task. Around 20,300 payments of 7,630 Euro (7,000 US Dollar) were rendered, followed by an additional payment of 1,000 Euro per applicant to around 19,000 persons. A legislative proposal is currently being drawn up (as at August 2012) to govern the disposal of the residue which was unable to be distributed.

Paragraph 2 concerns the establishment of a General Settlement Fund, endowed with 210 million US Dollar, for the comprehensive resolution of open questions of compensation for victims of National Socialism. The opportunity to file applications was publicized worldwide in various international newspapers. By the time the deadline had expired in May 2003, over 20,700 applications had been filed. After the last class action suit against Austria and Austrian enterprises had been dismissed in the USA in 2005 and legal closure (see paragraph 10) had been declared², in January 2006 the General Settlement Fund was endowed with 210 million US Dollar.³ In 2005, the *Entschädigungsfondsgesetz* (“General Settlement Fund Law” – GSF Law) was amended in order that the applicants whose applications had already been decided by the Claims Committee could receive compensation payments before the required valuation of every single claim. Subsequently, between 2005 and 2009 approximately 18,000 “advance payments” were made totaling around 162 million US Dollar. Older applicants who had personally experienced Nazi persecution and confiscation of assets were given priority. After a further amendment to the GSF Law in which the final payment quotas were determined, the closing payments were able to be commenced. In total, the Claims Committee recognized claims amounting to 1.5 billion US Dollar.

As a result the established losses could only be compensated to the extent of ten to 20 percent. Now that an initial decision has been passed on all applications, the tasks of the General Settlement Fund still pending in the field of financial compensation include tracing the heirs of deceased applicants and the publication of a final report by the Claims Committee.

Paragraph 3 stipulated the establishment of an Arbitration Panel for *In Rem* Restitution to examine applications for the return of immovable properties as well as of the assets of Jewish communal organizations. One of the requirements for restitution is that on 17 January 2001, the asset was owned by the Federation (Republic of Austria) or a regional administrative body which has opted-in to the proceedings. All Federal Provinces (with the exception of Tyrol) and 16 municipalities opted-in to the proceedings before the Arbitration Panel.⁴ There were therefore various deadlines for filing applications for the assets of different bodies, the last of which – for assets owned by the Province of Lower Austria – expired on 31 December 2011.⁵ However, within the scope of Sec. 38 of the GSF Law, it is still possible for further provinces and municipalities to opt-in to the proceedings with the consent of the Arbitration Panel. Over 2,200 applications for restitution have been received, of which (as per the current processing status) around 500 meet the formal requirements for restitution. In May 2012, 127 of these “substantive” applications, i.e. approximately 6 percent of all applications received, were still being processed. To date, 184 “substantive” applications have been rejected and 142 dismissed. 90 applications resulted in a recommendation. Roughly estimated, the total value of the real estate recommended for restitution amounts to 42 million Euro.⁶

Around 75 percent of all applications received by the Arbitration Panel by May 2011 related to properties situated in Vienna; 15 percent to properties in Lower Austria and around ten percent to properties in other provinces.⁷

Within Vienna, properties located in the districts Leopoldstadt, Innere Stadt and Brigittenau were requested most frequently.⁸ In the vast majority of “substantive” cases, the requested properties were owned by the City of Vienna or the Republic of Austria, a few decisions dealt with properties owned by other public owners.⁹

Subject to possible deadline extensions and with the exception of the tasks which must be carried out when winding up the Arbitration Panel and the continuation of the series “Decisions of the Arbitration Panel”, the Arbitration Panel expects to have completed its work by the end of 2014.

Paragraph 4 provided for additional social benefits for surviving victims of National Socialism in the field of victims’ welfare, nursing allowance and pensions.¹⁰ In order to implement these agreements, the *Opferfürsorgegesetz* (“Victims’ Welfare Act”) and the *Allgemeines Sozialversicherungsgesetz* (“General Social Security Act”) were amended when the GSF Law was enacted.¹¹

For nursing allowance, it was agreed to “allow disbursement of ‘Pflegegeld’ of categories up to 7 to victims of National Socialism living abroad”. Consequently, since 2002 money for all seven levels of nursing allowance has been “exported” to victims of National Socialism residing abroad; this was previously only possible up to the second level of care. Between the end of 2001 and the end of 2003, the number of recipients of nursing allowance pursuant to Sec. 5a of the Victims’ Welfare Act rose by about 60; since 2004 the number of recipients has been in decline.

At the end of 2011, 2,233 recipients of nursing allowance lived abroad: 914 in the USA, 732 in Israel, 209 in Great Britain and 378 in 33 other countries. From 2002 up to and including 2011, nursing allowance amounting to 153.9 million Euro was distributed to persons abroad.

In terms of pension insurance and victims’ welfare, various measures were agreed in order to compensate for disadvantages suffered by the victims of National Socialism in terms of social security.

For example, the so called benefits provisions – the option to acquire insurance periods for an Austrian pension free of charge or at preferential rates – were extended.

In terms of victims’ welfare, the previously applicable age limit of six years as a requirement for receiving compensation was dropped and the definition of “imprisonment” was extended to include establishments comparable to concentration camps, such as *Sammellager* (“collection camps”). Finally, the requirement that recipients hold Austrian citizenship no longer applies.

As at May 2012, there were approximately 330 recipients of an Austrian pension living abroad: 93 in Israel, 84 in the USA, 28 in France, 19 in Germany, 18 in Great Britain, 14 in Australia and ten in each Belgium and Canada. A further 53 recipients live in 18 other countries. Despite extending the scope of the benefits, the number of people drawing a pension pursuant to the Victims’ Welfare Act decreased from just under 2,500 recipients in the year 2000 to approx. 1,900 in 2012.

In the ten years since the amendment to the Victims’ Welfare Act until the end of 2011, approx. 868 million Euro has been disbursed under the rubric “victims’ welfare”. This sum can be broken down into total expenditure for victims’ welfare of 844 million Euro, including nursing allowance for pension recipients pursuant to the Victims’ Welfare Act amounting to 13.8 million Euro, plus payments from the *Ausgleichstaxfonds/Opferfürsorge* (“Offset Tax Fund/Victims’ Welfare”) of 24.1 million Euro.

With regard to the General Social Security Act, it was determined in the Washington Agreement that “all those born on the present-day territory of the Republic of Austria between 1 January 1933 and 12 March 1938 will be eligible to buy into the Austrian pension system under the conditions of § 502 (1,4,6).” At the end of 2005, around 14,300 persons were drawing a pension from the state pension system on the basis of the benefits provisions; at the end of 2011 this number had sunk to 9,500. In the same period, the total annual expenditure for the pensions of these beneficiaries fell from around 96 million Euro to 65 million Euro.

Paragraph 5 governs the restitution of art objects, which was to be continued on the basis of the *Kunstrückgabegesetz* (“Art Restitution Law”) of 1998 “at an accelerated pace”. Beyond this, similar procedures were to be carried out at a municipal and provincial level and, with this in mind, provenance research was to be intensified.

The Austrian Federal Government gave assurance that it would do “its utmost” to tackle the issue of art restitution for objects owned by Austrian companies and public bodies which were not covered by the Art Restitution Law.¹² Following resolutions in this regard by Vienna and Styria (passed prior to the publication of the Washington Agreement), in 2002 Salzburg, Lower Austria, Burgenland and Upper Austria passed similar resolutions or provincial laws, joined by Carinthia and Vorarlberg in 2003, Tyrol in 2007 and the Municipality of Stockerau in 2004.

In 2009, the scope of application of the Art Restitution Law, which up to this time had only governed items in Austrian Federal museums and collections, was extended to include other moveable cultural objects directly owned by the Federation and, furthermore, also objects which had been seized between 1933 and 1938 on the entire territory of the German Reich. To date, around 10,000 objects have been restituted on the basis of the Art Restitution Law.

The National Fund has also been running an art database since 2006. It serves as a platform for information and forum for finding the heirs to restitutable art. It contains around 9,000 objects, 2,600 of which have already been subject to examination. If no legal successors can be found to the aggrieved owners of an object which is suitable for restitution, the National Fund disposes of the item in accordance with its legal mandate and allocates the proceeds for the benefit of the victims of National Socialism. In June 2010, art objects were transferred to the National Fund pursuant to the Art Restitution Law for the first time: it received 8,363 books from the National Library, the proceeds of which will benefit the victims of National Socialism.¹³

Paragraph 6 provided for the restitution and renovation of the former grounds of the Jewish Sport Club Hakoah. In 2004, in exchange for the grounds seized by the National Socialist regime in 1938, the reestablished club was given a 19,500 m² piece of land in the Vienna Prater near the Ernst Happel Stadium. Beyond this, the City of Vienna and the Republic of Austria each provided four million US Dollar for the conversion. The opening ceremony for the sports center took place in March 2008.¹⁴

Paragraph 7 stipulated that the Republic of Austria provide additional funding to the Austrian State Archives to improve access to the files and answer inquiries about restitution and compensation matters quickly and non-bureaucratically. In 2001, two positions were created for community servicemen (filled on rotation in line with the duration of their compulsory period of service) to assist with these inquiries; in 2007, they were reduced to one position. An estimated 90,000 files were made available for processing the applications for restitution and compensation.¹⁵ Around two-thirds of the files which were researched for the Claims Committee by the Research Department of the General Settlement Fund came from archives in Vienna, the majority from the Austrian State Archives.¹⁶

Paragraph 8 stipulated financial support for the restoration and upkeep of Jewish cemeteries in Austria. After systematic records had been made of the Jewish cemeteries in Austria in 2001, and the Federal Office for the Protection of Monuments had carried out investigations as to their suitability as official registered monuments, in 2010 the *Bundesgesetz über die Einrichtung des Fonds zur Instandsetzung der jüdischen Friedhöfe in Österreich* (“Federal Law on the Establishment of the Fund for the Restoration of the Jewish Cemeteries in Austria”) was enacted.¹⁷ The National Fund was entrusted with administering the Fund. An Advisory Board issues recommendations for the decisions of the Board of Trustees¹⁸. On the basis of guidelines that were issued in May 2011, the Board of Trustees of the Fund for the Restoration of the Jewish Cemeteries in Austria makes its decisions on applications for funding.

In June 2011 funding was resolved for the first time, for urgent restoration work on two run down Jewish cemeteries in Stockerau and Deutschkreutz.

Over a period of 20 years, over 60 Jewish cemeteries throughout Austria are to be prevented from falling into disrepair through the support of the Fund for the Restoration of the Jewish Cemeteries in Austria.

Paragraph 9 provided for subventions for the annual Holocaust educational program of the Salzburg Seminar. The “Salzburg Global Seminar” of the “Holocaust Education and Genocide Prevention Initiative” is a long term project which was developed in collaboration with the United States Holocaust Museum and the Austrian Foreign Ministry to investigate the links between Holocaust education and genocide prevention.

Austria subsidized the international founding conference of this initiative, “The Global Prevention of Genocide: Learning from the Holocaust”, with 75,000 Euro from the Future Fund. The Austrian team of the Task Force for International Cooperation on Holocaust Education, Remembrance, and Research assisted in planning and holding the conference. Another conference, “Learning from the Past: Global Perspectives on Holocaust Education”, which was held in Salzburg in 2012, investigated the role of the Holocaust as a point of reference for educators on the subject of genocide and human rights worldwide. The conference was sponsored by the National Fund and the Future Fund.

Paragraph 10 governs the legal closure regarding claims “arising out of or related to the National Socialist era or World War II that have been or may be asserted against Austria and/or Austrian companies”.¹⁹

After the establishment of the General Settlement Fund and the Arbitration Panel, the statutory amendments pertaining to the additional social measures agreed under paragraph 4, the “good faith progress” in implementing paragraphs 5 to 9 and the dismissal of the last class action suit, in 2005 “legal peace” was announced in Federal Law Gazette II no. 414/2005.

Ten years on from the signing of the Washington Agreement, its measures have for the most part been implemented. Critical analysis of Austria’s National Socialist past and the ability to learn its lessons shall continue to remain challenges in the future.

- 1** Federal Law Gazette III no. 121/2001. The signing of the Exchange of Notes on 23 January 2001 was preceded by the Joint Statement of 17 January 2001. The facsimile of the Joint Statement is printed in: Allgemeiner Entschädigungsfonds [General Settlement Fund], Josef Aicher, Erich Kussbach, August Reinisch (Hg.) [(eds.)], *Entscheidungen der Schiedsinstanz für Naturalrestitution [Decisions of the Arbitration Panel for In Rem Restitution]*, Bd. 4 [vol. 4]. Redaktion [Editing]: Susanne Helene Betz; redaktionelle Mitarbeit [editorial assistance]: Thomas Baar, Eva Birk, Annette Eisenberg, Barbara Grün-Müller-Angerer, Sarah Higgs, Martin Niklas, Wien [Vienna] 2011 (zweisprachig, deutsch/englisch [bilingual, German/English]), p. 496–502.
- 2** Entry of legal closure before American courts of law pursuant to the GSF Law, announced in Federal Law Gazette II no. 414/2005 and Federal Law Gazette I no. 145/2005.
- 3** See the press releases on the endowment of the General Settlement Fund, accessible at www.ots.at/presseaussendung/OTS_20060112_OTS0231/pressemitteilung-zur-planmaessigen-dotierung-des-entschaedigungsfonds (accessed on 12 June 2012). Contributors included Austrian banks and insurance companies, the Economic Chamber, the City of Vienna, the Federation (Republic of Austria) and the Österreichische Industrieholding AG including Dorotheum. See the report by the Austrian Press Agency on the meeting of the Council of Ministers in which the retroactive enactment of the GSF Law was determined: “NS-Entschädigungen: Das Entschädigungspaket in Zahlen”, APA0234 5 II 0221 AIWI, 6 June 2001.
- 4** As per August 2012 these were the municipalities of Bad Ischl, Bad Vöslau, Eisenstadt, Frauenkirchen, Grieskirchen, Kittsee, Kobersdorf, Korneuburg, Mattersburg, Oberwart, Purkersdorf, Rechnitz, Schwechat, Vöcklabruck and Wiener Neudorf. Rather than opting in to the proceedings of the Arbitration Panel, on 3 July 2007 the Tyrolean Provincial Government passed a resolution on the restitution of assets and cultural objects to victims of National Socialism in which it was set out that “within the scope of Tyrolean legal provisions, restitution measures shall be taken for assets which are owned or controlled by the Province of Tyrol.” See the excerpt from the resolution at www.kunstrestitution.at/tl_files/upload/docs/Gesetze/finFBeschluss-derLandesregierungTirol.pdf. (accessed on 5 June 2012).
- 5** The deadline for applications for the restitution of properties owned by the Federation expired on 31 December 2007. For the provinces and municipalities which have opted-in and their deadlines see <http://de.nationalfonds.org/Fristen.html> (accessed on 5 June 2012) and p. 83 of this Annual Report.
- 6** See Susanne Helene Betz, *Ten Years of the Arbitration Panel for In Rem Restitution – Figures, Data, Facts*. In: General Settlement Fund, Aicher, Kussbach, Reinisch 2011, p. 442–495, here: p. 461.
- 7** See the statistical evaluation of the decisions of the Arbitration Panel in: *ibid.*, p. 487–489.
- 8** See *ibid.*, p. 489.
- 9** See *ibid.* p. 495.
- 10** The following information on benefits rendered to victims of National Socialism was provided in May 2012 by the Federal Ministry of Labor, Social Affairs and Consumer Protection and is based on, among other things, the information provided by the Pension Insurance Institution. Thanks to Marguerite Bettelheim from the department II/A/2 of the Federal Ministry of Labor, Social Affairs and Consumer Protection and to the Head of Department for Social Compensation at the Federal Ministry of Labor, Social Affairs and Consumer Protection, Dr. Kurt Wegscheidler, for their assistance.
- 11** Federal Law Gazette I no. 12/2001.
- 12** Federal Law Gazette III no. 121/2001, p. 721 f.
- 13** See p. 50 of this Annual Report.
- 14** See: www.hakoah.at/de/pressedetail.asp?ID=4 (accessed on 5 June 2012). On the history of the club in detail see: Monika Löscher, Susanne Helene Betz, Pia Schölnberger (eds.), *...mehr als ein Sportverein. 100 Jahre Hakoah Wien 1909–2009*, Vienna/Innsbruck 2009.
- 15** Written information provided to the General Settlement Fund on 8 May 2012 by the Deputy Director of the Austrian State Archives and Director of the Archives of the Republic, Hofrat Dr. Manfred Fink. The mentioned files were not only made available for the investigations of the General Settlement Fund but also provenance researchers from other institutions concerned with restitution and compensation materials.
- 16** See the information provided on p. 75 f. of this Annual Report.
- 17** Federal Law Gazette I no. 99/2010.
- 18** Regarding the members of the Advisory Board and its tasks, please refer to the article by the Chairperson of the Advisory Board Dr. Barbara Neubauer on p. 68 f. and the list of organs in the appendix of this Annual Report.
- 19** Legal closure affects the Federation (Republic of Austria), Austrian enterprises as defined by Annex B of the Washington Agreement, and those provinces and municipalities which have passed or shall in the future pass resolutions for the implementation of the Agreement. See Federal Law Gazette III no. 121/2001, p. 722.



10 YEARS AFTER THE WASHINGTON AGREEMENT: BACKGROUND, SUCCESSES, AND THE FUTURE

STUART E. EIZENSTAT

The following is a shortened and edited version of a speech held by Stuart Eizenstat at the Austrian parliament on 19 January 2011 on the occasion of the 10th anniversary of the Washington Agreement.

Historical background

To appreciate the historical significance of our agreements, both a general and Austria-specific context is necessary.

The Roosevelt Administration paid little public attention to the emerging fate of European Jewry before, during, and even after World War II, despite the evident goals of Adolf Hitler to persecute and ultimately destroy the Jews of Europe. In part, this reflected a significant degree of public anti-Semitism in the United States, in part the belief that the best way to save European Jewry was to win the War as quickly and decisively as possible.

The fate of European Jewry was sealed at the 1938 Evian Conference, when the U.S., Canada and other western nations failed to agree to liberalize restrictive quotas on immigrants from Central and East Europe, which the U.S. Congress had passed in the late 1920s, sending a signal to Hitler that no country would take the Jews of Germany off his hands, and that he had freedom to treat the Jews as he wished. The Final Solution was not settled Nazi policy until the Wannsee Conference in 1942.

During the War State Department officials made it exceedingly difficult for refugees to enter the U.S. On a per capita basis, tiny Switzerland took far more Jewish refugees than the U.S. Canada took fewer than 100. It was only after Treasury Secretary Henry Morgenthau presented a report to President Roosevelt initially entitled by his staff "Report to the Secretary on the Acquiescence of This Government in the Murder of the Jews", that FDR established a War Refugee Board under Morgenthau's leadership, which belatedly saved tens of thousands of Jews, particularly in Hungary.

Reports began to come out of Europe as early as 1942 of the genocide that was occurring. The courageous Polish diplomat Jan Karski twice went into the Warsaw Ghetto and reported the brutality he found directly to President Roosevelt in the White House, who sent him to see his trusted confidant Supreme Court Justice Felix Frankfurter. The great Justice listened to Karski pouring out his heart, and then said, "Mr. Karski, I am not saying you are lying, but I choose not to believe you."

But no one could have imagined the massive dimensions of some aspects of the Nazi plan. During the War, Nazi Germany inducted 17 million men into its armed forces out of a population of 79 million, requiring conscripted labor, men, women, even children from throughout occupied Central and Eastern European countries to run German factories and operate its farms. Most were Christian "forced laborers" who worked under difficult conditions but were seen as an asset of the state. Jewish slave laborers, by contrast, were literally worked to death or left to die of starvation, disease, or cold weather. At the height of the War, there were some 12 million forced and slave laborers.

After the War, things were little better. Great Britain rejected the request from President Truman to allow 100,000 refugees into Palestine as a humanitarian gesture, and from 1946 to 1949 kept 52,000 Shoah survivors trying to reach Palestine, in squalid camps in Cyprus. Those survivors who had the temerity to return to the homes and villages from which they were expelled by the Nazis and their collaborators were driven off or even killed, in places like the Lithuanian village of Eiskes and in Nowy Targ, Poland. Unable to return home, they drifted into Displaced Persons Camps.

The immediate focus of the Allies after the War was understandably on emergency relief and reconstruction in war-torn Europe. As early as November 1943, Nahum Goldmann of the World Jewish Congress signed a memorandum to the UN Relief and Rehabilitation Administration calling for a Jewish relief program that focused on "emergency feeding, shelter, clothing, medical care, child care, repatriation and resettlement of the uprooted, occupational readjustment, and religious and communal rehabilitation", rather than the property restitution and slave and forced labor compensation we focused on during our Austrian negotiations.

At the 1945 Potsdam Conference, Allied leaders directed the Allied Control Council to manage all foreign-owned German assets, except gold, which the Allies recognized had been plundered by Nazi Germany from conquered countries. The largest trove of looted Nazi gold was found by American soldiers at the Merkers Salt Mine in Thuringia, worth \$520 million in wartime dollars. The Mine also housed over four hundred tons of Nazi-looted art, among the 600,000 artworks the Nazis stole, primarily from Jews. Some of the looted art was eventually returned to the countries, but not the people, from which they were stolen. And the gold was given to a Tripartite Gold Commission based in Brussels for return to the nations from which it had been taken, without recognizing some was taken from Shoah victims, including gold fillings in their teeth. As I will show, modern-day Austria has a very positive story to tell the world about its role in restituting art and in dealing with gold remaining in the Tripartite Commission.

There were efforts as early as 1947 to provide restitution and compensation to Nazi victims, and the U.S. military government in Germany enacted a restitution law to return all property that had been confiscated or transferred under Nazi duress, and property taken from those who were killed without heirs: so-called “heirless” property, could be recovered by a charitable “successor organization”. In 1952, the governments of Israel and the newly formed Federal Republic of Germany created the Conference on Jewish Material Claims Against Germany, known as the “Claims Conference”. Since then, Germany has paid some 65 billion euros to survivors and their families, under their BEG law (*Bundesentschädigungsgesetz*) for damage to health, deprivation of liberty, damage to profession careers and business and loss of life. No country in history defeated in a war has made the effort of post-War Germany to live up to its responsibilities for the damages it created.

But when the Cold War began, all energies of the West were focused on dealing with the threat to Europe from the Soviet Union, not with justice for Holocaust victims and their families. It appeared that justice for Shoah survivors, and other non-Jewish victims of World War II would evaporate into the mists of history. Authors like Elie Wiesel had difficulty getting their books published.

Yet something as monstrous as the Holocaust, the worst genocide in world history, ultimately could not be forgotten. The 1961 capture in Argentina by Israeli agents and trial in Jerusalem of Adolf Eichmann, one of the chief henchmen of the Third Reich, was a turning point of putting the Holocaust back on the world’s agenda. Major films like Claude Lanzmann’s “Shoah”, the NBC mini-series „Holocaust“, the publication of numerous books, Steven Spielberg’s “Schindler’s List”, all contributed. Holocaust courses abounded.

Personal background

I grew up in a Jewish household in Atlanta, Georgia, yet although my father and two uncles served in the military in World War II, they never discussed the Holocaust with me. I never met a Holocaust survivor nor took a course dealing with the Shoah in high school or college. Indeed, none existed on any campus in the United States at the time.

In 1968, while working on the presidential campaign of Vice President Hubert Humphrey, I met a fellow campaign aide, Arthur Morse, who had just published a path-breaking book, “While Six Million Died”, which laid out for the first time what the Roosevelt Administration knew about the genocide during the War and failed to act on. This was a great shock and revelation for me.

In April 1978, I wrote a memorandum to President Jimmy Carter, for whom I served as chief White House domestic policy adviser, urging the creation of a presidential commission to propose a suitable memorial in Washington to Holocaust victims. Headed by Elie Wiesel, it recommended the creation of the U.S. Holocaust Memorial Museum, which opened 15 years later in 1993, just before I left for Brussels to become U.S. Ambassador to the European Union. It is now the third most visited museum in Washington, with over 4,000 visitors daily, three-quarters of whom are non-Jews.

The end of the Cold War, and the revolutions of 1989 not only changed the European political landscape, substituting democracies for Soviet bloc dictatorships, but also opened up opportunities to look back to the “unfinished business” of World War II, namely justice for forgotten survivors and for families of victims. Historical records were open, and journalists focused on areas like dormant Swiss bank accounts, created by Jews trying to shelter their assets from the onrushing Nazi army, who were unable to retrieve them after the War.

In 1994, while serving as U.S. Ambassador to the EU in Brussels, I was asked by the late, great Richard Holbrooke, then Assistant Secretary of State for European Affairs, to take on an additional assignment of helping return Jewish and non-Jewish communal property to the re-emerging communities following the fall of Communism in the new, free, democratic countries in Central and Eastern Europe. I embarked on this voyage, which ultimately involved negotiating settlements of class action lawsuits against Swiss banks, German and Austrian companies employing slave and forced labor and their insurance companies, French banks, and property restitution. Six years later some \$8 billion was obtained, the majority for non-Jewish forced laborers.

I insisted in my negotiations with Germany and Austria that non-Jewish forced laborers from Eastern Europe, who had never received any compensation, must also be covered.

Austria’s role in World War II and the immediate aftermath

Of all the nations embroiled in World War II, none had a history more complicated than Austria’s. As Austrian President Klesstil later recognized, Austria was both “first victim” of Nazism and a collaborator. Both Germany and Austria nursed wounds from their defeat in World War I, Germany strapped with burdensome reparations and Austria with the loss of its empire. Both suffered grievously from the worldwide Depression in the early 1930s, when pro-Nazi sentiment rose in Austria.

Austria was a “victim”, forcibly losing its independence as a nation. The Wehrmacht marched across the border at the dawn on March 12, 1938, the day before there was

to be a plebiscite on Austria’s independence called by Austria’s courageous Chancellor Kurt von Schuschnigg. Instead, Hitler signed a law incorporating his native land into the German Reich. The vote for *Anschluss* between the two countries on April 13 was a mere formality, winning approval by the totalitarian figure of 99.7%.

Many Austrians willingly supported Hitler’s evil aims and others acquiesced in them, with little resistance. Anti-Jewish actions proceeded in Austria with great ferocity, with sweeping orders for quick confiscation of Jewish property and businesses, frequently without any or only nominal compensation. Austrians called this the period of “wild Aryanization”, with nearly 7,000 Jewish businesses liquidated between March and June 1938. Jewish religious and cultural institutions – synagogues, schools, hospitals, the famous Hakoah Sports Club – were confiscated or destroyed.

In May 1938 the infamous Nuremberg laws were extended to Austria. In August the Central Office for Jewish Emigration was created, its deputy director a nondescript Austrian-educated SS officer named Adolf Eichmann. And on November 9, 1938, Kristallnacht in Germany extended to Austria, with over 20 synagogues as well as dozens of smaller prayer houses burned and over 4,000 Jewish-owned businesses looted in Vienna alone.

By the end of 1939, 126,000 of Austria’s 185,000 Jews had fled, with stiff exit taxes, and many were pressured to relinquish their property to an Emigration Fund before they were handed their passports. Of the remaining 60,000 Austrian Jews, the overwhelming majority were killed in the Shoah. By the autumn of 1944, 65,000 Hungarian Jews swelled the corps of 700,000 forced laborers on Austrian soil. Austrians played a disproportionately large role in the Third Reich. Although only 8 percent of the combined German-Austrian population, Austrians made up a larger percentage of the SS and the killing force in Auschwitz. Austrians joined the Nazi party at the same rate as Germans did. Hitler and Ernst Kaltenbrunner, head of the Gestapo, were Austrian by birth.

During the immediate post-War period, part of the difficulty of accepting responsibility for restitution of confiscated Jewish property was that Austria stressed being the “first victim”, which it was, over support for Nazi policies.

The Allied powers fostered this attitude. In 1943 in Moscow, the foreign ministers of the US, Great Britain, and the Soviet Union promised Austria post-War independence and exoneration, declaring the *Anschluss* null and void, and Austria “the first victim of Hitlerite aggression.” The Allied declaration also concluded by “reminding” Austria of its “responsibility which it cannot evade for participating in the war on Hitler’s side”. But this qualifying phrase was lost in the fog. While this declaration did not stiffen Austrian resistance to Hitler, it played a critical role in shaping Austria’s collective post-War psyche, treating Austria as a liberated, not defeated nation.

Austria, unlike Germany, was permitted to de-Nazify itself. Austria’s de-Nazification was not as complete as Germany’s, and few Nazis were convicted under Austria’s war criminals law.

Under Allied coaxing, Austria passed seven laws between 1946 and 1949, to restore Nazi-seized property to Jews and other victims. But these had gaps and shortcomings, with inadequate worldwide notice and short claims periods. In framing the 1955 State Treaty that granted Austria its independence as a neutral democracy and barrier against the Soviet bloc, U.S. government pressure led to language obligating Austria to compensate Holocaust victims for their property or to return it.

Austria’s positive role in coming to terms with its complex record in World War II began long before class action suits were launched against your companies. One of the most painful post-War episodes for Austria, which thrust Austria’s complex role in the War back on the world’s consciousness, was the disclosure in the late 1980s of the wartime record of Kurt Waldheim, who served two terms as UN Secretary General, before running for the President of his native Austria. In the midst of the presidential campaign, the World Jewish Congress disclosed evidence that contrary to his own assertions, he had served in the Waffen SS and been in Yugoslavia at the time of a huge slaughter of Yugoslavian civilians, and at Salonika, Greece, the site of mass deportations of Greek Jews. While he won the presidency by a comfortable margin, he became the first head of state ever placed on the “watch list” for presumptive war criminals, precluding him from entering the U.S.

As painful as this episode was for Austria, it was a watershed for the country. It led Austria on its own volition, and without outside pressure, to come to terms with its mixed role during the War. In 1987 Austrian Cardinal Franz König gave a speech implying that as Christians and Austrians his fellow citizens shared responsibility for the Holocaust.

In 1991 Chancellor Franz Vranitzky took the dramatic step of acknowledging Austria’s culpability for Nazi persecution and its moral responsibility for assisting Jewish victims. In 1994, Austrian President Thomas Klestil became the first Austrian president to visit Israel, and in his speech in front of the Knesset, he unequivocally declared Austria’s active participation and guilt in the Holocaust.

In 1995, in commemoration of the 50th anniversary of Austria’s Second Republic, the National Fund of the Republic of Austria for the Victims of National Socialism was created, under the inspired leadership of Hannah Lessing, to make payments of 70,000 Schillings, about 5,000 Euros, to Austrian Holocaust survivors, to support Jewish museums, synagogues, hospitals, old-age homes, counseling services, and education and to combat anti-Semitism. The National Fund has distributed some \$150 million to about 30,000 Holocaust survivors, with additional payments to the needy. A Holocaust memorial was designed at this time and inaugurated in Vienna’s Judenplatz in 2000. And in 1998, before the first class action suits were filed against Austrian corporations, the Austrian government established a historical commission headed by Clemens Jabloner, president of the Austrian Administrative Court, to investigate the status of Austria’s post-War restitution program. The Jabloner Commission was a key factor in identifying the gaps in the post-War restitution programs and opening up the basis for a settlement of our property claims negotiations.

Another example of Austria’s courageous leadership on Holocaust issues in recent years came with the 1996 disclosure by the World Jewish Congress that there remained 6 tons of Nazi looted gold under the jurisdiction of the Tripartite Gold Commission that had never been distributed. The great bulk of the looted gold, about 330 metric tons, had been given over the past 50 years to the central banks of the ten European countries from whom it had been stolen. But none was returned to Holocaust victims, whose gold had also been taken – jewelry, even gold fillings.

I called a 1997 meeting of the ten countries at the Commission's offices in Brussels. Ambassador Hans Winkler, one of your most distinguished diplomats, took the floor to pledge that all of Austria's remaining share of the gold should go to survivors – "We have a moral obligation to the survivors of the Holocaust, and to make their remaining days better", he declared. This broke the ice and one country after the other followed Austria's lead.

At the 1998 Washington Conference, we developed voluntary, nonbinding principles for the restitution of Nazi looted art. Many countries did not follow through on them. Austria again took the lead. I met with your Minister for Culture Elisabeth Gehrler, and was inspired that Austria enacted binding domestic legislation, and created a claims process. This has led to the return of thousands of artworks from Austrian public museums and collections, estimated at several hundred million dollars. Another example is that Austria permits looted art without any living heirs to be given to the National Fund to be sold for the benefit of Holocaust survivors. A recent example was that your National Library discovered 8,000 heirless books which had belonged to Jewish families, donated the books to the National Fund, and purchased the books back with the proceeds going to support survivors of the Holocaust. This is an extraordinary gesture.

Class action suits were filed by American lawyers against Swiss Banks for their dormant bank accounts; then against Germany companies, and later against Austrian companies, which used slave and forced laborers. These suits led to my being asked by all stakeholders to mediate a solution. By the time I commenced my negotiations on behalf of the Clinton Administration with Austria, the difficult, divisive and emotional negotiations with Swiss banks had already been concluded with a \$1.25 billion settlement.

And we were nearing completion with our negotiations with German companies and the German government on what became a 10 billion DM, \$5 billion agreement.

From my vantage point, Austrian leaders were determined not to drag out the negotiations, and to avoid public recriminations. Still the negotiations were difficult, especially those over property issues. The class action lawyers and the World Jewish Congress insisted on combining the slave and forced labor claims with the more complex property negotiations, while Austria wanted them separated.

I was fortunate to have Wolfgang Schüssel as the Chancellor. I would never have been able to achieve the great breakthroughs without his leadership. He was a tough negotiator for Austria's interests, but he also recognized the need to squarely face Austria's moral responsibility, even in the midst of poisonous allegations by some of the key stakeholders in the process. Because of American concerns about having the FPÖ in the government, I became the first U.S. official to meet with the Chancellor.

One of his first steps was his appointment of one of the truest Austrian treasures, and one of the most remarkable people I have ever met, Maria Schaumayer, the former head of the Austrian Central Bank. She was the model negotiating partner. She told me that she had grown up near the Hungarian border and had a haunting image of seeing the forced march of Hungarian Jewish slave laborers in the bitterly cold winter of 1944-45, but had not realized what this was until half a century later when she heard a historian's presentation. Maria had a clear sense of what she wanted to accomplish, and we concluded the labor phase of our negotiations in record time. She announced on her own that the Austrian government would create a fund of 6 billion Schillings, approximately 436 million Euros for 132,000 Jewish and non-Jewish slave and forced laborers, with the bulk of the funds for non-Jewish forced laborers.

Austria actually paid out 352 million Euros, with the remainder going to the National Fund and other humanitarian-related projects, especially Austria's Future Fund. The government picked up about three fifths of the total and the Austrian business community two fifths. The labor agreement was signed on October 24, 2000, following a last second side letter agreement I reached to have the Austrian labor fund pay the Jewish Claims Conference an additional \$15 million for Jewish slave laborers at Mauthausen and the Dachau subcamps in Austria, in case there was a shortfall in payments to them from the German agreement.

Since Maria made clear her mandate was only for slave and forced labor, the second crucial decision Chancellor Schüssel made was to appoint the late Ernst Sucharipa, dean of the Austrian Diplomatic Academy, as his envoy on the much more difficult property restitution issues.

Ernst was a prince of a person and a reliable counterpart. I feel his premature passing deeply. Because of their complexity and political sensitivity, the Chancellor was directly involved in the negotiations as well. The appointment of a respected judge, Clemens Jabloner, to head a historical commission examining past compensation and property programs was an important step, as I have noted. The Jabloner Commission's final report was released in 2003, but their preliminary report identified one major gap in past programs of the 1950s, namely long-term leases and household property of Jewish victims in Vienna. This led the way to an agreement with Mr. Sucharipa and the Chancellor in October 2000 for the payments of \$150 million, representing about \$7,000 per family to some 20,000 survivors for leased apartments, businesses and household furnishings.

On October 5, 2000, the Chancellor and I, often meeting alone, and then joined by our negotiating teams, had all-night negotiations, interrupted only by Chancellor Schüssel sending out for pizza from his favorite Italian restaurant. We called these the Pizza Negotiations. They led to a framework agreement, which together with another face-to-face negotiation with Chancellor Schüssel on January 10, set the stage for the last negotiations with only a few days left in the Clinton Administration.

I wondered if the Chancellor would wait until a new Administration came into office, perhaps less committed to finish this process. But again the Chancellor, as his country, rose to the occasion. Although it took frantic phone calls back to him in Vienna, and intense negotiations with some of the recalcitrant lawyers and with Mr. Ariel Muzicant, the head of Austria's Jewish community, himself, the final agreement was reached as the hourglass for the Clinton Administration ended. We added Nazi-confiscated insurance policies, as an expert from the Jabloner Commission reported that the Austrian insurance holders received only about 5 percent of the 1938 cash surrender value, with no accounting for the passage of time.

We agreed finally that Austria would establish a \$210 million General Settlement Fund (GSF) that would pay compensation for a wide range of property losses, including insurance benefits. There were essentially two programs, one for the return *in rem* of any property held by the Austrian state, and the other for compensation for

property now in private hands. This process has been very professionally managed by Hannah Lessing of the National Fund. Frankly, as much as a breakthrough as it was, it has been inadequate to meet the needs. The total value of claims submitted to the GSF was \$1.5 billion. Thus, the money in this fund could cover only about 14 percent of the value of the claims. On the other hand, there were dramatically improved social benefits for Holocaust survivors.

There are unsung heroes in these negotiations: Herbert Pichler, Managing Director of the Austrian Federal Economic Chamber, and Christoph Leidl, the Chamber's president. When Chancellor Schüssel felt he could not contribute more from the state treasury, Mr. Pichler and Mr. Leidl rallied the Austrian private sector to make up the difference I needed to satisfy all the parties.

Lessons for the future

Why were the Austrian and other Holocaust negotiations important and what broader significance did they have? Was this simply a short-term effort at getting more money by pressuring governments and private companies? Did they actually lead to a rise in anti-Semitism?

First, there obviously was a monetary element at the heart of the negotiations to settle American class action cases, as there always is in civil litigation to correct wrongs done by one party to another in any country with a rule of law. But in the Holocaust cases, this provided belated and only imperfect justice to human beings who suffered grievous injuries on a scale without historic precedent. This included brutal slave and forced labor, much by private companies, that left lifelong physical and psychological scars that had never been healed or compensated, unpaid insurance policies, unreturned looted art and cultural artifacts, and the confiscation or forced sale of family homes, businesses and personal effects that were never returned.

While the overall amounts seem large (in Austria's case, including funds from the National Fund and our U.S.-Austrian agreement some \$1 billion; in Germany's \$5 billion), the actual payments to individuals were small. Slave laborers received a one time payment of roughly \$7,500 and forced laborers \$2,500, no more than a symbolic payment. And those whose property in Austria was torn from them have received a tiny fraction of the actual value of their claims. And all of these payments came only over 50 years later. Nor did the class action lawyers enrich themselves, as some believe. I assured that in the final settlements, they received only about one percent of the total amount.

But from the Austrian and German settlements, almost one and half million forced and slave labor victims were paid something. For most the amount of money was less important than the simple recognition that their suffering had in their final years not been forgotten; that there was some accountability.

Moreover, despite the small individual payments, they were at least modest help in assuring that those who suffered so grievously in their early years, would have some relief from the poverty many are enduring in their last years. Recent studies indicate that of the 520,000 remaining Holocaust survivors, fully one half live below the poverty line. This includes some 25 percent in the U.S., 35 percent in Israel, and over 80 percent in Central and Eastern Europe. One of their most pressing needs is home care. Here, again, Austria has been a far-sighted leader. Beginning in 2001, your country has provided assistance for nursing home care to Austrian Holocaust victims wherever in the world they live, on a scale equal to what you provide your own citizens; this has been estimated to amount to \$112 million over 10 years.

But the recipients who may be most in need were the Christian forced laborers from Central and Eastern Europe, who had never been compensated by any government at any time, unlike many Holocaust victims, many of whom had received some funds from Germany.

In addition, a significant part of our work was to return communal property to the re-emerging communities in the former Soviet-dominated East who survived the twin evils of the 20th century, Nazism and Communism – churches, synagogues, schools, community centers, even cemeteries – so they would have the physical infrastruc-

ture to rebuild their shattered communities. This work continues, and often imposes financial burdens on the Jewish communities to renovate deteriorating properties.

Second, I do not believe our negotiations actually increased anti-Semitism in Europe over the long term. While Jörg Haider attacked Ariel Muzicant with slurs against his name, when Chancellor Schüssel brought Haider's party into the coalition, his Freedom Party's vote dropped by more than half in the next election. Moreover, Haider's party supported the outcome of our negotiations. Editorial comment and public opinion polls in Austria, Germany and France supported the justice provided to Holocaust victims. Anti-Semitism decreased as a result of Austria's own efforts at reconciling with its past and the results of US/Austrian negotiations.

It is important to point out that of the \$8 billion in total settlements for the entire Holocaust negotiations of recent years, the majority went to Christian victims of Nazi brutality. Ours was not just a Jewish effort; it was designed to help all those who suffered at the hands of the Nazis, although Jews were Hitler's primary target.

At the same time and apart from the Holocaust negotiations, anti-Semitism and now anti-Islamic attitudes, remain in small parts of the European and Austrian public. There has been a growth of right wing, nationalist, anti-immigrant parties in many countries throughout Europe. In Austria, such parties received a significant percentage of the vote in your last elections. With the historic page that Austria has turned through the Holocaust negotiations we commemorate today, it is important that Austria continue to make certain its better angels prevail in fighting darker impulses, particularly at a time of economic distress, high unemployment, and significant immigration.

Third, the most important part of our efforts was about memory, not money, about finding out the truth and learning its lessons, not seeking unrealistic financial recoveries. We have a historical obligation to search for the truth to the survivors, to the six million Jews killed in the Holocaust, including one and half million children, and the millions of non-Jewish victims of Nazism.

This was a cataclysmic event in world history, the most barbarous genocide in world history, and it must be understood in all its facets to assure future genocides are prevented.

One of the most important things which came out of our efforts to deal with the effects of Nazi tyranny was Holocaust education. This took several forms, in all of which Austria played a significant role.

In January 2000, with the leadership of Swedish Prime Minister Persson, we launched the Task Force for International Cooperation on Holocaust Education, Remembrance, and Research, which now has over 25 countries, who have made Holocaust education a part of their educational curriculum, including Austria. This is not simply to look back at the horrors of the past, but to learn the lessons of how intolerance to differences, and racial and religious prejudices, must be combated through education at an early age.

We also have held five international conferences, each with over 40 countries attending, to explore various facets of the Holocaust and World War II history: the 1997 London Gold Conference to explore the Nazi theft of vast amounts of gold from the nations they occupied and from Jewish victims; the 1998 Washington Conference on Holocaust-era assets, including Art, which developed voluntary principles for the return to their rightful owners of some of the 600,000 pieces of art stolen by the Nazis; the January 2000 Stockholm Conference on Holocaust Education; the October 2000 Vilnius Conference on Cultural property looted by the Nazis; and the 2009 Prague Conference on Holocaust-Era Assets, which was the most sweeping of all. It covered the social welfare needs of impoverished victims of the Third Reich, restitution or compensation for confiscated immovable (real) property, as well as art, protection of cemeteries, Judaica and Jewish Cultural property, the need to open archives, education, remembrance, research and memorial sites.

Having dealt with your own private property issue through the creative General Settlement Fund, underfunded as it is, I hope that Austria will also take a leadership role in encouraging other European countries to implement the private immovable property pledges in the 2009 Terezin Declaration and the 2010 Guidelines and Best Practices for the Restitution and Compensation of Immovable (Real) Property Confiscated or Otherwise Wrongfully Seized by the Nazis, Fascists and Their Collaborators during the Holocaust (Shoah) Era between 1933–1945.

The truth about the past, about a country's role in World War II, the dimensions of the massive theft of property and the efforts at restitution, can be painful, but also liberating and educational. In the grand Hofburg Palace when we signed the Austrian labor agreement on October 24, 2000, President Klestil said the following: "We Austrians are finally looking in the eye of the historical truth – indeed, the entire truth. All too often we have spoken about Austria as the first country that lost its freedom and independence to National Socialism, and all too seldom about the fact that many of the most malicious executioners of the National Socialists' dictatorship were Austrians." Then in my presence and that of Austrian survivors like Kurt Ladner, he added: "In the name of the Republic of Austria, I bow with deep sorrow before the victims of that time... At the end of the 20th century we are finally making an effort to overcome the last barriers on the way to a better future, and this based on a shared commitment to the principle, 'Never Again'."

As part of our 2000 U.S. – Germany agreement, the Foundation Remembrance, Responsibility and Future supports projects related to tolerance, combating anti-Semitism, human rights, and remembrance. Austria used the surplus from the Reconciliation Fund for forced and slave laborers to endow an Austrian Future Fund, and address some lingering claims from the Austrian Jewish community. The Austrian Fund will have long-term impact after all the money to victims and their families will have been allocated.

One distinctively Austrian program to which your government committed itself in our agreement was to contribute to the Holocaust education program established at the Salzburg Seminar. I hope Austria will continue to annually recognize the importance of this educational forum as an appropriate interpretation of our agreement.

Last, there are even broader ramifications to our work, which sparked other efforts to deal with human rights violations.

For example, class action suits were brought by Korean and Chinese "comfort women" against the Japanese for forced prostitution; by American POWs against the Japanese for their slave labor; by Chinese, Korean and Filipino nationals against Japanese corporations for their wartime slave labor; and by Armenians against New York Life Insurance Company for failing to pay policies

held by Armenian victims during World War I. In Spain, claims for reparations were pressed on behalf of some 400,000 Republican prisoners of war and conscripted Republican sympathizers who, on the Nazi model, were rented out by the government of General Francisco Franco to the nation's largest corporations during the Spanish Civil War. In 2002, class action cases were filed against a number of American employers, financiers and insurers of slave during the American civil war. And victims of South African apartheid brought a class action suit against private corporations patterned on the Holocaust cases.

One of the lessons I learned is that class action suits and American courts are not the best venues to resolve historical injustices, but they may catalyze diplomatic efforts.

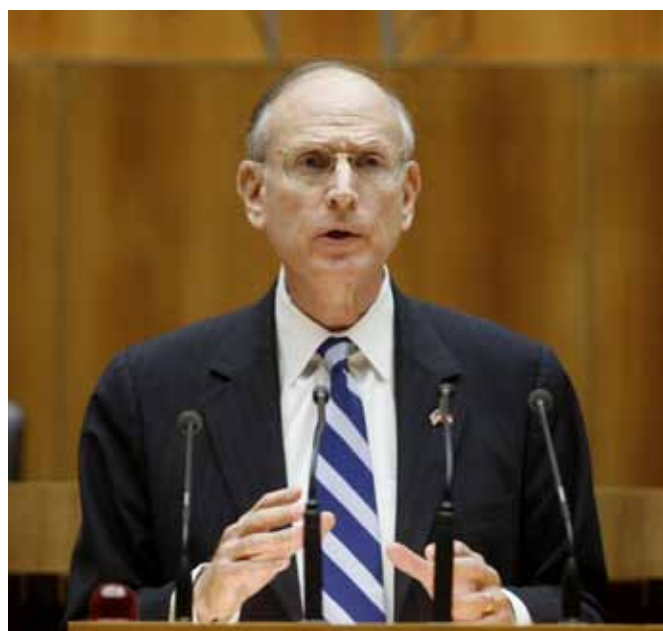
In addition, one of the unrecognized breakthroughs of our negotiations was that for the first time in history, private corporations paid substantial sums for wartime injuries they inflicted. Our efforts underscore a growing and positive trend of major multinational corporations having a much greater awareness of the reputational and legal risks of engaging in activities that threaten the environment, that employ workers in what are considered sweatshop conditions, and cooperating with regimes with poor human rights records. OECD Codes of Conduct for multinational corporations, the UN Global Compact, and the Extractive Industries Transparency Initiative all promote this higher level of conduct by major corporations.

Moreover, our work was effectively a massive alternative dispute resolution process through one giant set of separate mediations by the U.S. government with multiple stakeholders. This could lead to a 21st century direction for American and global diplomacy to deal with new issues on the foreign policy agenda that do not restrict themselves to traditional state-to-state relations, like climate change, AIDS prevention, and human rights protections.

Fourth, it is encouraging that Austria's efforts did not end with our agreement 10 years ago and are continuing. For example, the Austrian Government is providing assistance to the Jüdisches Berufliches Bildungszentrum (JBBZ) to help rebuild a small Jewish community by encouraging well-educated Jewish citizens in Europe who can make a contribution to Austria to get German language training and professional training to immigrate to Austria under

the new red-white-red card program. The Lauder Business School is also assisting. Moreover, the Finance Ministry has entered into a landmark 20 million euro, multi-year program to help repair over 60 Jewish cemeteries throughout Austria, including five in Vienna, which requires funds from both the Jewish community and municipalities. I hope the municipalities will follow the example of the federal government.

In conclusion, as we commemorate the 10th anniversary of the U.S.-Austria agreements, Austria has much of which it can be proud. It is a stronger country, more certain of its future, because it has learned more about its past, and made a major effort to rectify its wrongs. I congratulate you.



Stuart E. Eizenstat (born 1943) held a number of senior positions in the Clinton Administration (1993–2001) including U.S. Ambassador to the European Union; Under Secretary of Commerce for International Trade; Under Secretary of State for Economic, Business & Agricultural Affairs; and Deputy Secretary of the Treasury. While holding these positions, he was also Special Representative of the President and Secretary of State for Holocaust-Era Issues. During the Carter Administration (1977–1981), he was the President's chief domestic policy adviser in the White House and director of the White House Domestic Policy Staff. He is currently Special Advisor to the U.S. Secretary of State on Holocaust-Era Issues.

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ANNUAL REPORT

General Information

The National Fund of the Republic of Austria for Victims of National Socialism was established in 1995 as an expression of the Republic of Austria's moral responsibility towards the victims of National Socialism. The *Bundesgesetz über den Nationalfonds der Republik Österreich für Opfer des Nationalsozialismus* ("Federal Law on the National Fund of the Republic of Austria for Victims of National Socialism"), Federal Law Gazette no. 432/1995 (in short: National Fund Law) provides for a gesture payment as a symbolic mark of recognition amounting to 5,087.10 Euro (70,000 Schilling) per person. The payments are financed by the Federation from its annual budget. In cases of social need, additional payments can be awarded of up to three times the original amount. The applications are decided by a Committee, composed of the Chairperson of the Board of Trustees, a Deputy appointed by the Board of Trustees and three Members nominated by the Chairperson with the approval of the Main Committee of the National Council. They meet several times a year to decide the applications.

The highest organ of the National Fund is the Board of Trustees. It determines the payments to be made by the Committee or decides on payments itself, ensures that the assets of the Fund are used for their designated purpose and approves the statements of account.

In order to be awarded a gesture payment by the Committee the following requirements set out by the legislator in Sec. 2 (1) of the National Fund Law must be met:

"The Fund shall render benefits to persons

1. who were persecuted by the National Socialist regime on political grounds, on grounds of origin, religion, nationality, sexual orientation, on grounds of physical or mental handicap or on grounds of accusations of so called asociality, or who were otherwise victims of typical National Socialist injustice or left the country in order to escape persecution and

2. who

a) were citizens of the Federal Republic of Austria and were domiciled in Austria on 13 March 1938, or

b) were permanently domiciled in Austria for a period of approximately ten years as per 13 March 1938, or were born as children of such persons in Austria within that period, or

c) lost their status as citizens of the Federal Republic of Austria or the place of residence of at least approximately ten years before 13 March 1938, because they left the country due to the imminent march of the German Armed Forces into Austria, or

d) who were born before 9 May 1945 as children of such persons in concentration camps or under comparable circumstances in Austria."

As an institution which has been working for victims of National Socialism since 1995 and providing them with support and assistance in many matters, the National Fund has come to symbolize the Republic of Austria's conscious efforts to come to terms with her history – a visible signal that Austria has not forgotten the victims of National Socialism.

The importance which is attached to Austria's special responsibility towards the victims of the National Socialist regime is also demonstrated by the fact that the National Fund was established at the National Council. The President of the National Council presides over the organs of the National Fund – the Board of Trustees, the Committee and the Secretary General.

Personnel and other administrative expenses

As the workload has remained unchanged or, if anything, has increased (the National Fund having been entrusted with coordinating the redesign of the Austrian national exhibition at the former concentration camp and present State Museum Auschwitz-Birkenau and with the administration of the newly-established Fund for the Restoration of the Jewish Cemeteries in Austria), the number of staff employed by the National Fund in 2010 and 2011 essentially remained the same as in previous years:

On the cut off day 31 December 2010, the National Fund had a staff of 21 – twelve were employed full time, four part time and five on a freelance basis.

On the cut off day 31 December 2011, the National Fund had a staff of 21 – 13 were employed full time, five part time and three on a freelance basis.

The total expenditure for staff and other administrative expenses (including the depreciation of capital assets) of the National Fund amounted to 1,668,903.80 Euro in 2010 and 1,719,647.84 Euro in 2011.

Individual payments

Gesture payments

The core task of the National Fund is the allocation of gesture payments as an expression of recognition of the injustice suffered by people in Austria at the hands of National Socialism. In principle, all surviving victims from the various groups of victims are eligible to receive this payment. For some recipients, the payment was the first time they had received acknowledgement. In contrast to the procedure of the General Settlement Fund, there is no deadline for filing applications.

Compensation for seized tenancy rights

In addition to the gesture payments, on the basis of the Washington Agreement of 2001 the National Fund was entrusted with the task of paying compensation for tenancy rights, household effects and personal valuables seized by the National Socialist regime. An amount of 150 million US Dollar was provided for this purpose. Applications could be filed until 30 June 2004. The compensation took the form of a lump sum payment of 7,630 Euro (or 7,000 US Dollar) and an additional payment of 1,000 Euro per person.

The compensation for seized tenancy rights was introduced with Federal Law Gazette I no. 11/2001 for which the new Sec. 2b was inserted into the National Fund Law.

Applications in figures

By the end of 2011, a total of 32,800 applications had been received for a gesture payment and around 23,000 applications had been filed pursuant to Sec. 2b of the National Fund Law. Around 30,000 applications for gesture payments and over 20,000 applications pursuant to Sec. 2b were approved. The total sum disbursed amount to around 156 million Euro for gesture payments and around 175 million Euro (converted 150 million US Dollar) for payments pursuant to Sec. 2b.

Applications according to country

When the applications are evaluated according to the country in which the applicants are resident, the following picture emerges: applications were filed by people living in over 70 countries. The majority of the applicants are resident in the USA, Austria, Israel, Great Britain and Australia. More detailed information can be found in the appendix of this annual report.

Hardship Compensation Fund

In 1999, by decision of the Board of Trustees a Hardship Compensation Fund was established and endowed with 508,710 Euro (or 7 million Schilling) from the funds earmarked for project sponsorship. The Hardship Compensation Fund is intended to help aggrieved persons who have applied to the National Fund for a payment and meet the criteria for a payment from the National Fund to a large extent but not entirely, and whose rejection by the National Fund would constitute a particular hardship.

From 2000 to 2011, 87 payments were made in the same amount as the gesture payment (5,087.10 Euro), totaling 442.5777.70 Euro.

“Looted Gold Fund”

In 1998 the administration of the Austrian share of the International Fund for Victims of National Socialism (Nazi Persecutee Relief Fund) was transferred to the National Fund by virtue of a Federal Law (Federal Law Gazette I no. 182/1998). This Fund was endowed with means which had become available when various countries waived the right to their share of the residue from the so called Looted Gold Fund (i.e. the gold looted by the Nazis from the central banks of numerous European states). The Austrian share came to 7.9 million Euro (or 109 million Schilling), which the National Fund was to allocate in accordance with the statutes of the International Fund for Victims of National Socialism.

The funds were used, on the one hand, to subsidize projects and, on the other, to make individual payments to needy Holocaust victims, each in the amount of the gesture payment (5,087.10 Euro).

The “Looted Gold Fund” distributed the last of its means in 2010.

Other tasks

The tasks performed by the National Fund go far beyond merely processing the mentioned payments. Its work also includes providing support to needy Holocaust victims worldwide, subsidizing a multitude of projects relating to National Socialism and transnational educational work and research.

Project sponsorship

In line with its statutory mandate, the National Fund has been sponsoring projects since 1996. A wide range of projects are sponsored, dealing with all groups of victims. When allocating the sponsorship monies, the Fund focuses on the surviving victims of National Socialism, subsidizing a number of socio-medical and psychotherapeutic projects which benefit the victims directly.

Beyond this, the National Fund also sponsors projects which undertake academic research into National Socialism and the fate of its victims, which commemorate National Socialist injustice or which safeguard the memories of the victims. Educational projects are particularly important. The projects span a wide spectrum, from books and films, operas and plays, concerts, workshops, exhibitions and art projects to the construction and upkeep of memorial sites.

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

Supporting the applicants and public relations work

The National Fund attaches particular importance in providing a high level of individual support to the applicants is something to which.

As well as being in contact with the applicants by letter and telephone, since 1995 the staff of the National Fund have met with over 19,000 applicants in person. Members of staff are also on hand to assist in other matters beyond filing an application and, in this way, have managed to build up a special relationship of trust with many survivors.

Pursuant to Sec. 6 (3) of the National Fund Law, the Secretary General is responsible for fostering the relationship between Austria and the victims of National Socialism living abroad.

The Secretary General's public relations work is an important element of the National Fund's communication with the applicants. She travels abroad holding lectures on the work of the National Fund and strengthening relations with the victims from Austria who are resident abroad and with victims' organizations.

The numerous speeches, articles in the press and publications not only serve to inform and reach out to the victims but also raise awareness of National Socialism and its consequences among a wider public in Austria.

Art restitution

The National Fund was entrusted with an additional task as early as 1998/1999: artworks which were seized from their owners during the National Socialist regime and which are unable to be restituted are to be sold by the National Fund, with the proceeds being used to benefit the victims of National Socialism. Before the artworks are sold, the National Fund exhausts all avenues in its search to find possible legal successors entitled to them.

In order to achieve this, since October 2006 the National Fund has been running an art database in cooperation with the museums of the Federation and the City of Vienna, online at www.kunstrestitution.at. So far, the database, which is regularly updated, contains information on ca. 9,000 objects in the collections and museums of the Federation and the provinces. It enables victims of National Socialist seizure or their descendants to carry out a targeted search for seized art which is suitable for restitution. In order to reach a further group of potential eligible persons, since 2007 the database has been available in English at www.art-restitution.at.

The National Fund is also in close contact with the Vienna Restitution Commission and the Commission for Provenance Research. This cooperation guarantees that the database can be continuously expanded and the current research status is always up-to-date.

Artworks whose owners can no longer be established are transferred to the National Fund and the proceeds from their sale are used to benefit the victims of National Socialism.

In June 2010, the National Fund received for the first time a consignment of heirless objects, in line with a decision of the Art Restitution Advisory Board in September 2009. They were from the holdings of the Austrian National Library, consisting of around 8,000 books which contained no indications as to their former owners.

The books were bought back by the National Library and the funds raised from this sale, amounting to 135,000 Euro, were assigned to the National Fund to be used for the benefit of the victims of National Socialism. In line with the guidelines resolved by the Board of Trustees, the money will be used to make payments to victims of National Socialism who do not meet the criteria to receive a gesture payment.

International Task Force

Austria has been an active member of the Task Force for International Cooperation on Holocaust Education, Remembrance, and Research (International Task Force – ITF) since 2001. It helps realize transnational research and educational programs on the Holocaust.

The Austrian coordination office is established at the National Fund.

The Austrian exhibition at Auschwitz-Birkenau

In 2009, the National Fund was entrusted with the coordination of the redesign of the Austrian exhibition at the former concentration and extermination camp and present State Museum Auschwitz-Birkenau.

The aim of the redesign is to portray the fates of the Austrian victims in Auschwitz and the involvement of Austrians as perpetrators and collaborators in the crimes committed there, in such a way as is in keeping with official Austria's amended view of her own history.

Restoration of the Jewish cemeteries

In December 2010, the Fund for the Restoration of the Jewish Cemeteries in Austria was established. The *Bundesgesetz über die Einrichtung des Fonds zur Instandsetzung der jüdischen Friedhöfe in Österreich* ("Federal Law on the Establishment of the Fund for the Restoration of the Jewish Cemeteries in Austria") stipulates that the administration and external representation of the Fund shall follow the principles of the National Fund Law; the organs of the Fund are the organs of the National Fund – the Board of Trustees and the Secretary General.

Consequently, in 2011 the staff of the National Fund also took on the agendas of the Fund for the Restoration of the Jewish Cemeteries in addition to their existing duties for the National Fund.

The years 2010 and 2011

In 2010 and 2011, the National Fund received 125 applications for a gesture payment. Experience has shown that for many victims, the decision to file an application after so many years is an important and difficult process, as it concerns the fundamental recognition of their victimhood. For this reason, the staff of the National Fund expects to continue receiving applications in the future.

During these two years requests were also received for further payments on grounds of social need. For many elderly people, living under particularly difficult circumstances in some countries, the assistance provided by the National Fund is vital and enables help to be provided swiftly when needed.

Additional payments from the residue of the funds pursuant to Sec. 2b of the National Fund Law in 2010 and 2011 were rendered, for the most part, to heirs of deceased applicants. These payments were often preceded by complicated and time-consuming work to trace the heirs.

In 2010, 101 gesture payments of 5,087.10 Euro were disbursed. This results in a total of 513,797.10 Euro.

In addition to the basic amount, further payments were made to 15 persons on grounds of social need – these payments totaled 72,544.10 Euro.

Also in 2010, positive decisions were issued on nine applications pursuant to Sec. 2b of the National Fund Law and 53,287.91 Euro disbursed. The additional payments made from the residue totaled 210,762.46 Euro.

Finally, in 2010 the National Fund subsidized 105 new projects and paid four installments for projects from previous years (total: 1,044,696.87 Euro).

In 2011, 62 gesture payments were disbursed each amounting to 5,087.10 Euro. In sum, payments were made totaling 315,400.20 Euro.

In addition to the basic amount, 19 people were awarded further payments due to social need – these payments totaled 96,654.90 Euro.

In 2011, six positive decisions were issued on applications filed pursuant to Sec. 2b and 33,420.45 Euro disbursed. In 2011, 143 additional payments were rendered from the residue totaling 143,737.88 Euro.

Finally, in 2011 the National Fund subsidized 129 new projects and paid two installments for projects from previous years (total: 1,416,492 Euro).*

*The figures stated here in relation to project sponsorship deviate from those in the German version of the Annual Report 2010/11: The project funding approved in the session of the Board of Trustees on 20 December 2011 was unintentionally omitted from the German version as these funds were not disbursed until 2012. Instead of the 48 projects with total funding of 853,970 Euro for the year 2011 – as stated in the German version – funding was in fact approved for 129 projects totalling 1,416,492 Euro.

Recognition of different groups of victims

Recognition by the National Fund not only means recognition of people's persecution in individual terms; it is also an important contribution towards raising awareness within society with regards to the different groups of victims and the different forms of persecution.

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

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

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

The decision-making practice of the National Fund also takes into account the findings of academic historical research. Over time, further groups of victims were also subsumed under the National Fund Law. Here a few examples:

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

Since 1997, persons who, alone by virtue of belonging to a group, were generally endangered – for example persons with one Jewish parent (so called *Mischlinge ersten Grades* ["first grade half castes"]) or Carinthian partisans – are recognized as victims in the meaning of the Law, even if they were not subjected to any acts of persecution. In 1997, the National Fund also acknowledged as victims widows, widowers and children of people who had been executed or died in prison or a concentration camp as well as parents and children of people who had fallen victim to "euthanasia".

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

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

In 2007, children of persecuted Carinthian Slovenes were recognized as victims in view of the particularly difficult circumstances in which they lived, which often meant they also suffered as a result of their parents' persecution.

REDESIGN OF THE AUSTRIAN EXHIBITION IN AUSCHWITZ-BIRKENAU



General Information

In 2009 the Austrian Federal Government resolved the renewal of the Austrian national exhibition in the former concentration and extermination camp and present State Museum Auschwitz-Birkenau and entrusted the National Fund of the Republic of Austria for Victims of National Socialism with its coordination. Federal ministries, the Future Fund, the National Fund and the federal provinces are contributing towards funding the exhibition.

Auschwitz-Birkenau is one of the most significant memorials situated on the location of a former National Socialist extermination camp. The memorial receives almost 1.5 million visitors from all over the world each year. In addition to the museum's permanent exhibition and rooms for temporary exhibitions there are currently almost a dozen national exhibitions incorporated in the exhibition complex at the former main camp, each depicting the fates of the respective country's deported and murdered citizens.

The Austrian national exhibition in the former inmate Block 17 was opened in March 1978 by the Minister of Justice at the time Christian Broda. Former concentration camp inmates had played a large part in its creation. The concept and the design for the interior were devised and realized by the architect Robert Kanfer and the graphic designer Ernst Fuhrherr. The exhibition primarily focused on the Austrian victims of National Socialism and on Austrian resistance – both in the concentration camp Auschwitz-Birkenau and in Austria.

For years, people have been calling for the exhibition to be renewed. Particularly the thesis propagated by the exhibition: "Austria – first victim of National Socialism", and the simultaneous glossing over the matter of Austrian collaboration, is no longer a view held by official Austria. It should also not be ignored that the last 30 years have yielded new historical findings and more modern forms of presentation and portrayal have been developed. Beyond this, the majority of the national exhibitions have been re-conceptualized in recent years; the Austrian exhibition belongs to the minority which has not yet been updated.



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View of the area to the rear of the Austrian exhibition opened in Auschwitz-Birkenau in 1978.

The aim of the redesign is to portray the fates of Austrian victims in Auschwitz and the involvement of Austrian perpetrators and collaborators in the crimes committed there, in keeping with an up-to-date culture of remembrance.

As the Austrian national exhibition is situated on the grounds of the State Museum Auschwitz-Birkenau, all matters concerning the redesign have to be agreed upon in a bilateral process. The National Fund is grateful for the generous support of the Austrian General Consulate in Krakow, which kindly provides assistance with the Polish correspondence with the museum and deals with all of the administrative agendas in Poland.

The Coordination Office

A Coordination Office has been set up at the National Fund to realize the new exhibition. This office faces the challenge of ensuring that the exhibition is modern and conceived with an international audience in mind, and that the existing exhibition is documented and archived.

The Coordination Office's main tasks are: to publish a call for tender for the exhibition's design and contents; to supervise and approve the work required for the redesign; and to conclude a contract with the State Museum Auschwitz-Birkenau. The National Fund has also undertaken to develop accompanying media (e.g. a website) and supports the work of the project bodies. Furthermore, in order to ensure that the room in which the exhibition is housed is suited to this purpose, the National Fund is responsible for the renovation of Block 17, which is carried out in consensus with the Ministry for European and International Affairs and in cooperation with the State Museum Auschwitz-Birkenau.

Project bodies

Steering Committee

The Steering Committee is composed of representatives from the Future Fund, the National Fund, the Office of the Federal Chancellor, the Federal provinces and the Federal Ministries for European and International Affairs, for Science and Research, for Education, the Arts and Culture and the Ministry of the Interior. They support the project financially and with their expertise and resources. The main duties of the Steering Committee lie in the wording of the targets and framework conditions for carrying out the project, allocating resources and approving and allocating the budget.

Advisory boards

In order to ensure that the planned exhibition has a scientific basis and, at the same time, is met with a broad social consensus, two advisory bodies were established: the Academic Advisory Board, composed of experts from the fields of science, the culture of remembrance and memorial site education, is chaired by Honorary Professor Dr. Wolfgang Neugebauer (former director of the Documentation Centre of Austrian Resistance). In the Societal Advisory Board, chaired by Dr. Herta Neiß (University of Linz, Camp Community Auschwitz), are representatives from victims' organizations, religious communities, civilian service (memorial service) organizations, parliamentary factions and ministries.

The National Fund provides these Boards with administrative support in their work. The Coordination Office organizes the meetings, compiles the agendas, communicates the progress made in the different areas of the project, keeps minutes of the meetings and maintains ongoing contact with the members of the various bodies.

Concept for the new exhibition

In cooperation with the State Museum Auschwitz-Birkenau and based on a rough concept produced by the historians Dr. Brigitte Bailer, Dr. Heidemarie Uhl and Dr. Bertrand Perz, the following themes were decided on for the exhibition:

- Historical background, National Socialist rule in Austria
- Austrians as persecutees in Auschwitz
- Austrians as perpetrators in Auschwitz
- Austrian resistance in Auschwitz
- Analysis and citation of the 1978 exhibition

In keeping with the existing exhibition, an area of remembrance shall be retained in memory of the Austrian victims as well as the glass windows by Heinrich Sussmann. Tribute will be paid to the design concept of 1978 by intentionally incorporating the existing architecture into the new exhibition.

Due to its location in Poland, the future exhibition shall be aimed at an international audience. In order for the exhibition to have an impact reaching beyond its four walls, a website will also be created which provides access to the exhibition. The page will help people to prepare for their visit and encourage them to delve deeper into the subject-matter.

From 2012 onward, with the assistance of the Office of the Federal Chancellor, the calls for tender will be published for the curatorship and for the exhibition's design and contents.

Refurbishment

A fundamental requirement which must be met before planning the new exhibition is that a consensus first be achieved regarding the work needed for the refurbishment and adaptation of the building in which the Austrian exhibition is situated.

In order to prepare for the structural planning, the Coordination Office, accompanied by construction experts, carried out an inspection of the entire building. With the support of the Foreign Ministry a consensus was reached with the State Museum Auschwitz-Birkenau regarding the necessary structural investigations. It is expected that these will be carried out in 2012.

The necessary measures indicated by the investigations and the decision on how the costs and the refurbishment work are to be shared will also be reached in 2012. During this process, it must also be taken into consideration that an exhibition by the successor states of the former Yugoslavia is planned for the first floor of Block 17.

Documentation

In order that the existing exhibition may be appreciated as a part of contemporary history and to ensure its preservation, it will be comprehensively documented prior to the redesign. As a first step, in September 2011 the entire exhibition (display boards, detailed views, objects, Heinrich Sussmann's stained-glass windows and the accompanying texts) was systematically photographed and inventoried with the assistance of the Military Photo and Film Archive of the Federal Ministry of Defense and Sport.

At this juncture, we would like to thank the staff of the Military Photo and Film Archive.

The data collected – photos and the transcription of all the exhibition texts – is stored in a database administered by the National Fund. The publication of this documentation is planned.

Budget

Presently, 800,000 Euro has been approved for the redesign. This funding has been provided by the Future Fund, the National Fund, the Federal Ministry for Science and Research, the Federal Ministry for Education, the Arts and Culture and the Federal provinces.

These funds are to cover all costs involved in the realization of the exhibition and for any accompanying media (e.g. the disassembly and archiving of the previous exhibition, curation, design, research, academic preparation, translation and travel expenses).

For the first four years after the opening of the exhibition, the Foreign Ministry has agreed to provide a sum of 60,000 Euro to fund the running costs of the exhibition and the website (15,000 Euro per year).

Auschwitz Foundation

In addition to the redesign of the Austrian national exhibition, the Federal Government has passed a resolution to support the Auschwitz-Birkenau Foundation, which was established on the initiative of the State Museum Auschwitz-Birkenau specifically to finance the upkeep of the grounds of the former concentration camp. Its means are gathered from international contributions.

The Auschwitz-Birkenau Foundation's aim is to put long term measures in place to safeguard the buildings and museum collections. The Foundation is to be endowed with a total of 120 million Euro. The comprehensive renovation and conservation work at the memorial shall be financed from the annual interest. Several countries have already agreed to contribute, including Germany (60 million Euro), France (5 million Euro), Great Britain (2.5 million Euro), Poland (10 million Euro) and Israel (1 million US Dollar). The USA will contribute 15 million US Dollar). The Republic of Austria will contribute 6 million Euro toward the upkeep of the memorial.

The National Fund was entrusted with processing the payments to the Foundation (amendment to the National Fund Law, Federal Law Gazette I no. 128/2011). The sum shall be used both to endow the Foundation and to finance the necessary refurbishment of Block 17. The Secretary General of the National Fund, Hannah Lessing, was nominated as Member of the International Committee of the Foundation by the Republic of Austria.

Outlook

The Coordination Office will face many challenges in 2012. A call for tender for the exhibition concept must be published with the assistance of the Office of the Federal Chancellor. At the same time, the issues regarding structural work must be resolved and a consensus must be reached with the State Museum Auschwitz-Birkenau regarding the refurbishment work to be carried out and the details surrounding the realization of the exhibition. Finally, the agreements on the endowment of the Foundation and methods of payment will also form a central part of the Coordination Office's duties.

THE ACADEMIC ADVISORY BOARD FOR THE REDESIGN OF THE AUSTRIAN NATIONAL EXHIBITION AT THE AUSCHWITZ MEMORIAL

WOLFGANG NEUGEBAUER

In November 2009, an Academic Advisory Board was established to assist the historians and exhibition designers commissioned (or still to be commissioned) with the redesign of the exhibition. It is composed of eleven Members – historians, political scientists and experts in the field of memorials and museums: Dr. Brigitte Halbmayr, Dr. Felicitas Heimann-Jelinek, university professor Dr. Gerhard Jagschitz, university professor Dr. Michael John, university lecturer Dr. Karin Liebhart, Honorary Professor Dr. Wolfgang Neugebauer, Dr. Peter Plener, DDr. Barbara Glück, Dr. Kurt Scholz, university lecturer Dr. Horst Schreiber and Dr. Karl Albrecht Weinberger.

The Academic Advisory Board's Rules of Procedure state that the Advisory Board is to "provide academic support to the project and advise the Steering Committee by submitting recommendations in matters pertaining to the redesign." The most pressing task for the Advisory Board is "the analysis and evaluation of the submitted exhibition concepts (particularly the rough concept, the detailed concept, the architectural concept)". The Advisory Board is grateful that it is able to rely on the infrastructure and assistance of the National Fund of the Republic of Austria for Victims of National Socialism in carrying out this task.

I was pleased to take on the chairmanship of this committee for two reasons: firstly because I had been closely involved with the subject of Auschwitz and particularly with the survivors during the decades I spent working at the Documentation Centre of Austrian Resistance; and, secondly, because as a young historian, I was involved in the creation of the old exhibition in 1977/78 and believe this experience to be of use.

It is well known that the – from a modern perspective – justified criticism of the failings, deficiencies and outdated views expressed in this exhibition ultimately led to this project, resolved by the Federal Government, to renew the exhibition. Criticism aside, it should not be overlooked that the overwhelming majority of those involved with the original project in the 1970s, also in terms of its content, were survivors of the Auschwitz concentration camp (including DDr. Ella Lingens, Erna Musik, Hermann Langbein, Dr. Franz Danimann, Kurt Hacker and the spouses Anni and Heinrich Sussmann) and the area of remembrance created by the artist Heinrich Sussmann and the architect Robert Kanfer resulted in an emotive, enduring work of art.

Those involved at the time were by no means aiming to provide a rose-tinted view of Austria; their intention was rather to document and pay respect to their fates as victims, to their suffering and their acts of resistance. The portrayal of Austrian perpetration and complicity was more of a secondary concern. It was not until years later – during the course of the Waldheim affair of 1986/87 – that the role as victim assumed by Austria after 1945 was called into question and Austrian perpetration of crimes under the National Socialist regime was subject to discussion.

Although this paradigm shift has taken effect in broad areas of the Austrian public life and politics, as well as in the study of contemporary history – for example with the establishment of the National Fund in 1995 and, later, the Reconciliation Fund –, on an academic level, research into the perpetrators of National Socialist crimes has been selective at best in its focuses. It is for precisely this reason that a comprehensive examination of Austrian perpetration in Auschwitz must still be carried out and is presently in the preliminary stages.

It is to the credit of the current Director of the Documentation Centre of Austrian Resistance, honorary professor and university lecturer Dr. Brigitte Bailer and her colleagues, assistant professor Dr. Bertrand Perz from the Institute for Contemporary History at the University of Vienna and university lecturer Dr. Heidmarie Uhl from the Austrian Academy of Sciences, that they reacted to the repeated criticism of the old exhibition by submitting initial proposals for the renewal and, in 2009, drawing up a rough concept for the National Fund. In 2010, the first task of the Academic Advisory Board was to examine this valuable preliminary work in detail. In its recommendation, in keeping with the concept the Board stressed that the main groups of persecutees – Jews and Roma and Sinti – were to form the focus of the exhibition and other groups of victims which had previously been neglected, such as Jehovah's Witnesses, "asocials" and homosexuals, should be incorporated into the displays. It was also generally agreed that both Austrian resistance and Austrian perpetrators in Auschwitz should also feature prominently in the exhibition.

The Academic Advisory Board also recommended that the exhibition cover the themes "the inmate community" (the hierarchical structures created by the SS in the camp), gender-related aspects (women in Auschwitz, particularly in conjunction with the women's concentration camp

Ravensbrück), medicine/doctors in Auschwitz and the way in which Austria dealt with the perpetrators and victims after 1945. There is also a general consensus that the area of remembrance created by Heinrich Sussmann and Robert Kanfer is to be retained. After the concept had been reworked by the three historians, taking into account a number of guidelines set out by the memorial, it was submitted to the State Memorial Auschwitz-Birkenau, which accepted it as the basis for the new exhibition. The old exhibition has already been documented as recommended by the Board; this documentation will be integrated into a new website.

My Deputy Dr. Brigitte Halbmayr and I also belong to a working group created in 2011 to guide the operations of the project. The question of how to issue the invitations to tender for the project work and what form they should take is a vital one which remains to be resolved. As far as the people responsible for the contents are concerned, we have agreed which qualifications they will require (for example high academic standards and experience in contemporary historical projects).

In working constructively with the National Fund, the Societal Advisory Board and the historians and curators who are still to be commissioned, the Academic Advisory Board will continue to strive to contribute towards the successful accomplishment of this important undertaking of the Republic of Austria.



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Honorary Professor Dr. Wolfgang Neugebauer (born 1944) studied History and Geography at the University of Vienna. In 1970 he joined the staff of the Documentation Centre of Austrian Resistance, of which he was Academic Director from 1983 to 2004. In 1977/78, he participated in the creation of the current Austrian exhibition at the State Museum Auschwitz-Birkenau. Since 1995 he has been an honorary professor at the Institute for Contemporary History at the University of Vienna; his main areas of expertise are the history of the workers' movement, resistance and persecution under National Socialism, National Socialist medical crimes and right-wing extremism post-1945. Since November 2009, Honorary Professor Dr. Neugebauer has been the Chairman of the Academic Advisory Board for the Re-design of the Austrian exhibition at the State Museum Auschwitz-Birkenau.

THE SOCIETAL ADVISORY BOARD FOR THE REDESIGN OF THE AUSTRIAN NATIONAL EXHIBITION AT THE AUSCHWITZ MEMORIAL

HERTA NEISS

The Societal Advisory Board for the redesign of the Austrian national exhibition at the Auschwitz Memorial convened for the first time on 12 January 2010. It is comprised of 27 Members which were appointed by the Steering Committee for the duration of the exhibition project.

The composition of the Advisory Board is similar to that of the Board of Trustees of the National Fund, with representatives from victims' organizations, religious communities and interest groups (Alliance of Social Democratic Freedom Fighters, Victims of Fascism and Active Anti-Fascists; Claims Conference – Committee for Jewish Claims on Austria; Evangelical Church in Austria; Homosexual Initiative (HOSI) Vienna – 1st Lesbian and Gay Alliance in Austria; Catholic Church in Austria; Cultural Association of Austrian Roma; Concentration Camp Association – Federal Alliance of Austrian Anti-Fascists, Resistance Fighters and Victims of Fascism; Austrian Camp Community Auschwitz; Austrian People's Party Fellowship of Political Persecutees and Advocators of Austria; Association Never Forget; Memorial Service Association), from the Federal Chancellery and various Federal Ministries (Ministry of Education, the Arts and Culture; Ministry of Science and Research; Ministry of European and International Affairs; Ministry of Labor, Social Affairs and Consumer Protection; Ministry of the Interior and Ministry of Finance); from all parliamentary factions, and from the Future Fund of the Republic of Austria and the National Fund. The societal pluralism of democratic Austria is thus reflected in the composition of the Advisory Board.

The foremost task of the Societal Advisory Board is to advise the Steering Committee on issues of the redesign by submitting recommendations, in cooperation with the Academic Advisory Board. Respecting the memory of those persecuted and murdered in Auschwitz is of primary concern for the Board.

As a representative of the "Austrian Camp Community Auschwitz in Memoriam", to be elected Chairperson of the Societal Advisory Board is a great honor. At the same time, I am wholly aware of the responsibility this position brings. This role also enables us to give the victims, the survivors and their families a chance to be heard.

Norbert Lopper, a former inmate of Auschwitz concentration camp, agreed to take on the honorary chairmanship of the Board, for which I am extremely grateful. He was imprisoned in the very Block 17 of the former main camp Auschwitz I which houses the Austrian national exhibition. His opinion will be of vital importance to us in our work on the new exhibition.

Beyond taking part in meetings, it is friendship that connects me to the members of the Austrian Camp Community, a friendship which has grown over the years since our first journey to the Auschwitz-Birkenau Memorial in the 1990s. Equal numbers of survivors and students took part in the trip, meaning each student was accompanied by a contemporary eyewitness and everyone was left with a very individual and lasting impression of Auschwitz. During this excursion I visited Birkenau with a small group, accompanied by Kurt Hacker, our Chairman of the Camp Community for many years and also President of the IAK (International Auschwitz Committee), and Tadeusz Szymański, a Polish Auschwitz survivor who was responsible for the art collection in the memorial.

Kurt Hacker reminded us that we belonged to the last generation which was still able to visit memorial sites in the company of surviving eyewitnesses and at his behest, we promised that we would continue to give victims and survivors a voice when they were no longer with us. At the time, it was a matter of hot discussion among camp communities and victims' associations whether they should be disbanded or continued after the death of the last former inmate. The Austrian Camp Community Auschwitz decided to accept members who were interested in the subject although not from affected families. The association's statutes were extensively revised to make this possible.

The role of Chairman was given to an historian from the Institute for Social and Economic History at the Johannes Kepler University Linz and the work of the association was also to be carried out by this Institute.

At this juncture I would like to take the opportunity to mention a few outstanding members of the Auschwitz Camp Community, such as Dr. Franz Danimann, Dagmar Ostermann, Fritzl Kleinmann, the Lopper brothers, Lotte Brainin, Erich Finsches and Lisi Böcklinger, who tirelessly repeated their stories in countless discussions in schools and universities and, health permitting, took part in many excursions to memorial sites.

The visitors to the new exhibition will have to manage without the valuable explanations of the contemporary witnesses, which presents the creators of the exhibition (historians and curators) with a particular challenge: it is hard to find an adequate substitute for conversations face-to-face and the opportunity to pose questions. Attention shall be drawn to this predicament in both the concept and the actual realization of the new exhibition.

It is also essential to consider the exhibition's target audience; school groups and university students make up the majority of the Memorial's visitors. I believe it is especially important that the exhibition concept and its realization succeed in reaching this group and that we create an exhibition which will endure for years to come.

In February 2010, the historians Dr. Brigitte Bailer, Dr. Bertrand Perz and Dr. Heidemarie Uhl submitted a rough concept to the Societal Advisory Board for examination. Subsequently, the Board made several recommendations regarding the concept, including the aspects mentioned above. In its statement, the Board made reference to Auschwitz's unique status as the symbol for the systematic destruction of the Jewish people, while also noting the importance of including in the exhibition the more minor groups of victims in Austria.

The Advisory Board also had another request, which related to the portrayals of the fates of individuals. It considered it important that biographies of "normal" people be featured and not only those of the better-known inmates.

The Board recommended that the portrayal of the Austrian perpetrators remain within reason and not overshadow the history and remembrance of the victims, which belonged at the forefront.

The Societal Advisory Board also stressed the importance of choosing themes which would appeal to a younger audience (school children and university students). The Board advised that an expert in the field of museum education be called upon in order to develop a modern, educationally appropriate approach. It also considered the production of an educational concept for integrating the exhibition into educational programs for Austrian school groups (e.g. school trips) to be desirable.

The Advisory Board welcomed the plans to set up a website for the exhibition, suggesting that it should assist users both before and after their visit to the exhibition. A website would also present the opportunity to provide regularly updated additional themes to supplement and enhance the exhibition. That way, the exhibition opening would not be a terminus but the beginning of a work in progress.

In its recommendation, the Advisory Board also reflected on the existing Austrian national exhibition. It stressed the importance of retaining the exhibition in documented form after its dismantlement and making it available to the public on the planned website and in the form of a publication. It was also recommended that the documentation be enhanced by articles elucidating the exhibition and the circumstances surrounding its origins and reflecting on the exhibition in the light of Austria's revised view of her own history.

The Advisory Board also declared itself in favor of including an area of remembrance in the plans for the new exhibition, retaining certain elements from the original exhibition (for example, the glass windows by Heinrich Sussmann) as well as incorporating objects from the existing exhibition which originate from the estates of former Austrian inmates of Auschwitz due to their authenticity.

Lastly, I consider it important to note that the new Austrian exhibition in Block 17 is not only the official national exhibition of the Republic of Austria but, at the same time, an exhibition in memory of the survivors and their families.



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Dr. Herta Neiß

studied Business Administration at the Johannes Kepler University in Linz, from which she graduated in 2001. She has been working at the Institute for Social and Economic History of the Johannes Kepler University Linz since 1996 and as lecturer and director of the Tourism Management course of the University of Linz since 1997. As a member of the Board of the Austrian Camp Community Auschwitz in Memoriam and as member of the International Auschwitz Committee, she has participated in numerous study trips to Auschwitz. She has been the Chairperson of the Societal Advisory Board for the Redesign of the Austrian national exhibition in the State Museum Auschwitz-Birkenau since 2010.



Area of remembrance. Glass window with the title "Gas chamber", created in 1978 by Professor Heinrich Sussmann, an Auschwitz survivor.

ANNUAL REPORT

General Information

Jewish cemeteries are special places of remembrance and many of them are of great cultural and historical importance. During the years under National Socialism, vast numbers of graves were destroyed, the names of the dead erased. After the Jewish communities had been forced into exile and their members murdered, the Jewish cemeteries in Austria were left to fall to ruin. Today the cemeteries are only used in places where Jewish communities were re-founded after 1945; the rest are closed.

From 2001, the Jewish cemeteries in Austria were systematically recorded: the Jewish Community Vienna commissioned the historian Tina Walzer to catalogue the cemeteries in a “White Book on the Condition and Required Restoration of the Jewish Cemeteries in Austria”, which was updated in 2008.

Furthermore, over the last ten years the Federal Office for the Protection of Monuments has been making a record of the cemeteries in Austria and examining them to ascertain whether they are suitable to be classified as official registered monuments. The so called Sec. 2a Ordinance of the Federal Office for the Protection of Monuments (which does not, however, cover cemeteries which are under private ownership), lists 61 Jewish cemeteries.

The listed cemeteries contain between ten and several hundred graves; the gravestones date from the 15th to the 20th century. The majority of the cemeteries are situated in the federal provinces Lower Austria and Burgenland.

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

In December 2010, a decisive step was taken towards implementing the obligation domestically with the establishment of the Fund for the Restoration of Jewish cemeteries in Austria:

Over a period of 20 years, over 60 Jewish cemeteries throughout Austria shall be safeguarded from decay with the support of the Fund for the Restoration of the Jewish Cemeteries in Austria. The Republic has provided 20 million Euro for this undertaking.

The restoration of the Jewish cemeteries is, first and foremost, an expression of respect, in remembrance of the dead. The restoration work and subsequent maintenance of the cemeteries, which is to be ensured by the municipality in which the respective cemetery is situated, are not only of importance in terms of monument conservation but are also valuable when looking to the future: the Austrian municipalities on whose territories the cemeteries are situated regain a piece of their history and, as such, of their identities, through the restoration.

Distribution of the Jewish cemeteries listed in the Sec. 2a Ordinance according to federal province (as at 2012):

Federal province	Number
Lower Austria	28
Burgenland	14
Vienna	5
Styria	5
Upper Austria	4
Tyrol	2
Carinthia	1
Salzburg	1
Vorarlberg	1
Total	61

Statutory bases

The *Bundesgesetz über die Einrichtung des Fonds zur Instandsetzung der jüdischen Friedhöfe in Österreich* ("Federal Law on the Establishment of a Fund for the Restoration of the Jewish Cemeteries in Austria"), Federal Law Gazette I no. 99/2010 entered into force on 14 December 2010. It stipulates that the organs of the Fund are the organs of the National Fund of the Republic of Austria for Victims of National Socialism – the Board of Trustees and the Secretary General – and provides for an Advisory Board in place of the National Fund's Committee.

Board of Trustees

As the highest decision-making body, the Board of Trustees is responsible for approving the projects for the restoration of the Jewish cemeteries recommended by the Advisory Board; approving the statements of account for each sub-project, the overall statement of account upon completion of all restoration work on a cemetery and the Fund's annual statement of account submitted by the Office of the Secretary General.

On 24 May 2011, the Board of Trustees of the National Fund and of the General Settlement Fund convened for the first time as the Board of Trustees of the Fund for the Restoration of the Jewish Cemeteries in Austria. In this session, the Board of Trustees resolved the "Guidelines for the allocation of payments from the Fund for the Restoration of the Jewish Cemeteries in Austria".

On 20 June 2011, the Board of Trustees resolved the financial regulations for the Fund for the Restoration of the Jewish Cemeteries in Austria, which sets out the principles for the Fund's financial management.

Advisory Board

The Advisory Board supports the Board of Trustees in its decisions on the allocation of funds by submitting recommendations and monitors the implementation of the projects already approved by the Board of Trustees.

On 14 September 2010, the Board of Trustees resolved Rules of Procedure which govern the work of the Advisory Board. The Advisory Board convened for the first time on 12 April 2011. The President of the Federal Office for the Protection of Monuments, Dr. Barbara Neubauer, was appointed its chairperson.

Processing the applications for funding and settlement of accounts

Applications for funding

Applications for funding restoration work on Jewish cemeteries in Austria can be filed with the Fund for the Restoration of the Jewish cemeteries in Austria by the owners of the cemeteries in question. The Fund has created an application form for this purpose which is based on the guidelines for the allocation of payments resolved by the Board of Trustees.

The Office of the Secretary General examines the applications in terms of the formal requirements taking the principles of monument conservation into account. An examination of the contents is carried out by a civil engineer commissioned by the Office of the Secretary General. On the basis of this examination, the Advisory Board and the Board of Trustees determine whether the "incontrovertible need" for funding exists.

After an application has been processed it is submitted to the Advisory Board for examination. In turn, the Advisory Board submits a recommendation to the Board of Trustees on the amount of the payment to be made in each individual case. The final decision on the applications lies with the Board of Trustees.



Jewish cemetery in Stockerau.

Applications for funding in 2011

In May 2011, the first two applications for funding were filed by the Jewish Community Vienna regarding restoration work on the Jewish cemeteries Deutschkreutz in Burgenland and Stockerau in Lower Austria. In its session on 20 June 2011, upon the recommendation of the Advisory Board, the Board of Trustees approved both applications.

Deutschkreutz cemetery project

Application dated 24 May 2011
 Applicant for funding: Jewish Community Vienna
 Application for funding of

A) Restoration work by master builders	
– requested amount:	€ 19,677.03
B) Inventorying, development of a restoration plan	
– requested amount:	€ 11,034.00
Total requested amount:	€ 30,711.03

Project description

In the area around the wall of remembrance the surface of the wall was replaced with new roofing tiles in order to protect the gravestone fragments from adverse weather. The concrete slab of the memorial for the murdered Jewish slave laborers of the Deutschkreutz camp was newly concreted. The entrance gate to the cemetery was redone and the floor lock was reconstructed. The grounds had to be leveled out in several areas; this was carried out in consultation with a rabbi. The trees along the enclosing wall were also removed so that no further structural damage can be caused. An inventory was taken of the gravestones in preparation for later restoration work.

Settlement of accounts for the project

The Deutschkreutz cemetery project was expected to cost 30,711.03 Euro. While it was being carried out, the amount to be disbursed by the Fund was reduced to 25,823.26 Euro due to profits earned.

Stockerau cemetery project

Application dated 24 May 2011
 Applicant for funding: Jewish Community Vienna
 Application for funding of

A) Restoration work by a general contractor	
– requested amount:	€ 45,961.00
B) Inventorying, development of a restoration plan	
– requested amount:	€ 20,818.00
Total requested amount:	€ 66,779.00

Project description

Around 30 meters of the dilapidated brick wall was removed together with its foundations. The coping was removed from the entire enclosing wall or else adapted. A new, larger, more suitable cast iron gate was installed in the cemetery wall. A new wire mesh fence was erected in the area where the wall had been removed and the area to the rear of the cemetery. The grounds were leveled out.

An inventory was taken of the gravestones in preparation for later restoration work.

Settlement of accounts for the project

The Stockerau cemetery project was expected to cost 66,779 Euro.

In October 2011, the applicant for funding requested the Lower Austrian Provincial Government to fund 25 % of the total costs. The Province of Lower Austria subsequently provided 16,694.75 Euro towards the costs of the project. As a result of the funding received from the Province of Lower Austria, the amount to be disbursed by the Fund was reduced to 50,084.25 Euro.

While the project was being carried out, the amount to be disbursed by the Fund was further reduced to 49,084.98 Euro due to profits earned

Funding awarded in 2011 and remaining funds

Sec. 2 (1) of the Federal Law on the Establishment of the Fund for the Restoration of the Jewish Cemeteries in Austria stipulates that the Federation shall allocate the Fund an annual amount of 1 million Euro in order that it be able to perform its duties during the coming 20 years. From 2011, these means shall be transferred *pro rata*. In 2011, funding of 74,908.24 Euro was awarded – 49,084.98 Euro for the Jewish cemetery in Stockerau and 25,823.26 Euro for the Jewish cemetery in Deutschkreutz.

As such, at the end of 2011, means of 925,091.76 Euro remain for future funding. This can be awarded in upcoming years.

¹ According to Sec. 2a of the *Denkmalschutzgesetz* ("Act on the Protection of Monuments"), as amended by Federal Law Gazette I no. 170/1999, the Federal Office for the Protection of Monuments can use an ordinance of this kind to render publicly-owned monuments subject to the provisions of the Act.

Outlook

Over the next few years, all Jewish cemeteries on the entire territory of the Republic of Austria which are currently known – and any which may be discovered in the future – will gradually be restored with the support of the Fund for the Restoration of the Jewish Cemeteries in Austria.

The upkeep agreements, in which the local municipality undertakes to ensure the upkeep of the cemetery for the duration of 20 years from the completion of the restoration, have already been drawn up and have been signed or will be signed shortly. Once an upkeep agreement has been signed by the respective municipality, the Fund can release the subsidy for the Jewish cemetery concerned and the restoration work can commence.

The upkeep agreements offer the local municipalities the opportunity to reflect on all aspects of their own history and to take action to raise awareness in close cooperation with the Federation, the Fund for the Restoration of the Jewish Cemeteries in Austria and the Jewish Communities in Austria. In upcoming years, assisting with this process will be a key task of the Fund for the Restoration of the Jewish Cemeteries in Austria.



Jewish cemetery in Mistelbach.

MONUMENT PROTECTION AND JEWISH CEMETERIES

BARBARA NEUBAUER

Once the Federal Law on the Establishment of a Fund for the Restoration of the Jewish Cemeteries in Austria had entered into force in 2010, which in keeping with a 2009 agreement between the Federation and the Federal Provinces is endowed with 20 million Euro, in 2011 work on the first project was able to begin.

The restoration and renewal of the Jewish cemeteries over the course of the next twenty years presents a financial and logistical challenge. The Sec. 2a Ordinance of the Federal Office for the Protection of Monuments and the so called White Book by Tina Walzer form the fundament on which this undertaking is based. The multi-volume publication with the title *Weißbuch über Pflegezustand und Sanierungserfordernisse der jüdischen Friedhöfe in Österreich* ("White Book on the Condition of the Jewish Cemeteries in Austria and the Restoration Work Required") was commissioned by the Jewish Religious Community. It was completed in 2001 and updated in 2008. This national inventory provisionally lists 67 Jewish cemeteries, 61 of which were included in the Sec. 2a Ordinance.

These 61 cemeteries are distributed unevenly between the Federal Provinces: in Lower Austria alone there are 28, followed by Burgenland with 14, Vienna and Styria each with five, and Upper Austria with four. There are two cemeteries remaining in Tyrol and one in each Carinthia, Salzburg and Vorarlberg. Today, the majority of the surviving cemeteries are owned by the Jewish communities; twelve are owned by the town, province or municipality and six are privately owned. They were originally created by the local Jewish communities and used until their destruction and expropriation during the National Socialist era. The cemeteries' original function was only resumed in places where Jewish communities formed again after 1945. All other Jewish cemeteries have been closed down. As Walzer has already noted, the cemeteries vary in size, containing anything between ten and several hundred graves; the oldest headstones originate from the 15th century.

In the past, the cemeteries were mostly maintained by local interest groups, generally financially supported by the Federation or province. In recent years however, only minimal restoration and preservation work has been carried out nationally and then only on a very small scale, as the larger complexes require much greater financial, organizational and logistical involvement.

This raises the question, what is the most practical and expedient approach? It is a unique problem, in that we are often dealing with several hundred, if not thousands of objects in various states of disrepair whose historical, artistic and cultural importance has not been researched or recorded in detail. Besides carrying out a comprehensive scientific assessment, formulating the aim of the restoration is also of paramount importance. The restoration is, firstly, to ensure the long term preservation of the cemeteries while preventing further decay and, secondly, to take into account formal aspects and the legibility of the historical and often artistic objects. Last, but not least, this is to be achieved within a reasonable budget.

As the institution with the necessary technical, scientific and organizational know-how in matters of restoration and preservation, as well as a comprehensive knowledge of the entire inventory, in recent years the Federal Office for the Protection of Monuments has been able to acquire, with diverse partners, valuable guiding principles for carrying out such special tasks.

In the 1990s, the St. Marx cemetery was restored in partnership with the City of Vienna as a sort of pilot project, followed by preparations for the restoration of the Jewish cemetery in Seegasse in Vienna with the Jewish Community. This preparatory work revealed that the cemeteries were often extremely overgrown. Above all, the instability of the headstones proved to be a fundamental problem. This was exacerbated by the danger they posed to the public.

The preparation and development of these principles, including obtaining expert opinions on protecting greenery where necessary, comply with international standards (as is demonstrated by a comparison with the Jewish cemetery Berlin-Weißensee), which are intended to ensure that this cultural heritage is treated in a qualified and professional manner which also ensures its longevity.

In a further step, it made sense to incorporate this approach into a set of rules. The Fund and the Advisory Board worked together to develop these guidelines, which were subsequently adopted by the Board of Trustees. They ensure that the procedure is transparent and carried out on the basis of technical and objective criteria.

By signing the Washington Agreement, providing significant financial resources and distributing them through the National Fund, supported by the Advisory Board as a committee of experts, the Republic of Austria has laid an eminently important milestone and made a clear avowal of a conscious, responsible approach towards dealing with the sad legacy of the recent past.

In this regard, many thanks are owed to all who are contributing towards making this undertaking a success, the Board of Trustees and Advisory Board of the Fund for the Restoration of the Jewish Cemeteries in Austria; the provinces, cities and municipalities; and, not least, the Jewish Community.



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Dr. Barbara Neubauer (born 1955) studied History of Art and History at the University of Graz. From 1983, she worked as a freelancer for the Federal Office for the Protection of Monuments on the project "Austrian Art Topography" in Carinthia. In 1986, she received the Science Award of the Province of Carinthia. She worked at the Carinthian Provincial Conservation Office from 1988 and the Vienna Provincial Conservation Office since 1990. In 2002, Dr. Neubauer was appointed the Provincial Conservator for Vienna and in 2008, President of the Federal Office for the Protection of Monuments. She has been Chairperson of the Advisory Board of the Fund for the Restoration of the Jewish Cemeteries in Austria since April 2011.

ANNUAL REPORT

General Information

In January 2001, the Republic of Austria, the USA and Jewish victims' organizations signed the Washington Agreement, Federal Law Gazette III no. 121/2001, which formed the basis for the establishment of the General Settlement Fund for Victims of National Socialism (in short: General Settlement Fund). The aim of this Fund is to acknowledge losses of assets which occurred in connection with National Socialism on the territory of the present-day Republic of Austria by making voluntary monetary payments. The *Entschädigungsfondsgesetz* ("General Settlement Fund Law" – GSF Law), Federal Law Gazette I no. 12/2001, is intended to cover the material losses which were insufficiently or not at all compensated by previous restitution and compensation measures.

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

- Liquidated businesses
- Real estate
- Bank accounts
- Stocks and securities
- Debentures
- Mortgage claims
- Movable assets
- Insurance policies
- Occupational and educational losses
- Other losses and damages

The largest number of claims was filed in the categories "liquidated businesses" and "occupational and educational losses". These claims were also the highest in amount. This is a reflection of the principles followed in Austrian policy-making post 1945, which occurred in consultation with the Allied occupying powers and took into account the economic limitations of the nascent Republic of Austria: available assets were to be restituted, but no compensation was provided for assets which were no longer available. Compensation measures were implemented after 1955 but only to a limited extent.

In comparison with other national or international compensation measures where claims could only be filed in a few categories of losses or compensation took the form of a lump sum payment, the General Settlement Fund's remit, to make individual payments for damages in ten different categories, is incomparably more complex. Moreover, the category "other losses" provides the General Settlement Fund with the opportunity to compensate all forms of damages which are not covered by other categories.

There are two types of procedure for examining applications, the claims-based procedure and the equity-based procedure. The standard of proof is lower in the equity-based procedure than in the claims-based procedure, although relaxed standards of proof also apply in the claims-based procedure. This is to account for the fact that the events of the National Socialist era took place many years ago and ownership and seizure of assets are no longer easy to trace.

In the claims-based procedure, applicants are entitled to lodge an appeal against the rejection of claims. The Claims Committee can also make use of the option to reopen proceedings of its own volition.

The General Settlement Fund is endowed with 210 million US Dollar, of which 25 million Dollar is reserved for the compensation of seized insurance policies. People who were directly affected by the losses and their heirs could file applications.

The deadline for filing applications expired on 28 May 2003; by this cut off day 20,702 applications had been filed, which are examined and decided by the three-person Claims Committee. By the end of 2011, a first decision had been issued on all applications bar one. Additionally, the Claims Committee decided on 564 appeals and 1,512 reopenings.

Besides the monetary payments, in Part 2 the GSF Law also provides for *in rem* restitution. Properties which were seized under the National Socialist regime and publicly-owned on the cut off day 17 January 2001 can be claimed by the former owners or their heirs.

Jewish communal organizations can also request the restitution of movable tangible assets. The Arbitration Panel for *In Rem* Restitution, which also consists of three persons, was established to examine these applications. The last deadline for submitting applications to the Arbitration Panel expired on 31 December 2011. By this date, 2,235 applications had been received by the Arbitration Panel, of which 1,136 have already been decided. 61 applications were withdrawn and in 140 cases, the Arbitration Panel concluded the proceedings without decision (see p. 84 f.).

By act of law, the General Settlement Fund possesses legal personality and is based in Vienna. Its highest supervisory body is the Board of Trustees, whose duties include approving the statements of account and the financial plan and submitting annual reports to the Main Committee of the National Council.

The Members of the Board of Trustees, the Claims Committee and the Arbitration Panel are listed in the appendix to this annual report.

In June 2010, the work of the General Settlement Fund was presented to the newly appointed American Special Envoy for Holocaust Issues, Ambassador Douglas Davidson, during a visit to Vienna.

Personnel and other administrative expenses

On the cut off day 31 December 2010, in addition to the Secretary General, the General Settlement Fund employed a staff of 73; 43 working full time, 20 working part time and 10 working on a freelance basis. By the end of 2011 the staff had diminished to 36 (25 full time, eleven part time) and ten freelancers.

In 2010, the personnel and other administrative expenses of the Fund (including the depreciation of capital assets) came to 4,167,196.23 Euro of which 865,896.16 Euro were attributed to the office of Arbitration Panel for *In Rem* Restitution. In 2011, the total expenses came to 3,082,138.85 Euro; 862,443.34 Euro of this amount was for the Arbitration Panel.

Excursus: staff reductions in 2010

As by the end of 2010 almost all applications to the General Settlement Fund had been processed and the majority of the funds disbursed, it was necessary to drastically reduce the number of staff. The contracts of those affected were dissolved as per 31 December 2010 on the basis of the social plan drawn up by the works council and the Fund management, the terms of which were negotiated in consultation with the State Financial Procurator's Office. The reduction in personnel affected 40 % of the staff (excluding the Office of the Arbitration Panel).

The preparations for the cutbacks had begun a year earlier, in late 2009. The process involved taking a detailed look at the processing status and making a prognosis of future progress, taking the planned staff reductions into account. In order to achieve this it was necessary – with the assistance of all departments – to precisely document which processing steps were being performed by which employees and to what extent. This enabled particular fields of work to be combined. The General Settlement Fund's continued ability to perform its duties was guaranteed by these synergy effects. Special attention had to be paid to interdepartmental interaction and to the mutual assistance proffered by the National Fund and the General Settlement Fund.

For reasons of completeness it is mentioned at this juncture that the staff of the General Settlement Fund had already been subject to gradual reduction in the preceding years (in 2005, the Fund still had a staff of 146).

Procedure and organization

The General Settlement Fund conceived and developed a unique procedure from scratch, from the creation of an application form to the individual work processes, the necessary software and legal guidelines. In order to implement the Law with maximum efficacy it was important to develop a system for processing the ca. 160,000 individual claims as efficiently as possible, to treat things that were the same equally and things which were different differently, to apply relaxed standards of proof, to create transparent work processes and, last but not least, to provide the applicants with comprehensive information on their claims.

The initial phase of the Fund's work also posed the challenge of building up the necessary infrastructure and employing a suitable staff.

Internal reporting

In 2004, internal reporting was introduced with the intention of ensuring that the principle of transparency was granted the necessary weight. For this purpose, during the phase in which the emphasis of the work was placed on rapidly processing the applications, a weekly report was produced containing the most important figures of the individual departments. As a result the work processes could be recorded, documented and, if necessary, adapted. These regularly updated reports were made available to the public on the General Settlement Fund's website. The progress made during the application processing can still be traced there.

The back office/secretariat

The back office (or secretariat) supports the National Fund and the General Settlement Fund, as well as the Fund for the Restoration of the Jewish Cemeteries in Austria established in December 2010. As a supporting department, it serves as an important interchange for all of the Funds and departments.

The main duties carried out by the staff of the secretariat include providing administrative assistance to the management and the caseworkers from all Funds. The secretariat is responsible for all correspondence: forwarding the letters, documents and inquiries received and sending decisions of the Claims Committee and other letters.

In the years 2010 and 2011, the back office was also responsible for preparing the forms, documents and informative letters required for the payments by the General Settlement Fund. Moreover, the secretariat is also in charge of placing orders, general administration and overseeing the sessions of the Claims Committee and the Arbitration Panel.

The Archives

The Archive Department administers the file holdings of the National Fund and the General Settlement Fund, which comprises 38,646 files. In addition to monitoring these holdings, the department also acts as a distribution center for all new applications and all materials and documents pertaining to them.

During 2010 and 2011, around 49,000 individual orders were retrieved and returned to their correct location. Moreover, accrued internal and external correspondence was incorporated into the relevant files.

The volume of the archive was recalculated in September 2011 and, including the files which have already been moved to external storage, came to around 750 running meters.

The file circulation that was conceived especially for the closing payments also counted among the duties of the Archive Department, as well as forwarding copies of waivers to the Austrian Insurance Association in cases relating to insurance claims.

The Fund management also entrusted the staff of the Archive Department with organizing and realizing an in-house relocation, which was carried out in order to be able to terminate the lease for a part of the offices due to the reduction in personnel.

The IT Department

The highly complex, tailor-made software “SV neu”, which provides innovative legal data processing functions for processing the applications to the Claims Committee, was completed on schedule in 2006 and successfully implemented. Staff of the IT Department conceived the software and trained the users. Since then, the basic version has been continuously redeveloped in keeping with the changing requirements of the departments.

The version 3.1 of “SV neu” which was put into operation in late 2009 enables the closing payments of the General Settlement Fund to be processed and supports the payment process by means of a comprehensive bookkeeping system. The functions and user interface of the software were updated and optimized seven times in 2011.

In 2008 – and, as such, as the first user – the General Settlement Fund made use of the Federal Ministry of Finance’s software “HV-SAP Workflow” for the electronic conveyance of payment data to the budget system (“HV-SAP”) of the Federal Accounting Agency, set up at the Federal Computing Center. In order to ensure efficient disbursement of the payments and their automated documentation, a signature server was set up to give the payment receipts an electronic signature and “SV neu” was connected to “HV-SAP” via an interface. These systems have proved themselves both in terms of economy and technology and are therefore also used for the closing payments of the General Settlement Fund.

With the aid of modern monitoring and administrative software, the department could ensure the continuous availability of the in-house IT infrastructure almost entirely independently, i.e. without having to conclude maintenance contracts. By optimizing software (e.g. the internet website and the virus and spam protection) and the targeted use of recent developments in the area of hardware and networks (e.g. the virtualization of the server and the implementation of a storage server) not only could the technical efficiency of the IT services and their user friendliness be continuously improved but the need for administration and maintenance work was also dramatically reduced.

Since autumn 2010, the joint web presence of the National Fund and the General Settlement Fund has no longer been provided by hosting partners but by the IT Department on an in-house web server. As a result of this, the costs for running the website were kept down, whereas reliability and data protection were increased.

Since autumn 2010, the IT Department has been working on a comprehensive update of all websites operated by the Funds and of the online finding aid. In order to protect the website against hackers, in the third quarter of 2011 functions of the existing programming which compromised security were deactivated and comprehensive reprogramming and design work was commenced.

Finally, in the two years covered by this report, case constellations and the status of the application processing were regularly ascertained by means of complicated queries in the multiply interconnected “SV neu” data holdings and presented to the management and departments in an easily comprehensible form.

The Finance Department

The Finance Department ensures that all payments from the National Fund, the General Settlement Fund and the Fund for the Restoration of the Jewish Cemeteries in Austria run smoothly. This includes the payments to beneficiaries and the planning and execution of the organizational expenses. The original duties of the Finance Department consisted of making the payments from the National Fund. Upon commencement of the advance payments from the General Settlement Fund, the duties of the department were extended.

Since May 2008, the Finance Department has been responsible for ensuring all payment receipts are pre-recorded in the Fund SAP; until this time this task had been outsourced to the Federal Accounting Agency. Since 2009, a main focus of the Finance Department has been the swift disbursement of the General Settlement Fund's closing payments. All inquiries specifically relating to the payments are regularly forwarded to the Finance Department to be dealt with. This results in continuous liaison with other departments and also involves correspondence with applicants, authorities and banks.

In addition to the mentioned tasks, in recent years the Finance Department has increasingly taken on various agendas regarding the planning and development of the organizational expenses of the Fund. These include matters relating to the budget such as requesting the Parliamentary Administration for the means for the annual budget, administering and investing these means with the assistance of the Austrian Federal Financing Agency, preparing statements of account and financial plans, payroll accounting and a wide range of other accounting duties.

The Finance Department also works with the Control Committee of the Board of Trustees on a regular basis. It prepares information on the Fund and provides them to the Committee.

The Communications Department

The General Settlement Fund places great value on direct contact with the applicants and providing them with assistance and support on a one-to-one basis.

The department "Communication with the Applicants", which is comprised of the sub-teams telephone support and legal staff, undertakes to accompany the applicants throughout the duration of their proceedings. The applicants thus receive a high level of support in relation to their applications. Communication with the applicants generally occurs in the procedural languages English and German but also in other languages in isolated cases.

For the most part, inquiries pertain to the decisions of the Claims Committee and the option to include co-heirs in the proceedings (persons who, in accordance with an option granted by the Claims Committee, can be included in the proceedings without having filed an application themselves). The possibility of lodging an appeal or of requesting that the proceedings be reopened is also an issue which is often raised. More recently, questions have tended to focus on the procedure for closing payments and on the resumption of proceedings with heirs of applicants and documentation required for this.

Beyond these tasks, the applicants are also, where necessary, provided with information on matters such as regaining Austrian citizenship or claiming a pension in Austria. The staff of the department is also available to answer general questions on compensation and restitution for victims of National Socialism. In doing so they refer people, where applicable, to the relevant institutions and work in cooperation with the Research Department in order to answer inquiries regarding family history.

Finally, the staff of this department compiles statements, for example for the National Ombudsman Board („Volksanwaltschaft“) or other political institutions.

The Research Department

At the end of 2010, the “standard research” – the procedure developed between 2002 and 2004 to ensure equal treatment of all applicants by consulting the same comprehensive sources and archive holdings – was completed for all applications.

The main emphasis of the department’s work in 2011 was placed on post-processing applications and the renewed research required as a result of appeals lodged or reopened proceedings.

The research concerning seized artworks and for those cases in which the applicants had asserted an “extreme injustice” pursuant to the GSF Law was completed during 2011.

The staff capacity which had consequently been freed up was put to use by assisting provenance researchers from various institutions such as the History of Art Museum, the Albertina, the library of the University of Medicine Vienna, the specialized library for Contemporary History and East European History (University of Vienna) and the Federal Office for the Protection of Monuments. For example, in a project carried out by the Technical Museum (“Seizure and restitution of motor vehicles. Aspects of the Austrian history of transport 1930–1945”), by comparing the data from the museum with the Fund’s in-house research database, 700 vehicles could be documented within three months.

As a result of the delivery of decisions, of lectures and reports in the media, the descendants of the victims of National Socialism are becoming increasingly aware of the Fund and want to know more about their families’ history. In 2011, in response to inquiries around 40 comprehensive dossiers were put together containing genealogical information as well as information related to assets.

A retrospective look at the “standard research”

The standard research, i.e. the examination of a wide range of file holdings from Austrian archives for each applicant, was completed in 2010. The following is an overview of the documents obtained:

The following holdings were examined for every aggrieved person:

- Historical address books, e.g. “Lehmann” for Vienna
- “Index of companies” of the Collection Agencies A and B
- Index of department 34 of the Federal Ministry of Finance (pursuant to the *Erstes und Zweites Rückstellungsgesetz* [“First and Second Restitution Act”])

If files from the following holdings could be identified for a historical person, they were copied and enclosed with the file (the number of files researched is in parentheses):

- Historical land register (19,336)
- Property notices (17,238)
- Insurance archives (10,902)
- Files on the Ordination of the Notification of Seized Property (8,125)
- Files of the Financial Directorates (2,881)
- Files of the Collection Agencies A and B (1,472)
- Files of the Compensation Fund (4,850)
- Files from the provincial archives excluding property notices (3,941)

In many cases, further additional information was required:

- Registry disclosures (ca. 5,640 for the General Settlement Fund and the National Fund)
- Excerpts from the trade register (1,545)
- Excerpts from the commercial register (575)
- Files of the Property Transaction Office (450)
- Additionally trusteeship files, victims’ welfare files, probate files, files of the Office of the Liquidation Commissar, excerpts from the register of associations and files from the holdings of the Federal Office for the Protection of Monuments etc.

The staff of the Historical Research Department of the General Settlement Fund has obtained copies of around 72,000 different files and pieces of information from archives and authorities/institutions. The vast majority of these come from archives in Vienna, the remainder from other cooperating departments, for example provincial archives in the federal provinces. In isolated cases, inquiries are also made with archives abroad, primarily in Germany.

Excursus: the research database and online Findbuch

A research database was especially developed in order to be able to search for specific archive material, effortlessly identify it and order it from the relevant archives. It contains data collections on the subject of seizure and restitution procedures in Austria which have been provided by Austrian archives, research institutions and private persons, and which have been supplemented and amended through internal research. The in-house research database comprises 275,000 entries and, as such, constitutes one of the most comprehensive collections of information on property seizure under National Socialism and restitution and compensation measures after 1945 on the territory of the Republic of Austria.

Since June 2010, several historians of the General Settlement Fund have been working in a project team, in addition to their regular duties. This project involves processing and preparing this data, along supplementary information, for internet publication in cooperation with Austrian archives. The "Findbuch for Victims of National Socialism" enables people to search for individuals, companies, etc., can provide information on materials in Austrian archives regarding National Socialist seizure and compensation and also offers a digital search of historical address books. The website, which will also be available in English and will go online in January 2013 at the address www.findbuch.at.

Data Compilation and Processing

This department electronically recorded the ca. 20,700 applications for monetary compensation filed with the General Settlement Fund. This electronic preparatory work, which has since been completed, was required for the legal processing of the applications in the "standardized procedure".

Case Processing

The Case Processing Department is charged with legally processing the applications and preparing the draft decisions for the Claims Committee in the procedural languages English and German. The department is also responsible for drawing up the Guidelines which serve as a basis for the Claims Committee's decisions.

In order to perform these duties, all information given in the application form and all further correspondence between the applicant and the General Settlement Fund, the results of the historical research, and files of the National Fund and the Arbitration Panel (if available) are taken into account. If appropriate, on the basis of this information and in accordance with the Guidelines of the Claims Committee, an application can be extended to cover losses which have not been asserted. Should evidence be missing, the applicants are requested in writing to submit further documentation or provide additional information. In other cases, the historians of the General Settlement Fund carry out more extensive research.

The years 2010 and 2011 saw the finalization of the last outstanding, particularly extensive and complicated applications as well as the preparation of decisions on appeals and reopenings for the Claims Committee. The majority of reopenings and appeals filed within the period covered by this report were instigated by the heirs of applicants who had passed away.

Furthermore, a comprehensive internal review of all applications which were rejected in their entirety in the early years of the General Settlement Fund was carried out to examine whether they had been decided in accordance with Guidelines of the Claims Committee issued at a later date. This led in many cases to proceedings being reopened and the Claims Committee granting the claims which had initially been denied.

By the end of 2011, with just one exception the Case Processing Department had succeeded in preparing all open applications for an initial decision by the Claims Committee.

One formal session of the Claims Committee took place in 2010 and two were held in 2011, each lasting a whole day. Moreover, the Claims Committee met with the Arbitration Panel in September 2010 in order to discuss cases which were pending with both decision making bodies.

The Heirs Department

The main task of the Heirs Department is to trace the heirs of applicants who have passed away by appraising the relevant national inheritance documents and preparing the decisions regarding the resumption of proceedings with the eligible persons.

The search for heirs, which is often a very time-consuming undertaking, occurs on the basis of the information in the file of the late applicant, of in-house research and with the help of inquiries made with the Austrian Pension Insurance Institution, Austrian embassies or victims' organizations both domestically and abroad. As soon as contact has been made with the potential heir, the relevant inheritance documents are obtained, which prove the right of succession pursuant to the applicable national legal system. Finally, a decision on the resumption of the proceedings on the basis of these documents is prepared for the Claims Committee. After the decision has been issued by the Claims Committee the proceedings are resumed with the heirs.

In early 2010, it was known that 4,266 applicants had passed away before receiving the closing payment from the General Settlement Fund. By the end of 2011, this number had risen to 4,750.

In the years 2010 and 2011, the Claims Committee traced the heirs of 1,292 late applicants. By the end of 2011, the resumption of proceedings was able to be decided in 3,574 cases.

In 2010 and 2011 the duties of the Heirs Department increasingly shifted towards finding the contact details of potential heirs, which can often be difficult and time-consuming, particularly when people are resident abroad as often, for example in the USA, but also in other countries, people do not have to be registered. However, the cases which prove to be most difficult are those where there are no known potential heirs. Often the last possible option for finding these people is to inquire with the Austrian embassies. It is unfortunately to be expected that in a few cases, no heirs will be found despite extensive efforts.

The Payments Department

In total, the value of the claims acknowledged by the Claims Committee is substantially higher than the 210 million US Dollar which the Fund has at its disposal. Therefore, each applicant can only receive a pro rata share of the claimed amount. Originally, the means available to the Fund were to be disbursed *pro rata* to the individual applicants or their heirs only after an initial decision on and valuation of all applications. Following an amendment to the GSF Law in December 2005 (Federal Law Gazette I no. 142/2005) it was possible to make provisional payments (advance payments) to an applicant as soon as his or her application had been decided by the Claims Committee. The Board of Trustees of the General Settlement Fund set the quotas for the advanced payments at 10 % for the claims-based procedure and 15 % for the equity-based procedure and insurance policies.

In order to be able to commence the closing payments, the GSF Law was again amended in 2009 (Federal Law Gazette I no. 54/2009). The final payment quotas were set at 10.565150 % in the claims-based procedure, 17.164658 % in the equity-based procedure and 20.736232 % for insurance policies. The Republic of Austria provided additional funds for the applications which had not yet been decided by 1 July 2009 in the eventuality that the 210 million US Dollar should not suffice. In July 2009, the advance payments were ceased and the closing payments were commenced.

An important task of the staff of this department and of the Communications Department is to explain in detail the complex procedure for the two payments, advance payment and closing payment to the applicants.

If the documents required for the receipt of a payment are sent in, but are not complete, the staff tries to contact the applicant and obtain the necessary documentation. An important procedural step is also the search for people who, for various reasons, have not reacted to or failed to receive the payment offer.

An important factor which must be considered when processing the closing payments is the increasing number of applicants who have passed away. As an applicant generally has several heirs, the number of payments to be made also increases.

By 31 December 2011, the General Settlement Fund had delivered closing payment offers to 22,660 beneficiaries (applicants, co-heirs and heirs). In 20,210 cases, the offer was accepted and the payment made from the Fund.

By the end of 2011, around 206 million US Dollar had been disbursed, i.e. 98 % of the total amount with which the General Settlement Fund is endowed. In total, by the end of 2011 over 38,000 payments (advance payments and closing payments) had been made.

Outlook

In 2012, the decisions on the last pending applications and the continued disbursement of the closing payments shall be at the forefront of the Fund's work. Furthermore, the search for individuals shall persist until the end of 2013. From 1 January 2014, pursuant to the most recent amendment to the Rules of Procedure of the Claims Committee of 25 June 2012, all documents which could not be delivered by 31 December 2013 shall be deposited with the Office of the Secretary General.

Due to the wide range of duties with which the General Settlement Fund has been entrusted by law and the social and historical importance of its work, special precautions must also be taken when dissolving the Fund. In certain departments, particularly the Data Compilation and Processing Department, the IT Department and the Archive Department, additional work is likely to be incurred within the scope of the dissolution.

The Chairman of the Claims Committee has already called for a comprehensive final report documenting the experiences gained from the activities of the Fund and the outcomes of its work. The Arbitration Panel has expressed a similar intention.

In order to scientifically document the work of the General Settlement Fund, an in-house project ("knowledge preservation") has been running, carried out by the staff of several departments. This shall form a key foundation for the final report.

Statistics regarding the proceedings before the Claims Committee as at 31 December 2011**Applications**

Applications submitted within the filing period	20,702
Persons whose losses of assets were asserted	52,237
Claims	160,022

Application processing

Historical research	
Files/documents from archives	41,591
Historical land register excerpts	19,336
Research on insurance policies	10,902
Applications decided	20,701
Applications in which compensation was awarded	18,154
Applications in which no compensation was awarded	2,547
Claims for which compensation was awarded	103,303
Claims for which no compensation was awarded	56,719
Appeal* no longer possible	18,507
Appeal still possible**	2,194
Decisions on appeal	564
Decisions after the reopening of proceedings***	1,512
Proceedings still in progress	9
Appeal proceedings	3
Reopened proceedings	6
Co-heirs****	
Applicants who have included co-heirs	1,752
Co-heirs	3,228
The search for heirs	
Late applicants whose heirs***** could be traced	3,574
Heirs traced	5,799
Late applicants whose heir are being sought	1,115

Payments

Advance payments*****	18,119
Applicants	13,951
Heirs	1,848
Co-heirs	2,320
Closing payments	20,210
Applicants	12,947
Heirs	4,305
Co-heirs	2,958
Applications not yet completely disbursed	2,287

* Application for a renewed decision pursuant to Sec. 17 of the General Settlement Fund Law and Sec. 18 of the Rules of Procedure of the Claims Committee.

** Predominantly cases in which the decision could not yet be delivered, as the heirs of applicants who have passed away are still being traced.

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

**** Applicants can have claims transferred to them by their co-heirs – further heirs of persons who originally suffered the losses – and assert them before the Claims Committee, insofar as the co-heirs have not filed an application themselves.

***** Or also other persons entitled to continue the proceedings (e.g. executors).

***** Advance payments were made from December 2005 to July 2009, insofar as the claim amounted to at least 500 US Dollar.

ANNUAL REPORT

General Information

The independent Arbitration Panel for *In Rem* Restitution was established at the General Settlement Fund on the basis of the Washington Agreement of 2001. One Member of the Arbitration Panel was appointed by each the Government of the USA and the Government of the Republic of Austria, and these two Members selected the Chairman.

The Arbitration Panel can recommend the restitution of properties, superstructures and movable assets seized during the National Socialist era, insofar as they were publicly-owned on 17 January 2001. Publicly-owned property comprises property owned (directly and indirectly) by the Federation and property owned by the provinces and municipalities which opted-in to the Arbitration Panel's proceedings. By 31 December 2011, this included the City of Vienna, the provinces Upper Austria, Salzburg, Carinthia, Lower Austria, Styria, Vorarlberg and Burgenland and the municipalities Bad Ischl, Eisenstadt, Frauenkirchen, Grieskirchen, Kittsee, Kobersdorf, Korneuburg, Mattersburg, Oberwart, Purkersdorf, Rechnitz, Stockerau, Vöcklabruck and Wiener Neudorf. The municipalities Bad Vöslau and Schwechat each opted into the proceedings for a specific case. Pursuant to Sec.28 (2) of the GSF Law, movable assets may only be restituted to "Jewish communal organizations".

A further requirement for restitution is that the requested asset – generally real estate – has not already been the object of a claim which was decided by Austrian courts or administrative bodies or settled by agreement.

In special exceptional cases the Arbitration Panel can recommend *in rem* restitution despite the existence of such a decision or settlement by agreement (a so called "prior measure"), if it reaches the unanimous decision that the prior measure had been extremely unjust. The same applies if the claim was rejected in prior proceedings for lack of evidence because it had not been accessible at the time but has since become accessible.

In practice, the Arbitration Panel almost always has to rule on cases in which the assets claimed had already been the subject of restitution proceedings.

Historical background

After the *Anschluss* of Austria to the German Reich in March 1938, various methods were employed to confiscate the real estate of racially and politically persecuted persons, in addition to the seizure of their other assets. The bureaucratically organized seizure of assets, executed on the basis of discriminating laws, predominantly affected people who were considered Jewish pursuant to the Nuremberg Laws, as well as Roma and Sinti and political persecutees.

Assets belonging to Jewish associations and foundations, including real estate and religious and cultural objects, were often confiscated by the Liquidation Commissar („Stillhaltekommissar“) for Associations, Organizations and Clubs without remuneration.

The registration of Jewish property stipulated by law in April 1938 was a fundamental prerequisite for the state-supervised "aryanizations".

The seizures took place by means of enforced sales, or the state simply helped itself to property. In many cases, assets were forfeited to the German Reich as a direct result of the owners' escape abroad or deportation to concentration and extermination camps.

After the war, the reestablished Republic of Austria faced the legal challenge of dealing constitutionally with this large-scale transfer of property. The restitution acts resolved in the second half of the 1940s and other measures took the majority of the seized assets into account.

The Historical Commission's research showed that although the majority of seized properties had been restituted, many restitution claimants felt the restitution proceedings which took place in the 1940s, 1950s and 1960s to be unsatisfactory. The complexity of the restitution legislation and the deadlines coupled with the lack of state assistance for the victims of the seizures in their efforts to regain their property were decisive factors in this regard. This is where the Arbitration Panel's legal mandate comes into play.

Proceedings

The applications are processed by historians and lawyers working together in interdisciplinary teams. This approach is both necessary and useful as the events surrounding the seizure and the restitution proceedings took place many decades ago and to interpret them, an in-depth knowledge of the organizational structures and legal frameworks is required. Moreover, the applicants seldom possess all necessary documentation (evidence). Often, the findings regarding the facts of the case, a necessary requirement for legal decision-making, can only be made through the detailed research of the historians.

As a first step, an application is examined for whether the assets asserted had been owned by the applicant or his/her predecessors in 1938 and was under public ownership on the cut off day, 17 January 2001. If this is the case, the application is qualified as “substantive”; otherwise it is a “formal application”.

If an application does not state a specific property, a further step is taken to discover which properties it might refer to, using the applicant’s statements, the land register, historical address directories and property notices from the National Socialist era. The outcome of this research is then conveyed to the applicant in writing and he/she is given the opportunity to amend the application.

Each “substantive” application is processed by one lawyer and one historian who first determine what research is required. The duration of the research process differs from case to case. Due to the extensive inquiries which must be made in archives and official departments, on average the research takes several months to complete. The research serves to ascertain the existence of the applicant’s eligibility, ownership in 1938, a persecution-related seizure and a possible “prior measure” after 1945.

During the proceedings, both the applicants and the public owner have the opportunity to present their view of the case to the Arbitration Panel, thus a fair hearing is ensured. When the research has been concluded and the statements obtained from the parties, a draft decision is prepared by the competent caseworkers, which is discussed in detail by the Arbitration Panel at one of its monthly sessions before it is ultimately decided on.

The Arbitration Panel can also call a hearing with the parties to the proceedings if it expects that new findings could be reached regarding the facts of the case. Three hearings have been held to date.

The implementation of a decision in which restitution has been recommended falls under the competence of the public owner. If *in rem* restitution is, although merited, not practical or feasible (for example in the case of public traffic thoroughfares, schools or municipal residential buildings), the Arbitration Panel recommends that a comparable asset be awarded to the applicants. This is generally the market value of the property, which is determined by the Arbitration Panel on the basis of a valuation report compiled by an independent expert.

Since an amendment to the Rules of Procedure of the Arbitration Panel in 2007, proceedings which have already been concluded can be reopened. Upon receipt of such an application, the Arbitration Panel first examines whether the application for the proceedings to be reopened will be granted. This is the case if evidence is submitted which was previously unknown and warrants the assumption that it would have brought about a different outcome in the initial proceedings. In this event, the Arbitration Panel issues a new decision on the object of proceedings and repeals its original decision.

The publication of the Arbitration Panel's decisions

Pursuant to Sec. 36 of the GSF Law, the recommendations of the Arbitration Panel must be published. The Arbitration Panel fulfils this legal requirement twofold:

Firstly, since 2008 the “substantive” decisions of the Arbitration Panel have been published in anonymous form in a bilingual book series “Decisions of the Arbitration Panel for *In Rem* Restitution”. Volumes 3 and 4 of this series were published in 2010 and 2011 respectively. They contain 24 decisions issued in 2006 and 2007, together with their related press releases and the latest version of the General Settlement Fund Law, a select bibliography on the subject of (*in rem*) restitution, an overview of the decisions published in the series to date, the filing periods for applications for *in rem* restitution and a comprehensive translation glossary of legal and technical terminology.

To mark the tenth anniversary of the Washington Agreement and the Arbitration Panel for *In Rem* Restitution in 2011, volume 4 also contains a historical overview of the origins of the Washington Agreement and the establishment of the Arbitration Panel, the facsimile of the so called Joint Statement – the joint declaration of the parties to the negotiations, the Republic of Austria and the USA, which preceded the Washington Agreement on 17 January 2001 – and a comprehensive round up of statistical data and analyses regarding the work of the Arbitration Panel.

Secondly, all decisions, i.e. also those on “formal applications” are published in anonymous form in the bilingual online database on the website of the General Settlement Fund.

In this database, sophisticated filters enable searches according to the outcome of the decision (recommendation, rejection or dismissal), the legal grounds for the decision, the requested property (movable or immovable) and the cadastral district or federal province in which the requested property is situated.

Decisions which are related, i.e. supplementary decisions, reopening decisions and the decisions taken in the respective initial proceedings are linked. There is also a short summary for each decision – in the case of the “substantive” decisions this text is the same as the text of the press release.

The year 2010

In 2010, ten sessions were held in which the Arbitration Panel handed down 113 decisions on 153 applications. In one session, an applicant was heard in order to supplement the historical facts of the case.

In this year, 17 “substantive” decisions were issued on the applications of 57 applicants. In 14 decisions, the Arbitration Panel rejected the applications of 43 applicants and dismissed one application. In three decisions, the Arbitration Panel recommended *in rem* restitution of the asserted properties to 13 applicants.

The Arbitration Panel also dealt with 96 “formal applications” in decisions concluded with dismissals or rejections.

In two supplementary decisions relating to four applicants, the Arbitration Panel recommended that a comparable asset be awarded (total value: 147,316.27 Euro). These decisions related to two of the three recommendations of 2010. A supplementary decision regarding the third recommendation was issued in 2011.

Furthermore, in three decisions, applications for the reopening of proceedings filed by four applicants were rejected. Finally, six applications were either withdrawn or concluded without a decision.

The year 2011

In 2011, seven sessions took place in which the Arbitration Panel decided on 111 applications in 83 decisions. These were comprised of 19 “substantive” decisions on 45 applications: the Arbitration Panel rejected 36 applications in 17 decisions and issued recommendations for nine applications in two decisions.

The Arbitration Panel also dealt with 66 “formal applications” in 64 decisions, which were either dismissed or rejected.

In three supplementary decisions relating to 18 applicants, the Arbitration Panel recommended that a comparable asset be awarded (total value: 552,310 Euro). These decisions related to two decisions handed down in 2011 and one recommendation which had already been pronounced in 2010.

Furthermore, in two decisions, applications for the reopening of proceedings filed by three applicants were rejected. Finally, 33 applications were either withdrawn or concluded without a decision.

Additionally, in 2011 the statistical documentation of the work of the Arbitration Panel was subjected to an overhaul. All data was reexamined and errors in the original documentation were amended.

To mark the publication of volume 4 of the series “Decisions of the Arbitration Panel for *In Rem* Restitution” and the tenth anniversary of the Arbitration Panel, on 11 October 2011 an event was held on the campus of the University of Vienna featuring the contemporary eyewitness Francis Wahle. The Catholic priest, who lives in England, arrived in England in 1939 on a *Kindertransport* and is the son of the notable Austrian lawyer Karl Wahle, to whom the event was dedicated. Karl Wahle was, among many other functions that he held in the Second Republic, Member of the Supreme Restitution Commission and later President of the Supreme Court. He and his wife Hedwig, until 1938 the head mathematician at an insurance company, survived the National Socialist era in Vienna as so called *U-Boote*.

The event, with the title “From the Restitution Commissions to the Arbitration Panel – Recollections of Karl Wahle” is documented in this Annual Report.

On 31 December 2011, the last deadline for filing applications for *in rem* restitution expired. The following is a list of the deadlines of the provinces and municipalities which opted-in to the proceedings of the Arbitration Panel:

Regional administrative body	Deadline
Republic of Austria	31.12.2007
Burgenland	31.12.2009
Carinthia	31.12.2007
Lower Austria	31.12.2011
Upper Austria	31.12.2009
Salzburg	31.12.2009
Styria	31.12.2009
Vorarlberg	31.12.2009
Vienna	31.12.2009
Bad Ischl	31.12.2009
Eisenstadt	31.12.2007
Frauenkirchen	30.09.2011
Grieskirchen	31.12.2009
Kittsee	31.12.2007
Kobersdorf	31.12.2009
Korneuburg	31.12.2009
Mattersburg	31.12.2009
Oberwart	31.12.2009
Purkersdorf	31.12.2009
Rechnitz	31.12.2007
Stockerau	31.12.2007
Vöcklabruck	31.12.2009
Wiener Neudorf	31.12.2009

Outlook

It is expected that all applications to the Arbitration Panel shall have been processed and decided on by mid-2014. Subsequently, like the Claims Committee the Arbitration Panel will also present a final report on its work. The publication of the decisions shall also require a little longer once the Arbitration Panel has completed its decision-making. Currently, the staff of the Arbitration Panel is working in cooperation with the IT Department to incorporate a large part of the Arbitration Panel’s data into the database of the General Settlement Fund.

Procedural statistics of the Arbitration Panel

The following table comprises the applications of each individual applicant; several individual applications can relate to the same asset.

Applications (as at 31 December 2011)	Number
Total applications received	2,235
of these, substantive applications	534
of these, formal applications	1,417
Applications being processed	816
of these, substantive applications in process	122
of these, formal applications in process	694
formal applications with improvements pending ¹	629
Applications decided	1,135
of these, decided substantive applications	412
decided substantive applications – recommendations	90
decided substantive applications – rejections	181
decided substantive applications – dismissals	141
of these, decided formal applications	724
Applications pertaining to a historical person²	82
Applications withdrawn	61
Applications concluded without a decision³	140
Applications for reopening ⁴ (as at 31 December 2011)	Number
Total applications for reopening received	26
applications for reopening being processed	0
applications for reopening granted	5
applications for reopening rejected	21

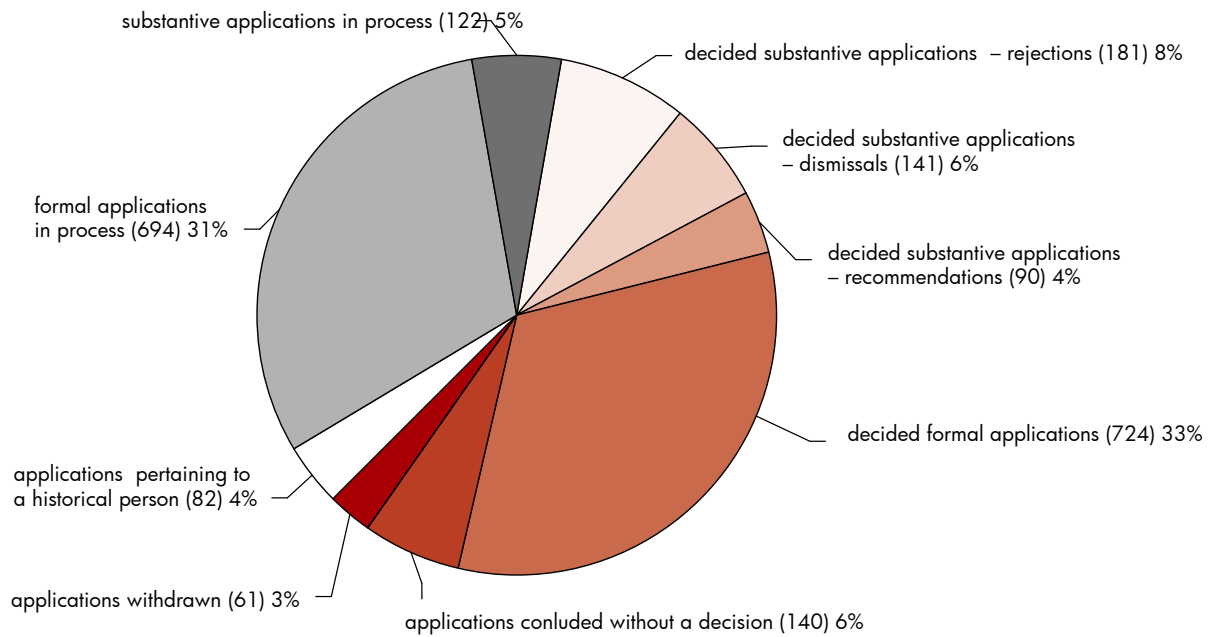
¹ During the course of processing these applications, the applicants were requested in writing to supplement their application; the replies are still outstanding.

² These applications were filed in relation to a so-called historical person whose legal successors are still unknown. Processing these applications cannot commence until the legal successors have been traced.

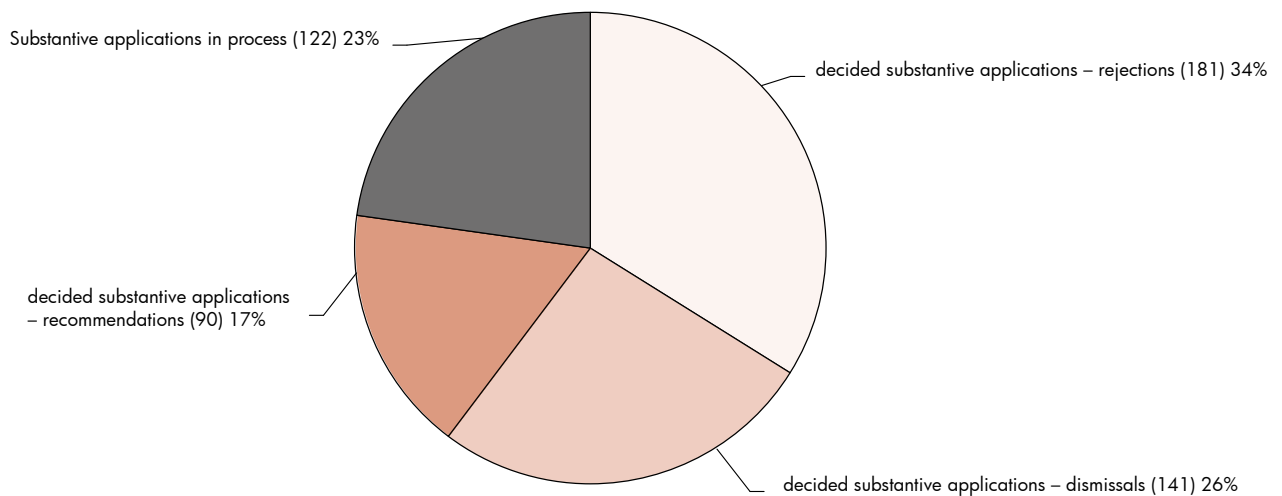
³ The Arbitration Panel ceased to process these applications due to inadequacies such as missing powers-of-attorney, lack of eligible applicants etc.

⁴ Applications for the reopening of proceedings can only pertain to applications which have already been decided. They do not constitute new applications and therefore do not result in an increase in the total number of 2,235 applications.

Applications received as at 31 December 2011: 2,235



Substantive applications received as at 31 December 2011: 534



FROM THE RESTITUTION COMMISSIONS TO THE ARBITRATION PANEL. RECOLLECTING KARL WAHLE

Documentation of the Festive Event held by the Arbitration Panel on 11 October 2011



© Michael Rausch-Schott

The discussion panel: Heinz Mayer, Josef Aicher, Hannah Lessing, Francis Wahle and Franz-Stefan Meissel (from left).

The Subject

The current debate surrounding matters of restitution and compensation for victims of National Socialism has a long history. Between 1998 and 2003, the Historical Commission of the Republic of Austria investigated the broad and multifaceted subject of property seizure during the National Socialist era and restitution and compensation since 1945. Over the last ten years, the Arbitration Panel for *In Rem* Restitution, established on the basis of the Washington Agreement, has also assessed the proceedings conducted before the Restitution Commissions in the 1940s and 50s during the course of its work.

While the case law in these restitution proceedings has, as such, been appraised in recent years, by comparison little is known of the judges involved. The focus of this event, which was held to mark the 10th anniversary of

the Arbitration Panel, was Francis Wahle's memories of his father Karl Wahle. Francis Wahle was able to flee to England on a *Kindertransport* in 1939. After the *Anschluss* in 1938 his Jewish father, at the time a judge at the Commercial Court, was suspended from duty and survived the National Socialist era underground in Austria as a so-called "*U-Boot*" with his wife. In 1949, the future President of the Supreme Court was appointed Member of the Supreme Restitution Commission.

Among experts, Karl Wahle is considered the personality who shaped the style of this entity's case law. Today, his son Francis Wahle is a Catholic priest living in London.

The following is a summary of the words of welcome by Hannah Lessing and the Deacon of the Faculty of Law at the University of Vienna, university professor DDr. Heinz

Mayer, and of the introduction by the Chairman of the Arbitration Panel, university professor Dr. Josef Aicher. The speeches by Francis Wahle and by university professor Dr. Franz-Stefan Meissel, Professor of Roman Law at the University of Vienna, are printed in full. The speeches were held in German and have been translated into English.

Hannah Lessing

In her address, Hannah Lessing, Secretary General of the General Settlement Fund for Victims of National Socialism, reminded the audience that two anniversaries were being celebrated. Firstly, in January 2001 the Republic of Austria and the USA signed the Washington Agreement, which lay “the foundation for several vital steps in the belated process of coming to terms with National Socialism in Austria”, for instance the establishment of the General Settlement Fund, the compensation of seized tenancy rights by the National Fund and the upcoming restoration of the Jewish cemeteries in Austria. Secondly, on 5 October 2001, on the basis of the Washington Agreement, the Arbitration Panel for *In Rem* Restitution, established at the General Settlement Fund, held its constituent meeting. The Arbitration Panel examines whether real estate which was seized under National Socialism and is publicly-owned today can be restituted. In addition to the three members of the Arbitration Panel, Erich Kussbach, August Reinisch and Josef Aicher, Hannah Lessing also took the opportunity to welcome to the event the members of the Claims Committee of the General Settlement Fund, Kurt Hofmann, Jon Greenwald and Sir Franklin Berman.

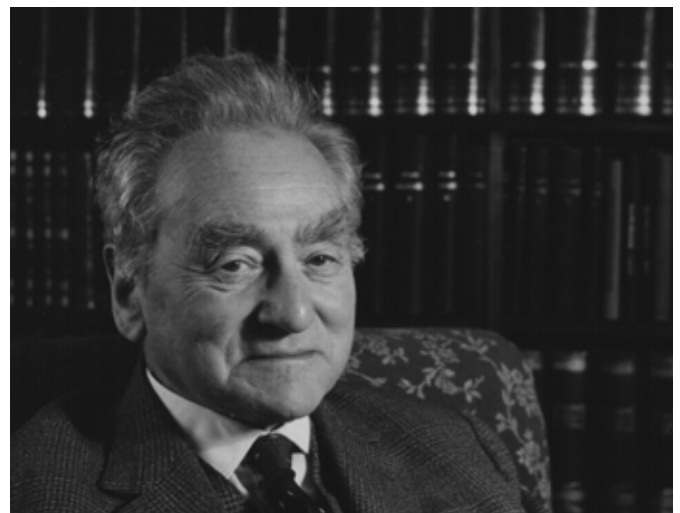
In her address, Hannah Lessing observed that the National Fund had been in contact with the “special guest”, the contemporary witness Francis (Franz) Wahle, since its establishment in 1995. Francis Wahle’s fate could be considered representative of the fate of many children who had to be sent away by their parents in order to save their lives. “They experienced the *Kindertransport* and all of its consequences – homesickness, uncertainty in a foreign country, worry for their parents and the difficulties of being reunited with them.”

In this respect this was a very special event. “It is hoped that it will open people’s eyes to the people behind the legal decisions of the Arbitration Panel”, Lessing added.

With regard to Karl Wahle’s life and work, which formed the focus of the event, Lessing noted that in post-war Austria “he had at first been rightly very skeptical about whether Austria was willing to deal with its National Socialist past” but had nonetheless accepted the difficult job as a judge at the Restitution Commission. “Although today we are still constantly aware of the fact that nothing can be set right, I nevertheless hope that Karl Wahle would have viewed the work of the Arbitration Panel and its contribution towards a belated attempt at ‘*Wiedergutmachung*’ favorably.”

Heinz Mayer

As co-host of the event, the Deacon of the Faculty of Law at the University of Vienna, university professor Dr. Heinz Mayer, emphasized the political dimension of law which, contrary to the opinion of some lawyers, not only existed to serve the economy but to support the weak and repressed members of society. This view was not only held by Karl Wahle but was also reflected in the decisions of the Arbitration Panel for *In Rem* Restitution, which were of the highest legal standard.



Karl Wahle

Josef Aicher

In his opening statements, the Chairman of the Arbitration Panel, Josef Aicher, expressed the sentiment that the reason for the event – the 10th anniversary of the Arbitration Panel – was “not cause for celebration”: “In the interest of the applicants, we too had hoped to be able to more swiftly issue decisions on applications for restitution of properties which were seized from persecuted persons under the National Socialist regime and which have not yet been restituted despite the post-war restitution legislation”, he said. The fact that the work of the Arbitration Panel was only coming to a foreseeable end ten years after its establishment was not only a result of the volume of applications received but was also due to “our strong conviction that we owe the applicants not only a legally correct decision but a decision which is also based on comprehensive historical research”.

Taking stock of the Arbitration Panel’s work, Aicher explained that 90 applications had been concluded with a recommendation for restitution. The total area of the properties recommended amounted to around 833,000 m². Roughly estimated, the total value of this real estate came to around 42 million Euro, 7.1 million of which had been awarded in the form of a comparable asset as an alternative to *in rem* restitution.

In conclusion, Aicher paid tribute to Karl Wahle as “judge and jurist of great importance” and quoted Karl Hannak, who, in an obituary for Wahle in the *Juristische Blätter* in 1970, had written: “Work and duty were his life”. Aicher went on to say that it was a “great stroke of good fortune” that Karl Wahle’s son Francis had accepted the Arbitration Panel’s invitation and was willing to share his memories of his father with the audience.

Francis Wahle

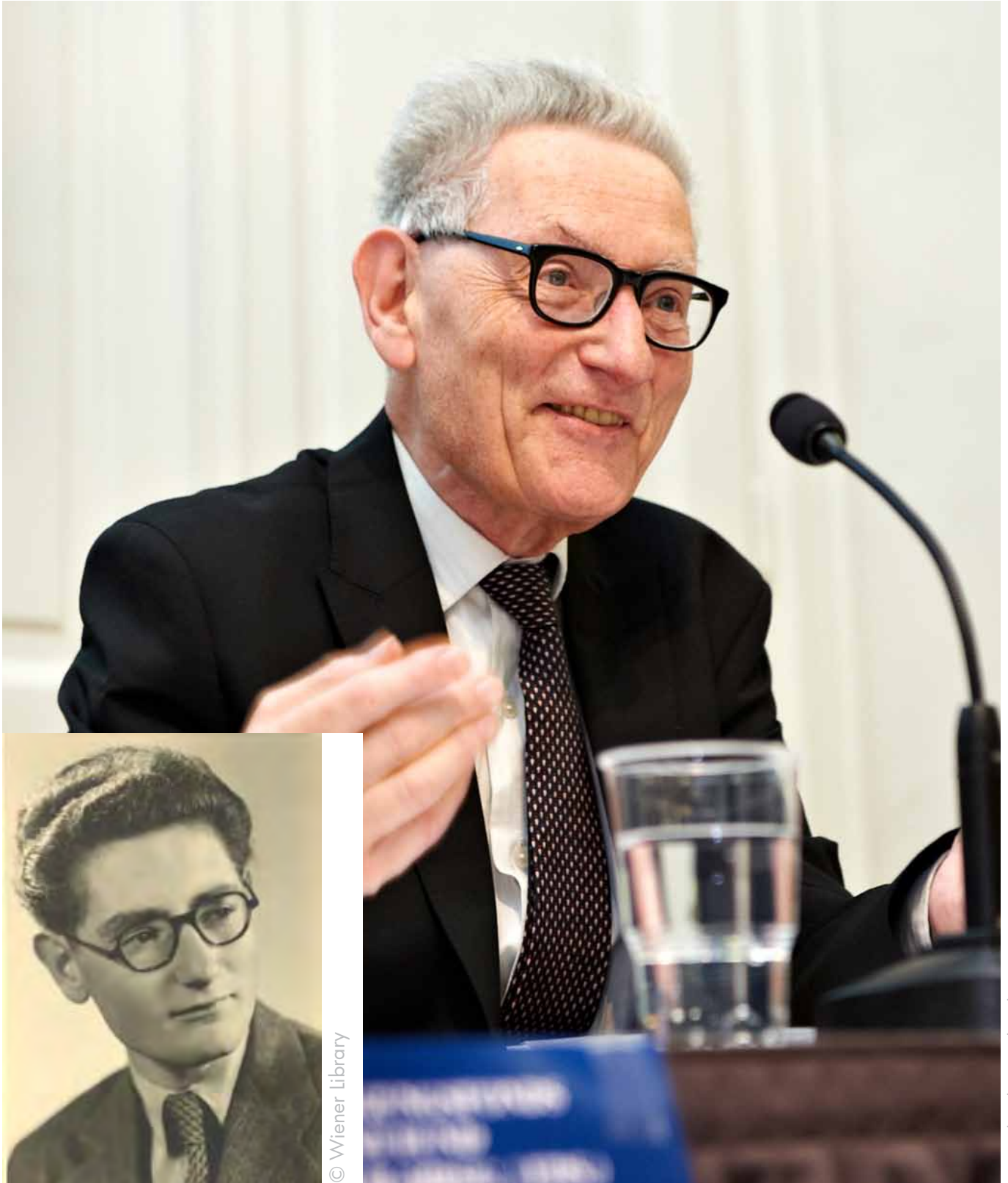
Ladies and Gentlemen!

It was a great surprise and an enormous pleasure to be invited to speak about my father. He was always very pragmatic and never cared for popularity, making the honor with which you bestow him 40 years after his death all the more unexpected. I thank you from the bottom of my heart.

I shall begin with a little history. And I really mean “history” because the birth of my great grandfather took place over 200 years ago. In my family, a generation is not the customary 25 to 30 years but, on average, 40 years. My family tree – unfortunately I can’t give you more than the dates of birth and death – begins with Julius Wahle, born in 1804, died in 1876. His wife was Karoline Bondy (1814 to 1897). My grandfather – the son of Julius Wahle – was Alfred Wahle (born 1848, died 1910), who was married to Eveline Strakosch (from the sugar family). They had two children, Karl (born 1887) and Elise, my Aunt Elli, who committed suicide in her apartment on 15 January 1940 when they tried to deport her to the ghetto.

In August 1928, my father married Hedwig Brunner. The next year, I was born on their first anniversary – my mother was a mathematician – and two and a half years later my sister Anna arrived, who some of you may still remember as Sister Hedwig. She passed away in London ten years ago.

As you will have surmised from these names, my father came from a Jewish family. My mother too. Nevertheless, they were all very well assimilated. In 1911, my father was baptized an Old Catholic and later joined the Roman Catholic Church.



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Francis Wahle in his youth

...and at the event held by the Arbitration Panel in the Aula on the campus of the University of Vienna on 11 October 2011.

My father never discussed his childhood with me and regrettably I never asked. I only know that he initially studied History and then changed to Law. During the First World War, he was a lawyer at the Front, which caused him to have a nervous breakdown. His main interest actually lay in the field of Civil Law and after the war he became a judge at the Commercial Court, where he incorporated the case law of other countries into his rulings by way of comparisons.

When Hitler's troops marched into Austria in 1938, he was immediately forced into retirement; at the time he was *Oberlandesgerichtsrat*, i.e. a state official. My mother was Chief Mathematician at the insurance company "Anker" and, as such, worked in the private sector, which enabled her to keep her job a little longer.

We had an attractive apartment on the corner of Rudolfsplatz / Gonzagagasse, not far away from the later headquarters of the Secret State Police. Our housemaid, Mitzi Seliger, who later proved to be very loyal to my parents, also lived in the apartment and also functioned as our cook.

As you will know, the freedom of the Jews, including Christians of Jewish origin, was progressively restricted by means of laws and decrees. My mother wanted to emigrate to South America – she would easily have found a job as a mathematician in Brazil or someplace else – but my father had a strong sense of duty: "A State Official does not leave his country". He was also a man and could not bring himself to be supported by his wife. But they tried to send me and my sister to Italy. My mother had close relatives there.

This didn't work out and in November 1938 (after the Night of Broken Glass), the plans were changed and in January 1939 we traveled to England.

My parents remained behind alone and as far as was possible made preparations to rescue themselves and their possessions (including my father's library). The books did, in fact, actually survive the war. They were able to spend the first two years in their own apartment, although from December 1941 they had to share it. My father later wrote: "Jewish lodgers were forced upon us, including the Chief Medical Practitioner of the Jewish Community, Dr. L[...], who distinguished himself through his extreme cowardliness. He insisted on rigorous compliance with all regulations issued against Jews and threatened to expose us as we ignored all of the regulations as a matter of principle. Because of him we had to hang the Star of David on our door for all to see; we always had to wear the Star in his presence and so on and so forth".

A judge who ignored all regulations! When my father realized that he had been hung out to dry, he no longer felt bound by the law. He could break EVERY rule with a clear conscience.

The previous ten months, from February 1941, had been a tumultuous time. This was when they commenced the deportations of the Viennese Jews to Poland. No-one ever knew in which area of the city to expect the round-ups on any particular day.

The 2 May 1942 was the day the Secret State Police actually turned up to deport all of the Jews in the apartment building. Both of my parents were able to break through the cordon unscathed but escaped with literally only their lives. Until this time, it had been possible to maintain contact with us children through the Red Cross but now they could no longer write – they would have had to identify themselves.

For the next three years they became "non-people": no ID, no fixed abode, no work, no food, but on the wanted list of the Secret State Police. My father would never have survived this period on his own. He didn't even know how to clean his shoes! He owed his life to the quick-wittedness of my mother.

An example: how they solved their accommodation problem. (I quote from letters written by my father after the liberation.) “We were safest among strangers who didn’t know our identities. At the same time it was necessary for us to explain to the landladies that we could not be registered with police without raising their suspicions. To this end, we conceived the following story: I introduced myself as a businessman from the provinces who was in the habit of coming to Vienna for a few days a week with my mistress. As my wife was very jealous and kept tabs on me, I was unable to register with the police. Using this story, I rented two sets of lodgings in two different districts. Twice a week (on Mondays and Thursdays), we moved to the other lodgings. When I told one landlady that I was leaving to go home; I arrived at the rooms of the other one. Three days later, the whole farce was repeated in reverse.”

Later, my parents recounted this time humorously but you can imagine the fear and the hardship they endured. They even longed for air raids so they could escape to the warmth of the air raid shelter.

The Russians liberated Vienna in April 1945. On 13 April (which happened to be a Friday), my father reported for duty at the Central Courts of Law. He was charged with building administration and carrying out preparations for the *Wiedergutmachung*. In his role as the former, his first task was to take care of the burial of the Nazi officials who had been shot in the struggles in the Central Courts of Law. He had them provisionally interred on Schmerlingplatz.

Fourteen days later, the provisional government came into power. My father later wrote to relatives who had emigrated to the USA: “As the *Wiedergutmachung* had been assigned to the Ministry of Commerce, I ceased to carry out this task. A few days later, I was put in charge of the Commercial Court, which I was entrusted with restructuring. As the bill of the Third Restitution Act stipulates that the reparations commissions are to be established with the Commercial Court, I am likely to be dealing with this matter in my work again in the near future”. (This letter is dated 25 November 1945.)

That is exactly what happened, and that is why you have invited me here and showered me with so much attention.

The same letter also contains the following paragraph:

“There is no question of *Wiedergutmachung*; the idea is rejected by all official departments. There is no hope of back wages being paid; the reimbursement of Jewish capital levy etc. is inconceivable!” The National Fund of the Republic of Austria for Victims of National Socialism didn’t exist at the time!

The first thing my parents did was to occupy an apartment, literally. It was in Reichsratsstraße, behind the Parliament. The previous tenant, a Nazi, had fled and the matter of a tenancy agreement was finalized later. The Russian Command Office for the First District was an almost immediate neighbor. The Russian officers were of course also seeking accommodation in the area. As my parents did not want the Russians lodging with them, my mother wrote a note in Russian with “no milk today” and pinned it on the door. It worked! They assumed that there was a Russian already living there.

At the Commercial Court, they had to start from scratch. It lacked staff, heating, tables and chairs. Windows had to be repaired. Paper and ink had to be found.

Apropos staff: the previous Jewish judges had either emigrated or been gassed. Barely any of the survivors returned to Austria and many of the people who were still there in 1945 were former Party members. My father was often asked how he could work with such people. If they had only been collaborators he did not have a problem with them. “The average person is not a hero”, he said.

In addition to this arduous work, my father also kept up a lively written correspondence, for which Sunday after mass was reserved. Many people writing from abroad wanted to know whether they should return to Vienna. Others had legal questions about restitution. Friends and relatives all asked him how he had survived the Nazi era. Luckily, my father always replied to letters using carbon copy on the typewriter and much of what I have told you today originates from these letters. Of course, he also mentioned that food was scarce in Vienna and subsequently received many CARE packages from America.

As soon as it was possible, my sister and I returned from England to western Austria to be reunited with our parents. A summer holiday together in Allied occupied territory. In the early 1950s my sister returned to Vienna for good, she studied at the university here (although not in this very building) and upon graduating joined the Congregation of Our Lady of Zion. She completed her novitiate near Paris and later lived in Burggasse. In 1954, I had to study for an examination to become a chartered accountant and moved in with my parents for eight weeks. I studied very hard – I had to catch up on what I had neglected in the previous four years! But my father worked just as hard: apart from a short afternoon nap, he worked all day long. He was very thorough when issuing his rulings. He wanted the reasoning behind them to be watertight so that they were impossible to call into question.

A short time later, my mother was diagnosed with bone cancer. As a mathematician for an insurance company, she also knew how small her chances of survival were. My father nursed her in the apartment right until the last. After her death in July 1957, the sisters of the Congregation of Our Lady of Zion promised my father that his daughter would be able to remain in Vienna for as long as he should live, a promise which they kept.

My father rarely took holidays, particularly after he once returned from a summer holiday to find his entire library beautifully dusted but arranged in order of size!

My father was a strong advocate of political independence for judges. He had never belonged to any political party and found it wholly inappropriate for a judge – and, incidentally, also for a priest – to accept a commendation from the state. He later became head of the International Union of Judges.

He was appointed President of the Commercial Court and then switched to the Supreme Court, first as an ordinary judge and then as President of a Senate. In 1952, at the age of 65 he would under normal circumstances have had to retire, but as a victim of the Nazis he was permitted to serve for a further five years. During this time he became Second President and then First President of the Supreme Court.

As I didn't live at home, I can't tell you much about his circle of friends, save to say that he held the (at the time) young Professor Doctor Karl Hannak in very high esteem. Unfortunately, Prof. Hannak is in hospital at the moment, but his wife is here with us this evening.

He remained very active, even in retirement. He always made time for lawyers who sought his advice and invited them into the apartment. He was a university professor, gave speeches both in Austria and abroad and wrote expert opinions, legal commentaries and book reviews. In the one and only week which he spent in hospital prior to his death, he was still proofreading books.

He was also a sociable person. Several of my friends can still vividly remember how hospitable he was, serving them buns and candy from Sluka. He attended mass in the Burgkapelle every Sunday. He had another circle of friends there. As it consisted solely of women, we used to call them "his harem".

My father was not very pleased that he would die without grandchildren. His only consolation was that he would at least have a decent burial. I was able to comply with this wish.

I would like to thank you again for giving me this opportunity to talk about my father. If you would like further details, I will happily do my best to answer your questions later on.

¹ The Strakosh family began producing sugar from sugar beet in Hohenau an der March in 1867.

Franz-Stefan Meissel

Scripta manent. Karl Wahle, who passed away in 1970, is still well-known among the present generation of lawyers and jurists in Austria, not least because of his commentaries on the *Gesellschaft bürgerlichen Rechts* (“Company under Civil Law”) and on barter agreements in the Klang commentary. Numerous appraisals during his lifetime and obituaries drew worthy attention to his merits as a legal scholar with a highly impressive number of publications to his name (around 1,000 in total).¹ What remains particularly impressive is the wide range of subject-matter. It extends from the first articles in the field of German legal history, to works on civil and commercial law, the laws of civil procedure, insurance law², international private law and comparative law and, as such, covers the entire spectrum of private law. Franz Gschnitzer praises the particular virtues of Wahle’s work as being “the warm discussion of historical developments, repeated comparisons to the laws of other countries” as well as his “meticulous way of working through problems” and the fact that he has “the courage of his convictions”. Wahle’s hundreds of glosses on decisions are considered particularly influential: “miniature legal masterpieces”, according to Gschnitzer. Last but not least, the role Wahle himself played in shaping the case law during his time as a Supreme Court judge may not be omitted here.³

It goes without saying that Wahle’s career as a judge and his functions up to and including that of First President of the Supreme Court are described in the laudations and obituaries. However, probably in keeping with those times, a key aspect of Wahle’s biography is absent: the persecution to which he was subjected and the constant threat to his life during the National Socialist era and the fate of his family as engagingly recounted by Francis Wahle and movingly described by his sadly late daughter Anna Hedwig Wahle in her family memoir.⁴ Also missing is any mention of the role Wahle played in attempts to overcome National Socialist injustice and his almost ten years spent as judge at the Supreme Restitution Commission.

It therefore seems all the more appropriate that the Arbitration Panel for *In Rem* Restitution, itself headed by an eminent scholar of commercial law in the person of Josef Aicher, has taken the occasion of its 10th anniversary to remember not only Karl Wahle’s persecution but also his work as a judge in the field of restitution.⁵ Before we turn our attention to Wahle’s specific contribution to the case law of the Supreme Restitution Commission, I would like to provide a brief overview of the work of the Restitution Commissions.

It is well known that even before World War II had come to an end, the Allies had announced in the London Declaration of 5 January 1943 that they would do everything in their power to defeat “the methods of dispossession practised by the Governments with which they are at war” and therefore reserved all their rights to declare invalid any transfers or dealings in territories under National Socialist rule “regardless whether such transfers or dealings have taken the form of open looting or plunder or of transactions apparently in legal form, even when they purport to be voluntarily effected”.⁶

Hence, the legislator in post-war Austria declared all transfers of assets which “occurred during the German occupation of Austria in the course of the political or economic penetration by the German Reich” null and void pursuant to Sec. 1 of the *Nichtigkeitsgesetz* (“Annulment Act”) 1946 (Federal Law Gazette no. 106/1946). The implementation of this provision was subject to separate statutory regulations, mainly the seven restitution acts. The *Erstes Rückstellungsgesetz* (“First Restitution Act”, Federal Law Gazette no. 156/1946) dealt with victims’ assets which had been seized on the basis of annulled Reich legal provisions or the order of an administrative authority and which were under Federal administration after the war. Assets which had come to be in Federal possession as a result of forfeiture (e.g. pursuant to the *Verbotsgesetz* [“Prohibition Act”]) were covered by the *Zweites Rückstellungsgesetz* (“Second Restitution Act”, Federal Law Gazette no. 53/1947). These acts were to be implemented in the form of an administrative procedure before the Financial Directorates in which the Austrian state was represented by the State Financial Procurator’s Office.⁷

The *Drittes Rückstellungsgesetz* ("Third Restitution Act", Federal Law Gazette no. 54/1947) formed the general basis for the most important group, i.e. restitution *inter privatos*.⁸ In this case, the procedure was essentially a non-contentious procedure where the proceedings were held before civil courts established especially for this purpose: at a Provincial Court level, Restitution Commissions were established; four Higher Restitution Commissions were set up with the Higher Provincial Courts and the Supreme Restitution Commission was established at the Supreme Court. The filing periods were short and although they were extended several times by ordinance, the deadlines expired (with certain exceptions) in 1956 at the latest. Approximately three-quarters of the 40,000 proceedings conducted pursuant to the Third Restitution Act were held before the Restitution Commission at the Provincial Court for Civil Matters Vienna.⁹ Over time, a not inconsiderable number of these proceedings (2,843) ended up at the Supreme Restitution Commission (established at the Supreme Court), of which Karl Wahle was appointed Member in 1949.

When the Historical Commission was charged with the task of "investigating and reporting on the whole complex of expropriations in Austria during the Nazi era and on restitution and compensation", it was evident that one of the key issues the investigations would focus on the execution of the restitution legislation by the competent authorities in the post-war years.¹⁰ From the perspective of the victims there was, in part, a vague feeling of unease when it came to appraising the work of the various restitution authorities. The insinuation that the authorities had merely continued to practice the all too familiar strategies of denial, suppression and delay and were generally opposed to restitution, could not be ignored. A closer inspection of this thesis was undertaken in a series of projects by the Historical Commission. I headed one research group, with the legal historians Thomas Olechowski and Christopher Gnant, whose task was to subject the decisions of the Restitution Commissions to a juridical appraisal.

The aim of our investigation was to gain a clearer image of the practices applied in this procedure. We questioned, among other things, the course of the proceedings and their duration. Were there systematic delays? If so, were they to be attributed to the authorities or to other factors? The second thrust of the project was to investigate how the restitution legislation was interpreted: for example, were the Commissions biased to the detriment of the restitution claimants? Did the way the case law developed perhaps reveal trends or continuities? As such, the project aimed to investigate the proceedings in a substantive and procedural regard, while also examining the biographies of the judges of the Commissions. The decisions of the Restitution Commissions were issued by three-judge panels. In the first and second instance this panel was composed of one professional judge and two lay judges, at least one of whom had been a victim of political persecution. Only at the Supreme Restitution Commission did the panel consist of three professional judges.

To summarize the results of our research in a few words, our examination of hundreds of proceedings revealed that, at least until the State Treaty, the work of the civil courts in dealing with matters of restitution was characterized by the endeavor to apply the laws in a manner which was correct and indeed in some respects advantageous to the restitution claimants, and the professional judges displayed above average levels of dedication in their work. Restitution proceedings generally had a shorter duration than proceedings in other civil legal disputes. The fact that many proceedings were protracted nevertheless was often due to factors which were beyond the courts' control. For example the delays in restituting *Deutsches Eigentum* ("German Property") in the Soviet Zone, which was to be ascribed to the "Njet" of the Russian occupying power in this matter.

By no means can it be said that it was easy for the restitution claimants to enforce their claims. It was clear, however, that the trials and tribulations and often failure of these efforts were not, as a rule, the fault of the restitution judges but rather of the legislation and the politicians, especially regarding the financial aspects of compensation, and sometimes a result of external influences.

With regard to the judges of the Restitution Commissions, Thomas Olechowski summarized our findings as follows: “[...] in the early days [...] the Restitution Commissions consistently employed highly qualified judges”; these were then gradually replaced by younger and lower-ranking judges.¹¹

Although we were not able to carry out an exhaustive investigation at the time, we were nevertheless able to shed some light on the biographies of the judges of the Supreme Restitution Commission using the staff files. The suspicion harbored by some that many Nazi judges had continued to carry out their duties here proved to be unfounded. On the contrary, it emerged that in the first decade of the Supreme Restitution Commission, its work was guided by two outstanding personalities who were both subjected to enormous persecution and threats: Heinrich Klang and Karl Wahle.

Heinrich Klang, born in 1875, was the first presiding judge at the Supreme Restitution Commission, having also played a leading role in drawing up the restitution legislation. The largest contribution to the research on Klang’s biography in recent years has been made by two members of staff of the General Settlement Fund, Günter Gößler and Martin Niklas; their publication on the subject is also worthy of note.¹²

Karl Wahle, born in Vienna in 1887, obtained his doctorate of law in 1911 and also passed the so called *Archivprüfung* (“archive examination”) at the Institute for Austrian Historical Research. During the First World War he was a voluntary serviceman in the 8th Imperial Infantry Division; from 1921 he worked as a judge at the Commercial Court.

At this juncture, I would like to draw attention to a few parallels between Klang and Wahle: both completed their legal education when Austria was still a monarchy, in addition to their careers as judges both were extremely productive academically and active as writers of specialist literature and editors of journals and commentaries: Klang, for example, as an editor of the *Juristische Blätter* (“Austrian Legal Journal”), Wahle of the journal *Die Rechtsprechung* (“The Judicature”) and later the *Versicherungsrundschau*. By 1938, Klang’s career had taken him to the position of *vorsitzender Rat* at the Higher Provincial Court Vienna, Wahle’s to head of a senate at the Commercial Court. For both of them, the dawn of National Socialism in Austria brought with it persecution and the steady decline of their living conditions, beginning with the loss of their positions as judge, the reduction and then cancellation of their welfare payments, the enforced move to a different apartment and finally, in 1942, deportation, which both desperately sought to avoid by fleeing. While Karl Wahle and his wife (as we have heard) managed to save themselves by going underground, taking false names, constantly improvising and taking risks (he himself spoke of a “miracle”), Klang’s attempt to flee ended in failure at the Hungarian border. He was taken back to Vienna and deported to Theresienstadt concentration camp, where he was put to work in the so called ghetto court. After the withdrawal of the SS in May 1945, Klang organized the return home of the Austrians. As early as July 1945, Klang had assumed his position at the Supreme Court.

Karl Wahle wrote of his own fate during the dramatic days of the liberation:

“In these last months, the only thing keeping us going was our belief that it would be a matter of weeks before it was over. In addition to this, we only had fixed accommodation for one half of each week at that time.

In this state of mind, we rejoiced when the grenades flew over Vienna in the week after Easter 1945 [...]. On Friday [6 April] a grenade exploded near Hedy [...]. When I went to look for Hedy on Saturday morning [...], I was hit on the head by flying shrapnel in Kaiserstraße – two men beside me died instantly –; I had head injuries which looked terrible but were entirely superficial [...]. On Tuesday 10 the western districts of Vienna were liberated, on the 11 I went to hospital to be bandaged, on the 12 I registered with the Head of the Resistance Movement [...] and on the 13 – in the eastern part of the First District they were still fighting – I took up my position at the Central Courts of Law. At that time the judiciary was headed by the lawyer Dr. Paul Antosch on behalf of the resistance movement. He assigned to me the administration of the building of the Central Courts of Law and charged me with making preparations for the *Wiedergutmachung* (“reparations”). In my role as the building administrator my first task was to take care of the burial of the Nazi officials who had been shot in the struggles in the Central Courts of Law. I had them provisionally interred on Schmerlingplatz. [...] A few days later, I was put in charge of the Commercial Court, which I was entrusted with restructuring.”¹³

In this letter, dated 25 November, Wahle speculated that he would be likely to be dealing with the matter of *Wiedergutmachung* in his work again in the near future. This suspicion soon proved to be well-founded. After the war had ended, Wahle’s career progressed in leaps and bounds: first he rebuilt and restructured the Commercial Court before being appointed its President. In March 1948 he became a Member of the Supreme Court, where, by 1949, he had already advanced to the position of President of a Senate and, as we have already heard, in 1952 he became the Second and in 1956 the First President of the Supreme Court. In recognition of his academic achievements, in 1946 Wahle received from the University of Vienna the *Venia* permission to teach at university for Commercial and Exchange Law and the title of University Professor, later followed by an honorary Doctorate of Law (of which he was particularly proud) from the University of Innsbruck. He later remarked, obviously among friends, that he was one of the few Presidents of the Supreme Court to be bestowed with this honor.

Let us now turn to Wahle’s work as a judge in restitution matters.

Wahle became a Member of the Supreme Restitution Commission at the Supreme Court on 1 January 1949 and remained in this function until his retirement on 31 December 1957 (i.e. nine whole years in total).

Wahle’s role as a judge at the Supreme Restitution Commission was by no means marginal. On the contrary, an analysis of the files of the Supreme Restitution Commission reveals that when examining the period 1952/53, of 50 randomly selected cases, Wahle was either assessor or judge-rapporteur in 39 of them. The fact that it is first and foremost the judge-rapporteurs who exert great influence on a committee’s decision-making is generally known. What stands out when reviewing Wahle’s activities at the Supreme Restitution Commission is that he also submitted countermotions as an assessor and was apparently also able to push them through. Gschnitzer’s characterization of Wahle as a “meticulous thinker with the courage of his convictions” also proves to be apposite in this regard.

Two examples, which at the same time highlight the legal technicalities of the restitution practice, serve to illustrate our reflections on Karl Wahle as a restitution judge:

The first example concerns a question of procedural law. In proceedings for the restitution of a property, the applicant, who had been deemed “missing”, was declared dead during the ongoing restitution proceedings. In a partial decision, the Restitution Commission Vienna held that the former acquisition of the property had constituted an null and void seizure of property and consequently appointed a representative in absentia to administer the property. The subject of the subsequent legal dispute was whether the appointment of a representative in absentia as administrator was permissible, even after the entitled person had been declared dead, although her estate had not yet been devolved to her heirs. There were no provisions governing such a constellation of circumstances but both the Higher Restitution Commission and the Supreme Restitution Commission interpreted Sec. 23 (2) of the Third Restitution Law (according to which the Commissions, exercising equitable discretion, can order the parties to ensure indemnification) to the effect that this was also permissible in this special case despite the fact that the estate was still to be devolved to the heirs. As the Restitution Commissions were special courts deciding in non-contentious proceedings, they were not permitted to grant injunctions.

The fact that – with a sufficiently broad interpretation of Sec. 23 of the Third Restitution Act – temporary indemnification orders were indeed permissible had already priorly been propagated by Wahle in an essay in the *Österreichische Juristenzeitung* (“Austrian Lawyers’ Journal”) 1949.¹⁴ He was then able to bring this legal opinion to prevail in the case law in a decision (Rkv 438/49 of 7 December 1949) in which he participated as assessor.¹⁵

Even more striking is his handwriting in another decision in which Wahle’s expertise in the field of corporate law comes through; at the same time it also provides us with an example of one of his successful counter motions.

The proceedings Rkv 244/52 dealt with the restitution of a cellulose factory in Krems, near Voitsberg.¹⁶ The issue at the center of the proceedings concerned the obligation to retribute two machines: a drying facility, which had been purchased prior to the “aryanization” under reservation of title but which was only paid off in full after the seizure, and another machine which had been acquired by the “aryanizer”; both machines were later sold by the “aryanizer” when the factory was closed down. It was uncertain whether the obligation to retribute also extended to these two machines.

The Higher Restitution Commission had held that the decisive factor in such cases was whether the machines had been owned by the company at the time of the seizure: an obligation to retribute only existed if this were to be the case. In his draft decision, the judge-rapporteur at the Supreme Restitution Commission, *Hofrat* Dr. Wilhelm Lenk¹⁷, denied the obligation to retribute: although it was correct that items acquired after the seizure were to be restituted, this could only occur if they still belonged to the company at the time of the restitution; this was not the case here.

Karl Wahle, as assessor, strongly refuted this argument: he maintained that it followed “from the nature of a company as an organized opportunity to make acquisitions” that the elements of such “were subject to ongoing changes”. Therefore, the party obliged to retribute was also to retribute goods “which had been procured subsequent to the seizure”.

But even if individual elements of the company had been sold off, the obligation to retribute only became void if the third party had made the acquisition in good faith or in the course of the company’s liquidation. Lenk attempted to defend his position in a four-page rejoinder, arguing that beyond the restitution of the company in question, only the items owned by the victim at the time of the seizure had to be restituted; however, he was unable to sway the vote in his favor.

The Chairman, Dr. Karl Kuch¹⁸, recorded in the protocol that “the decision is passed with a majority of 2:1 in line with the counter motion of the President of Senate Dr. Wahle”.

In this case, Wahle’s stance led to a decision more beneficial to the restitution claimant, ratifying the dynamic nature of a company as a *Gesamtsache* (an asset with many constituent parts). Wahle’s insistence on dynamism when defining a company and his refusal to consider the matter solely according to property law, i.e. quasi a static interpretation, which, as it were, would disregard any changes to the company that had occurred during the National Socialist era, also serves to evoke the analogy to the existence of the individual. In this respect, I believe a metaphysical dimension extending far beyond this particular question can be detected in Wahle’s position, namely that, in essence, *Wiedergutmachung* also sought to recover the lost chances of a life without Nazi persecution.

By remembering Karl Wahle, we also recollect the work in the field of restitution carried out by the Austrian judiciary as a whole, which worked within the framework provided by the legislator, its efforts – with very few exceptions – underpinned by a sense of fairness and justice. This does not rule out criticism of individual decisions and certain aspects of the case law of the post-war judiciary in terms of legal policy or for dogmatic reasons, particularly in the light of a stronger sense of responsibility on the part of the Austrian state as is demanded these days and as is effectively put into practice by the General Settlement Fund and the Arbitration Panel.

On the whole however, when subjected to scrutiny, Austria's restitution history fares far better than expected. This is particularly true of the restitution case law during the period which was, not least, decisively shaped by judges such as Karl Wahle.¹⁹ It must be reiterated that the judges implementing restitution law did so with extreme dedication and utmost gravity.

Indirectly, the decisions of the Arbitration Panel for *In Rem* Restitution also validate this assessment. The Arbitration Panel has been charged with examining, where relevant, whether a prior decision of the Restitution Commissions or a previous settlement was "extremely unjust". Of the 75 proceedings before the Arbitration Panel (pertaining to nine historical objects of restitution) which have so far confirmed the existence of an "extreme injustice", (as yet) not one of them concerns a decision of a Restitution Commission.²⁰

Especially in the early stages of the Restitution Commission, we come across many judges whose lives, like Wahle's, were marked by radical constitutional changes: they grew up and received their legal education during the tail end of the Habsburg monarchy, fought in the First World War, worked throughout the First Republic and the authoritarian Corporate State, were, in some cases, victims of persecution, individuals such as Klang and Wahle being under immanent threat of extermination, and after 1945 it is they who laid the foundations which belong to the *fundamenta iustitiae* of our country.

Karl Wahle stands out as a shining example: he resumed his work the moment Vienna was liberated and played a key role in the reconstruction of the legal system, holding a series of responsible positions. His fate and his ethos as a judge deserve the highest respect and today, so many years later, seem nothing less than exceptional.

- 1** Literature regarding Karl Wahle: Gustav Stanzl, *Karl Wahle zum 75. Geburtstag*, *Juristische Blätter* [JBl, "Austrian Legal Journal"] 1962, p. 309–311; Max Leimdörfer, *Versicherungsrundschau* 1962, p. 191; Franz Gschnitzer, *Karl Wahle – 80 Jahre*, JBl 1967, p. 362; Karl Hannak, *Präsident i.R. Dr. Carl Wahle – 80 Jahre*, *Versicherungsrundschau* 1967, p. 154–156; Karl Hannak, *Karl Wahle †*, JBl 1970, p. 415; Heinrich Bröll, *Karl Wahle †*, *Österreichische Richterzeitung* [RZ, "Austrian Judges' Journal"] 1970, p. 125.
- 2** See the list of Wahle's publications in the field of insurance law compiled by Karl Hannak in: *Versicherungsrundschau* 1967, p. 156–167.
- 3** The "authorship" of decisions is of course, as a rule, difficult to determine; an example of a "Wahle decision" in the literature is the decision of the Supreme Court 3 Ob 91/55 on the subsidiarity of the claim to the reimbursement of outlay published in JBl. 1956, p. 17; see also Walter Wilburg, *Die "Subsidiarität" des Verwendungsanspruchs*, JBl 1992, p. 545.
- 4** Hedwig Wahle, *Mutter, Vater, Bruder, ich*. In: *Entschluss. Spiritualität – Praxis – Gemeinde*, issue 5/1991, p. 7–31.
- 5** See Franz-Stefan Meissel, Thomas Olechowski, Christoph Gnant, *Untersuchungen zur Praxis der Verfahren vor den Rückstellungskommissionen*, Vienna 2004 (= Publications of the Austrian Historical Commission, vol. 4/2), p. 80 f., p. 129, p. 149 f.
- 6** Printed in, among others, Robert Knight, *Ich bin dafür, die Sache in die Länge zu ziehen*, Vienna 2000², p. 185 f.
- 7** In detail: Peter Böhmer, Ronald Faber, *Die österreichische Finanzverwaltung und die Restitution entzogener Vermögen 1945 bis 1960*, Vienna 2003 (= Publications of the Austrian Historical Commission, vol. 5); Ronald Faber, *Vermögensrestitution im öffentlichen Recht. Eine Untersuchung öffentlich-rechtlicher Aspekte des österreichischen Restitutionsrechts anhand des Ersten und des Zweiten Rückstellungsgesetzes*, Vienna 2007 (= *Juristische Schriftenreihe*, vol. 219).
- 8** The Fourth Restitution Act (Federal Law Gazette no. 143/1947) concerned company names changed or cancelled under National Socialist compulsion, the Fifth Restitution Act (Federal Law Gazette no. 164/1949) the restitution of assets to legal entities in economic life which had lost their legal personality under National Socialist compulsion, the Sixth Restitution Act (Federal Law Gazette no. 199/1949) concerned commercial protection rights (with the exception of copyrights) and the Seventh Restitution Act (Federal Law Gazette no. 207/1949) claims arising from employment contracts in the private sector. See Georg Graf, *Die österreichische Rückstellungsgesetzgebung. Eine juristische Analyse*, Vienna 2003 (= Publications of the Austrian Historical Commission, vol. 2) and the concise overview of the restitution legislation in Paul Oberhammer, August Reinisch, *Restitution of Jewish Property in Austria*, *Zeitschrift für ausländisches öffentliches Recht und Völkerrecht* [ZaöRV, "Journal for Foreign Public Law and International Law"], issue 60 (2000), p. 737 ff.
- 9** A description of the practise through the eyes of a ministerial official involved is provided in Gottfried Klein, 1938–1968. *Dreißig Jahre: Vermögensentziehung und Rückstellung*, *Österreichische Juristen-Zeitung* [ÖJZ, "Austrian Lawyers' Journal"] 1969, p. 57 ff. and 89 ff. For information on Klein, see Brigitte Bailer-Galanda, *Der Beamte und die Rückstellungsgesetzgebung. Biografischer Versuch zu Gottfried Klein*. In: Verena Pawlowsky, Harald Wendelin (eds.), *Die Republik und das NS-Erbe. Raub und Rückgabe*, Vienna 2005 (= *Österreich von 1938 bis heute*, vol. 1), p. 78 ff.
- 10** See Clemens Jabloner *et alii*, *Schlussbericht der Historikerkommission der Republik Österreich. Vermögensentzug während der NS-Zeit sowie Rückstellungen und Entschädigungen seit 1945 in Österreich*, Vienna 2003 (= Publications of the Austrian Historical Commission, vol. 1).
- 11** Thomas Olechowski, *Ehrenamt oder lästige Bürde? Die Rückstellungskommissionen und ihre Richter*. In: Pawlowsky, Wendelin, p. 67 ff. (70).
- 12** Günter Göbler, Martin Niklas, *Heinrich Klang: Praxis und Theorie – Verfolgung und Rückkehr*. In: Franz-Stefan Meissel, Thomas Olechowski, Ilse Reiter-Zatloukal, Stefan Schima (eds.), *Vertriebenes Recht – Vertreibendes Recht*, Vienna 2012 (= *Juridicum Spotlight*, vol. 2) p. 281 ff. with further references.
- 13** Hedwig Wahle, p. 25.
- 14** Karl Wahle, *Die Revisionsbeschwerde im Rückstellungsverfahren*, ÖJZ 1949, p. 389 (p. 393 f.).
- 15** Meissel, Olechowski, Gnant, p. 116 f.
- 16** See Meissel, Olechowski, Gnant, p. 149 f.
- 17** Regarding Wilhelm Lenk, see Meissel, Olechowski, Gnant, p. 129.
- 18** Regarding Karl Kuch, see Meissel, Olechowski, Gnant, p. 36.
- 19** Regarding different periods when assessing the case law of the Restitution Commissions, see Meissel, Olechowski, Gnant, p. 399 f.
- 20** One of the very rare exceptions is the binding decision of the Higher Restitution Commission regarding the restitution claim of Anna Mahler-Werfel in 1953 for a painting by Munch, which was deemed an extreme injustice by the Art Restitution Advisory Board in its decision of 8 November 2006; the painting was then restituted by the Republic of Austria in May 2007. See, for example, Franz-Stefan Meissel, *The Restitution of the Munch Painting "Summer Night on the Beach" under the Austrian Art Restitution Act 1998*. In: Wouter Veraart, Laurens Winkel (eds.), *The Post-war Restitution of Property Rights in Europe. Comparative Perspectives*, New York 2011, p. 47 ff.

Dr. Karl W a h l e
Wien I., Reichsratsstrasse 3

Lieber Heinz und liebe Vally I

Vielleicht habt Ihr schon gehört, dass wir

hören, sich in Amerika schon herumgesprochen
blieben sind, ist in der Tat ein Wunder, oder
von Wundern. Die meisten Verwandten und Frey
so die arme Vally, wanden nach Polen deportiert
Gründe gegangen, meist vergast. Von den wend
wurden Fortgeschleppt und man hat sie
Tante Marcus und Susi kamen
nach Auschwitz zur Vergastung
Festung Theresienstadt, wo
ging.

Von Deiner Mutter weiss
im April 1942, dass Gutwill
möchte näheres in Wien erhe
eingeleiteten Erhebungen er
Deiner Mutter nicht mehr so
ich gleich mit ihr nicht in Ve
Postverbindung hat. Ich kann
sich rechtzeitig zu verabsche
bar, wenn Du mir mitteilen kö
gehört hast. Gutwilligs soll
worden sein, werden also auch

Haus waren, um
Transport nach
etwas gehört- d
wir fast nichts
karten und ohne
und Ähnlichen,
einen langen S
wurde auch oft
angesprochen.
Hut. Hedy hat
zunächst bei
unter falsche
verschafft ha
Englisch und
die sie sehr
zufrieden
richten
die bei
bekam i
was zu
hatte,
durch m
sie weit

auch ver
Fechheit
das man
wir keine
fingerte
von einem
3 Tage in
von einer
beschluss
100 gehin



1943
Biezer Verkehrsbetriebe
Streckenkarte
2. Juni
bis
1. Juli
1943
13451
406951 RM 11.-

Strecken. Nr. 13451



Name:	Wahl
Nummer:	13451
Alter:	18. 11. 1897
Sex:	Männlich
Profession:	Präsident des Handelsgerich
Geburtsort:	Wien
Religion:	keine
Größe:	170 cm
Haarfarbe:	blau
Augenfarbe:	dkl. bl.
Hautfarbe:	keine
sonstige Merkmale:	
Ort und Datum:	Wien, 22. Juni 1943



Vor- und Zuname: Dr. Karl W A H L E
Ort und Tag der Geburt:
Wien, 6. Juni 1897
Staatsbürgerschaft: Osterreich
Stand: ledig, verh., gesch., verw. h
beruf: Präsident des Handelsgerich
Wohnort: Wien I., Reichsratsstr
Körpergröße: 170 cm
Gebäude: oval
Farbe der Augen: blau
Farbe der Haare: dkl. bl.
sonstige Kenntnisse: keine
Wien, 22. Juni 1943
Ort und Datum

Polizei Wien
M. H. H. H. H.
Unterschrift des Inhabers
Stempel: POLIZEI WIEN

Gemeinde Wien - städtische Strassenbahnen
Streckenkarte
Gültig bis zu 2 Teilstrecken
auf der Strecke ab Aspernplatz
bis bis Hedy, oder ab
Rudolfsplatz, Radebühlstr.
Komb. Laibnizstr. Stride:
ab ab Schwanenbühlstr.
ab ab Brunnengasse bis Gürtel

No. 13451
für Herrn Frau Fräulein
Maly Karl
Wohnung: 4. Wagentenierstr. 50
Unterschrift des Streckenkarteninhabers:
Auszug aus den Zeitkartenbestimmungen.
Nicht übertragbar. - Den Bahnangestellten unan-
gefordert und offen vorzuweisen sowie auf Verlangen
zur Überprüfung zu übergeben. - Unstatthafte Ver-
wendung zieht außer der strafrechtlichen Verfolgung
die Abnahme und Einziehung der Karte nach sich.

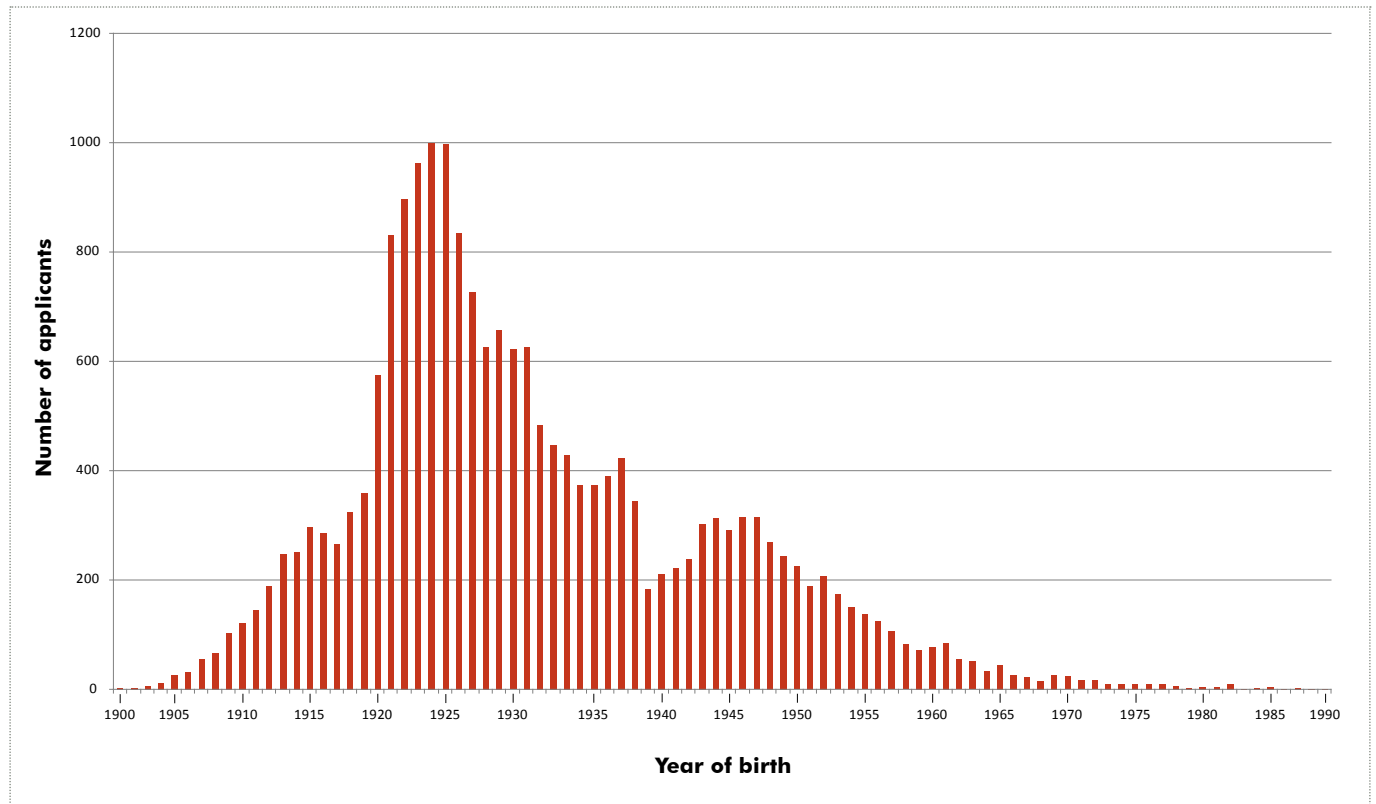
hergestellt.

APPENDIX

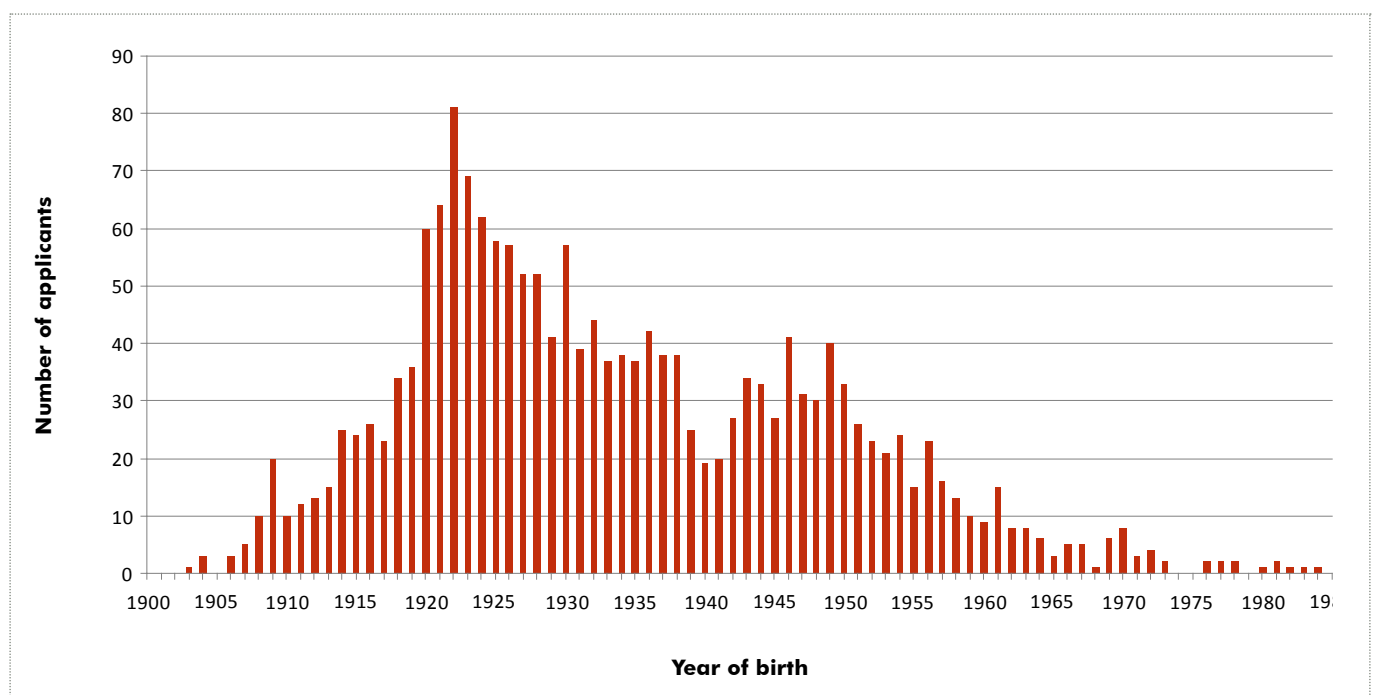
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APPLICANTS ACCORDING TO YEAR OF BIRTH

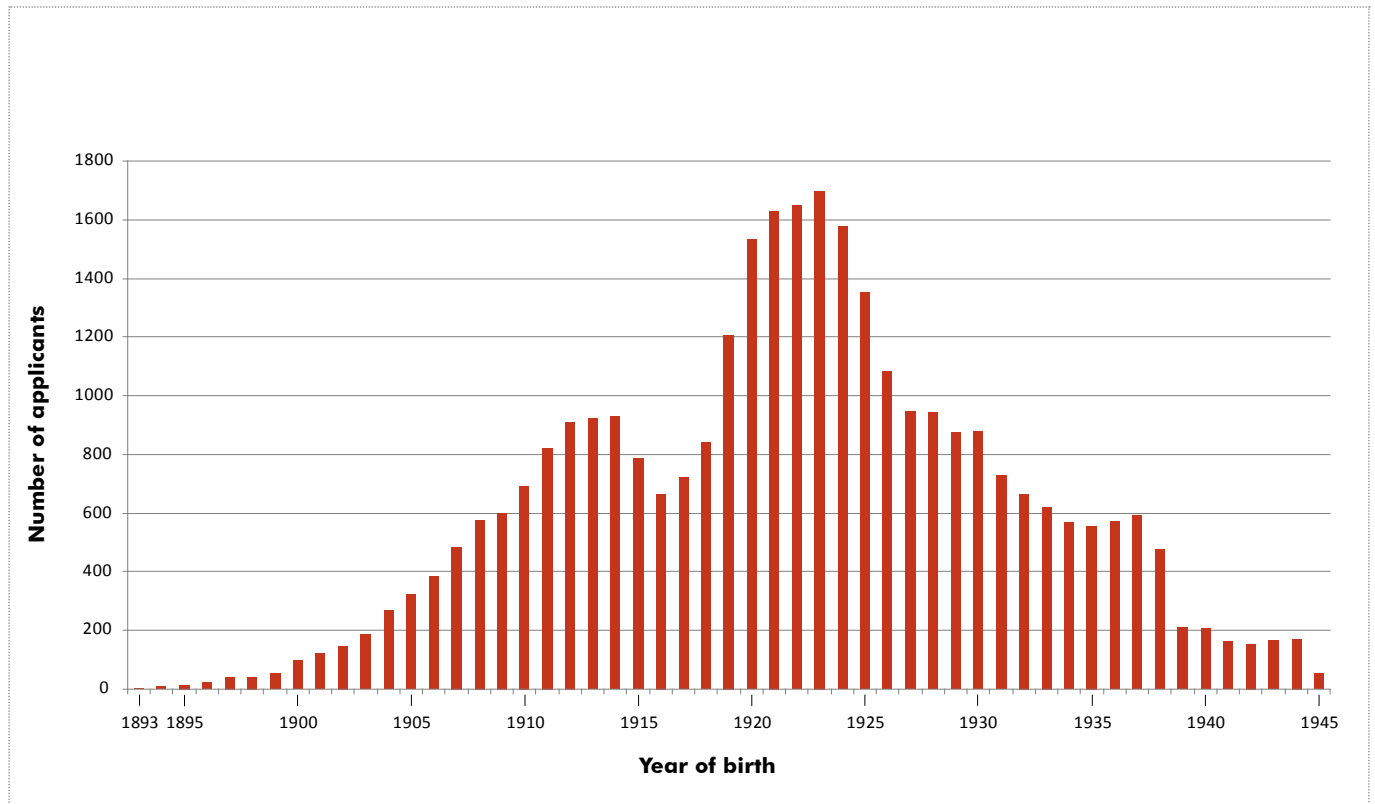
General Settlement Fund – Monetary compensation



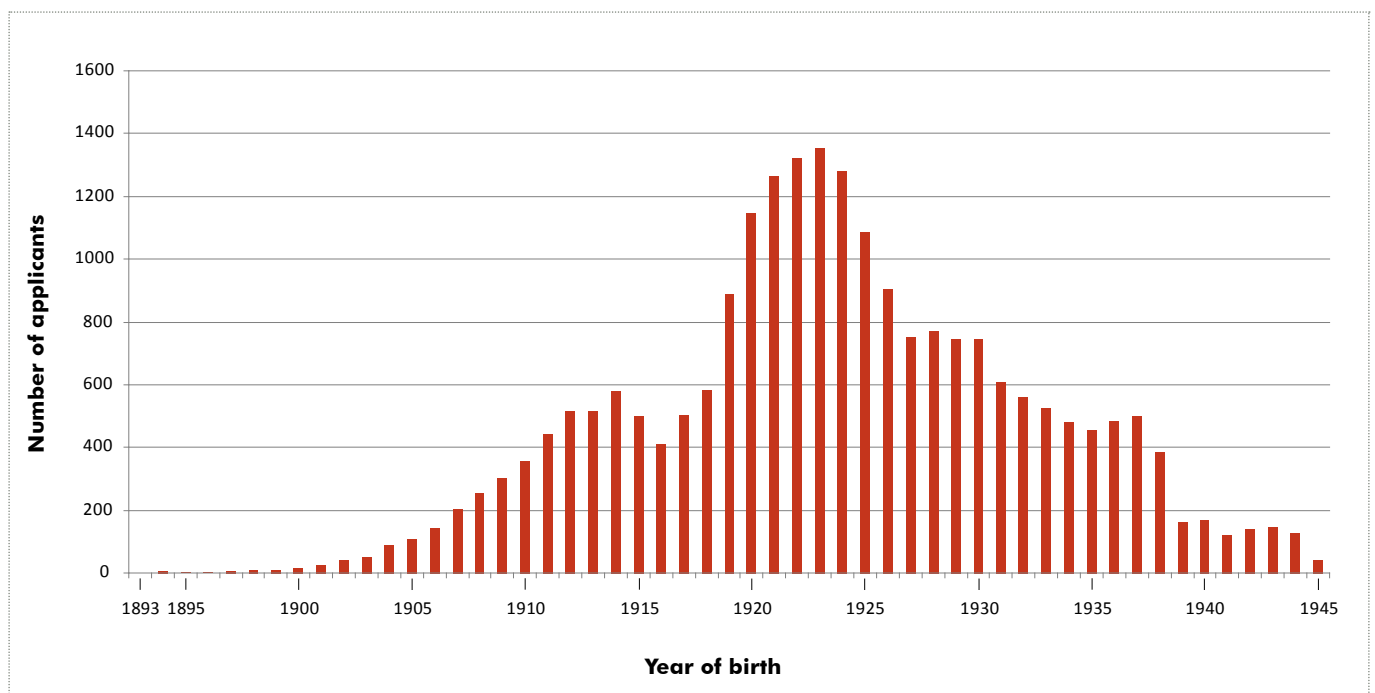
General Settlement Fund – In rem restitution



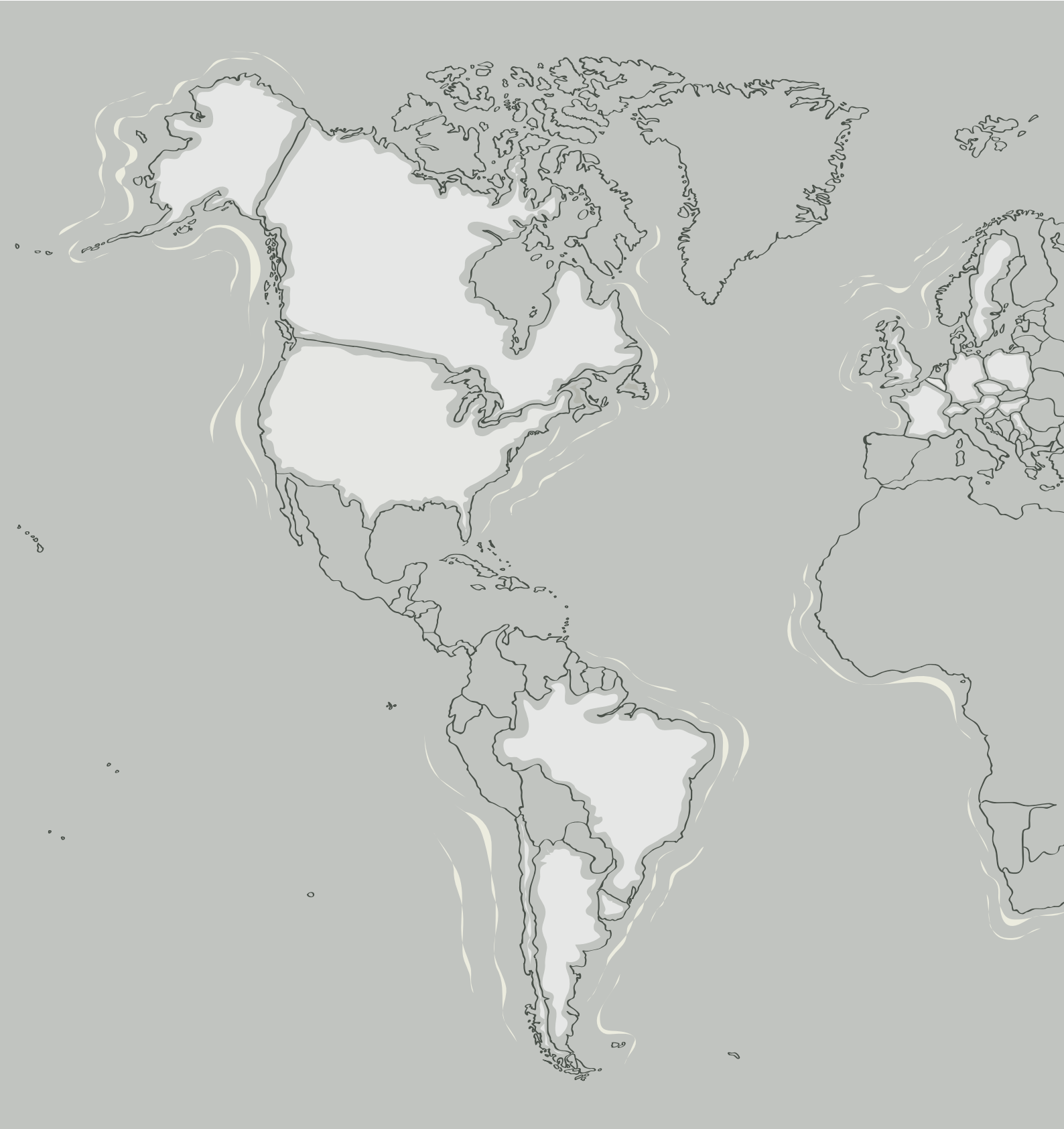
National Fund – Gesture payment




National Fund – Compensation for seized tenancy rights



APPLICANTS ACCORDING TO COUNTRY OF RESIDENCE*





Country of residence	Monetary compensation	<i>In rem</i> restitution	Gesture payment	Compensation for seized tenancy rights
USA	6795	822	11073	8610
Austria	3802	225	8450	3810
Israel	3160	254	4261	3477
Great Britain	2180	211	3315	2454
Australia	1178	114	1544	1246
Canada	554	52	757	601
Argentina	535	32	460	367
France	406	44	511	411
Germany	349	49	346	255
Switzerland	229	21	318	235
Serbia	33	67	14	493
Sweden	137	17	200	153
Brazil	119	19	188	139
Belgium	114	11	172	129
Uruguay	91	4	107	85
Hungary	118	8	68	67
Czech Republic	123	4	82	48
Chile	64	3	104	74
Poland	33	2	109	5

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

APPLICANTS ACCORDING TO COUNTRY OF RESIDENCE*

Country of residence	GENERAL SETTLEMENT FUND		NATIONAL FUND	
	Monetary compensation	<i>In rem</i> restitution	Gesture payment	Compensation for seized tenancy rights
Andorra	3	0	1	1
Antigua and Barbuda	1	0	0	0
Argentina	535	32	460	367
Australia	1178	114	1544	1246
Austria	3802	225	8450	3810
Bangladesh	1	0	1	0
Belarus	2	1	1	1
Belgium	114	11	172	129
Bolivia	11	0	18	16
Bosnia-Herzegovina	2	0	1	1
Brazil	119	19	188	139
Bulgaria	6	0	5	3
Canada	554	52	757	601
Chile	64	3	104	74
China	7	0	3	3
Colombia	26	1	41	29
Costa Rica	4	1	7	5
Croatia	5	2	2	2
Cyprus	3	0	5	5
Czech Republic	123	4	82	48
Denmark	20	1	32	27
Dominican Republic	2	1	7	6
Ecuador	8	1	17	12
Finland	0	1	1	0
France	406	44	511	411
Germany	349	49	346	255
Great Britain	2180	211	3315	2454
Greece	4	0	2	2
Guatemala	1	0	1	1
Haiti	1	0	1	1
Hungary	118	8	68	67
Iceland	2	0	1	1
India	3	0	3	2
Ireland	5	0	9	8
Israel	3160	254	4261	3477
Italy	81	15	111	85
Japan	2	0	2	2
Kenya	0	0	4	0
Latvia	1	0	0	0
Liechtenstein	1	1	1	1
Luxemburg	2	1	1	1
Malawi	1	0	1	1
Malta	1	0	1	1

Country of residence	GENERAL SETTLEMENT FUND		NATIONAL FUND	
	Monetary compensation	<i>In rem</i> restitution	Gesture payment	Compensation for seized tenancy rights
Mexico	31	0	50	36
Monaco	3	0	8	5
Montenegro	0	1	0	1
Morocco	1	0	1	1
Namibia	1	1	1	1
Netherlands	74	12	65	51
New Zealand	52	7	56	45
Norway	27	4	15	12
Oman	1	0	0	0
Panama	3	0	2	1
Paraguay	1	0	0	0
Peru	18	2	22	20
Philippines	1	1	3	2
Poland	33	2	109	5
Portugal	7	4	7	4
Puerto Rico	1	0	0	1
Republic of Moldavia	1	0	0	0
Republic of Slovakia	27	2	10	11
Rumania	15	0	36	2
Russia	6	0	1	1
Serbia	33	67	14	493
Seychelles	0	0	1	1
Singapore	3	0	3	3
Slovenia	16	0	27	96
South Africa	32	6	41	29
Spain	45	10	41	33
Sweden	137	17	200	153
Switzerland	229	21	318	235
Taiwan	1	0	0	0
Thailand	3	0	4	3
Trinidad and Tobago	1	0	1	1
Turkey	3	0	3	3
Uganda	1	0	1	1
Ukraine	9	1	2	2
Unknown **	73	189	11	3
Uruguay	91	4	107	85
USA	6795	822	11073	8610
Venezuela	19	5	62	44
Zimbabwe	0	0	2	0
TOTAL	20702	2230	32835	23289

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

** These applicants were legally represented and their country of residence is unknown.

JEWISH CEMETERIES IN AUSTRIA

VIENNA

- 1 Döbling
- 2 Floridsdorf
- 3 Seegasse
- 4 Währing
- 5 Zentralfriedhof
(Central Cemetery)
Gate I
- 6 Zentralfriedhof
(Central Cemetery)
Gate IV

LOWER AUSTRIA

- 7 Bad Pirawarth
- 8 Baden
- 9 Bruck/Leitha
- 10 Deutsch-Wagram
- 11 Dürnkrut
- 12 Groß-Enzersdorf
- 13 Gänserndorf
- 14 Ybbs-Göttsbach
- 15 Ybbs Alt
- 16 Hohenau
- 17 Hollabrunn
- 18 Horn
- 19 Klosterneuburg
- 20 Korneuburg
- 21 Krems
- 22 Laa an der Thaya
- 23 Marchegg
- 24 Michelndorf
- 25 Mistelbach
- 26 Mödling
- 27 Neulengbach
- 28 Neunkirchen
- 29 Oberstockstall
- 30 St. Pölten Neu
- 31 St. Pölten Alt
- 32 Stockerau
- 33 Tulln
- 34 Waidhofen/Thaya
- 35 Wr. Neustadt
- 36 Zistersdorf
- 37 Zwettl

BURGENLAND

- 38 Bad Sauerbrunn
- 39 Bruckneudorf
- 40 Deutschkreutz
- 41 Eisenstadt Neu
- 42 Eisenstadt Alt
- 43 Frauenkirchen
- 44 Gattendorf
- 45 Großpetersdorf
- 46 Güssing
- 47 Kittsee
- 48 Kobersdorf
- 49 Lackenbach
- 50 Mattersburg
- 51 Oberwart
- 52 Rechnitz
- 53 Stadtschlaining

STYRIA

- 54 Bad Aussee
- 55 Graz
- 56 Judenburg
- 57 Knittelfeld
- 58 Leoben
- 59 Trautmannsdorf

UPPER AUSTRIA

- 60 Gmunden
- 61 Linz
- 62 Steyr

SALZBURG

- 63 Salzburg

CARINTHIA

- 64 Klagenfurt

TYROL

- 65 Innsbruck Neu
- 66 Innsbruck Alt

VORARLBERG

- 67 Hohenems



All currently known Jewish cemeteries in Austria according to the „White Book“ by Tina Walzer.



GUIDELINES FOR AWARDING PAYMENTS FROM THE FUND FOR THE RESTORATION OF THE JEWISH CEMETERIES IN AUSTRIA

Vienna, May 2011

Preamble

Pursuant to Sec. 2 (1) of the *Bundesgesetz über die Einrichtung des Fonds zur Instandsetzung der jüdischen Friedhöfe in Österreich* ("Federal Law on the Establishment of the Fund for the Restoration of the Jewish Cemeteries in Austria", Federal Law Gazette I no. 99/2010) in the years 2011 to 2030 the Federation shall allocate to the Fund an annual amount of one million Euro.

The owners of the Jewish cemeteries shall provide regular information to the Federation demonstrating that pursuant to Sec. 3 (2) an amount equaling the Federation's allocation to the Fund is provided by the owners of the Jewish cemeteries and/or third parties contracted by the owners.

Pursuant to Sec. 4 (1), the organs of the Fund for the Restoration of the Jewish Cemeteries in Austria shall be the organs of the National Fund of the Republic of Austria for Victims of National Socialism. Should the term Fund be used in the following, it shall refer to the Fund for the Restoration of the Jewish Cemeteries in Austria.

Guidelines

Pursuant to Sec. 3 (5) of the Federal Law on the Establishment of a Fund for the Restoration of the Jewish Cemeteries in Austria (Federal Law Gazette I no. 99/2010), the Board of Trustees issues the following guidelines for awarding payments from the Fund for the Restoration of the Jewish Cemeteries in Austria.

Measures eligible for funding, applicants for funding and type of funding

1. Restoration measures applied to Jewish cemeteries in Austria and the work required for their planning and realization shall be funded.
2. The owners of the cemeteries in need of restoration shall be eligible to apply for funding.
3. The funding shall take the form of a subsidy.

Requirements for the receipt of funding

4. Pursuant to Sec. 3 (2) of the Federal Law on the Establishment of a Fund for the Restoration of the Jewish Cemeteries in Austria the owners of the Jewish cemeteries and/or third

parties contracted by the owners (as defined in item 4.1.) shall provide third party resources in equal amount to the allocations from the Federation.

4.1. The term "contracted third party" in the meaning of item 4 is to be understood as the limited liability partnership (GmbH) established by the Jewish Community Vienna for the purpose of restoring the Jewish cemeteries or any other establishment representing the respective owner of a Jewish cemetery.

4.2. The term "third party resources" is to be understood as those resources which are provided by the applicant in the form of monetary payments, contributions in kind and work performed, or which are to be attributed to the applicant such as third party loans, monetary payments, contributions in kind and work performed, inclusive of services rendered free of charge since 1 January 2010. Confirmation of future services rendered by third parties must be submitted in written form.

4.3. Work performed free of charge is such work as is or was performed within the scope of the restoration.

5. The written and binding undertaking of the respective municipality to bear the costs for the continued upkeep of the cemetery concerned for a minimum of 20 years (Upkeep Agreement) must be submitted.

5.1. Upkeep work is defined as work performed to maintain the functional, neat and well-tended condition of all installations situated on the grounds of the cemetery in keeping with halakhic laws. It does not include restoration work. When applied to tombs, graves and headstones, restoration work is under no circumstances to include work on the substance of the graves such as stonemasonry or the re-erection of headstones.

5.2. At minimum, the Upkeep Agreement is to contain the following:

5.2.1. The cemetery grounds must be mowed at regular intervals and the cuttings disposed of;

5.2.2. Trees, bushes and undergrowth must be pruned and cut back so that they do not pose a risk to anyone at any time;

5.2.3. Paths, boundaries (walls and fences) must be maintained and snow and leaves cleared from pavements and paths so that they do not pose a risk to anyone at any time;

5.2.4. The municipality's obligation to maintain the cemetery becomes effective upon completion of all restoration work on the respective cemetery.

Subsidizable and non-subsidizable expenditure

6. Subsidies are awarded for expenditure incurred for restoration work and for securing the historical data on the gravestones and tombs necessary for the restoration.

7. Expenditure which cannot be subsidized includes but is not limited to

7.1. Administrative duties of the owner of the Jewish cemetery

7.2. Work serving research purposes

7.3. Upkeep

Application

8. The application shall be filed by the owner of the respective Jewish cemetery in need of restoration using an application form to be provided by and submitted to the Fund. This application form shall contain:

8.1. Information on the applicant requesting funding

8.2. A project description: description of the cemetery or part thereof which is to be restored.

8.3. The work to be rendered in each case (e.g. boundary fencing or walls/vegetation/graves etc.).

8.4. Date and signature of the owner's authorized signatory.

9. The following must be enclosed with the application:

9.1. A renovation concept containing a coherent list of services and expenditure required as well as a financial budget and schedule for the requested project.

Accordingly, the renovation concept must contain:

9.1.1. A description of the project and the required construction or other measures;

9.1.2. If applicable: expert reports and opinions and file memos concerning arrangements with the Federal Office of the Protection of Monuments;

9.1.3. Photographic documentation of the status quo;

9.1.4. Site map and, if relevant, other maps and documentation or sketches which serve to elucidate the project;

9.1.5. Weighting and prioritization of the cost estimates (see item 9.2.);

9.1.6. Statement of cost for the whole project pursuant to ÖN B 1800-1.

9.1.7. Requirements in terms of monument protection are to be taken into account to the greatest extent possible: in order to determine renovation, restoration and preservation goals, trial work shall be carried out if appropriate. With regard to the restoration of gravestones, gravestone types are to be inventoried separately in terms of shape, material and condition. This must result in an evaluation (citing the most endangered objects and drawing up a list of priorities).

9.2. Cost estimates from three bidders.

9.3. The written and binding confirmation from the respective local municipality (Upkeep Agreement), undertaking to bear the expenses for the continued maintenance of the cemetery in question for a minimum of 20 years (see item 5.).

10. The Office of the Secretary General shall advise and assist the applicant for funding if required.

11. Amendments made to the renovation concept during any stage of the application process shall be communicated immediately by the applicant for funding to the Office of the Secretary General for further consideration.

12. Application filing period: the Board of Trustees shall decide bi-annually on applications which have been filed in full. Applications can be filed with the Fund at any time.

12.1. In order for an application to be decided in the spring meeting, it must be submitted no later than 15 January.

12.2. The filing period for the fall meeting expires on 15 May of each year.

Examination of the application by the Office of the Secretary General

13. The Office of the Secretary General shall examine the applications as to their completeness, and prepare them for consideration by the Advisory Board.

14. The statements made by the applicants for funding in their applications must be substantiated with the relevant documentation, and their plausibility shall be examined by the Office of the Secretary General.

15. The Office of the Secretary General is particularly entitled to obtain the expert opinion of an independent civil engineer in order to assess the plausibility of the submitted cost estimates. Moreover, the outcome of the examination of the cost estimates shall serve as the basis for establishing that an incontrovertible need for restoration is present.

16. The Office of the Secretary General can request the applicant for funding to supplement or amend the application or to provide more specific information.

17. The Office of the Secretary General shall acknowledge receipt of the proof submitted by the owner of the Jewish cemetery regarding the resources provided by the owner or by a contracted third party as defined by item 4.2.

18. Once the Office of the Secretary General has completed its examination of an application, it shall be submitted to the Advisory Board.

Recommendation for funding

19. The Advisory Board advises the Board of Trustees in its decisions on awarding funding.

To do this, it examines the submitted applications and makes recommendations as to the extent of the funding to be awarded in each case.

20. The Advisory Board is permitted to request that the applicants for funding improve their applications. Such requests shall be forwarded to the applicant by the Office of the Secretary General.

21. When reaching its decisions on the submitted projects, the Advisory Board shall take all submitted projects into account. In its recommendations, special attention shall be paid to ensure that the distribution of the available means

occurs in accordance with the urgency of the restoration required in the projects.

22. The recommendations resolved in the meetings of the Advisory Board shall be conveyed to the Board of Trustees as the basis for its decisions.

23. As a rule, the meetings of the Advisory Board shall take place bi-annually. They shall be scheduled in such a way that the Board of Trustees can decide on the projects in its subsequent meeting.

24. The right to decide on the submitted applications is reserved for the Board of Trustees.

Funding Agreement

25. Once the application has been approved by the Board of Trustees, the Fund shall prepare a Funding Agreement between the Fund and the applicant for funding. It shall be signed by the Secretary General on behalf of the Fund, and by the authorized signatory on behalf of the owner.

26. Subject of the Funding Agreement are the services approved for funding by the Board of Trustees on the basis of the submitted project concept; the rights and obligations of the parties to the Agreement; the methods of payment and settlement of account.

27. A template of a Funding Agreement is appended to the Guidelines and forms an integral part of these Guidelines.

Disbursement of funding

28. For projects spanning a period exceeding three months, payments from the Fund to the applicant for funding or contracted third parties (as defined by item 4.1.) shall be made – following the positive decision of the Board of Trustees on the project application and the conclusion of the Funding Agreement – in quarterly installments in accordance with the progress of the project. For projects spanning a shorter period, an appropriate advance payment shall be transferred.

Settlement of account

29. Upon completion of the restoration work, the Advisory Board shall arrange for the on-site approval of the respective project by staff of the Fund and, if necessary, any experts consulted, and report back to the Board of Trustees in their

next meeting (partial approval). If all restoration work on a cemetery has been completed, the Advisory Board shall arrange for the overall approval as above and shall also report back to the Board of Trustees in their next meeting.

30. The Office of the Secretary General shall provide the applicant for funding with confirmation in writing of the overall approval. This confirmation must be presented to the local municipality and serves to activate the entry into effect of the Upkeep Agreement.

31. Within three months of the completion (and approval) of the project subsidized by the Fund the applicant for funding must submit a statement of account from which it can be gathered that the funds have been used for their designated purpose. In addition, upon completion of all restoration work carried out on a cemetery, an overall settlement of account shall be submitted demonstrating the appropriate use of the funding.

Repayment

32. In the case that the obligations contained in the Funding Agreement are not met, the applicant for funding undertakes in the Funding Agreement to reimburse the funds received. The detailed terms can be gathered from the Funding Agreement template.

Miscellaneous provisions

33. Requests for means: a requirement for the assignment of means to the Fund is the credible demonstration by the Fund of an “incontrovertible need” for restoration and the conclusion of the Funding Agreement. After examination of the application by the Advisory Board and approval by the Board of Trustees, in the case of incontrovertible need the Office of the Secretary General shall request the Parliamentary Administration in line with the Funding Agreement to transfer the means owing for the following quarter.

34. In order to receive the payment to the Fund, the Office of the Secretary General is to submit a report to the Parliamentary Administration on the incontrovertible need determined by the Board of Trustees. An incontrovertible need is confirmed if (an) invoice(s) for restoration work is/are payable in the quarter following the Fund’s request.

35. The request for means is to be filed with the Parliamentary Administration one month prior to the beginning of the relevant quarter.

36. The Office of the Secretary General shall inform the

Advisory Board of the restoration progress being made in projects already approved by the Board of Trustees at intervals of no less than six months.

37. The Advisory Board shall closely follow the realization of the projects that have been approved.

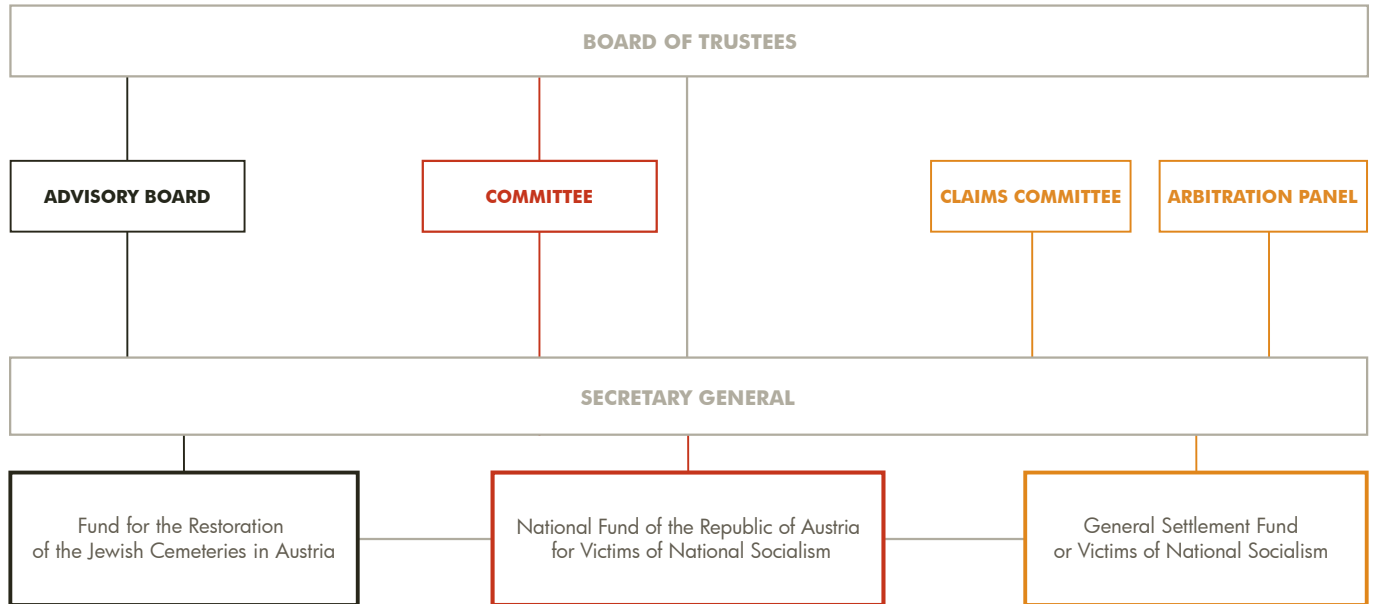
38. The Advisory Board shall report back to the Board of Trustees on the current status of the resources so far provided by the owner of the Jewish cemetery or of resources provided by third parties to be attributed to the owner (third party resources as defined by item 4.2.)

39. The Advisory Board decides on the value of the resources provided free of charge (as defined by item 4.2.) on the basis of e.g. the terms of collective contracts or customary hourly rates, and submits its recommendation in this regard to the Board of Trustees for approval.

40. The Board of Trustees shall approve the final statement of account for each individual project, and upon completion of all restoration work on a cemetery, shall approve the overall final statement of account.

41. The Office of the Secretary General shall annually submit the settlement of account for the Fund to the Board of Trustees for approval.

ORGANOGRAM



ORGANS

As at 31 December 2011

BOARD OF TRUSTEES OF THE NATIONAL FUND AND THE GENERAL SETTLEMENT FUND

Mag. Barbara Prammer (Chairperson)	President of the National Council
Fritz Neugebauer	Second President of the National Council
Mag. Dr. Martin Graf	Third President of the National Council
Werner Faymann	Federal Chancellor
Dr. Michael Spindelegger	Vice Chancellor and Federal Minister for European and International Affairs
Mag. Dr. Maria Fekter	Federal Minister of Finance
Rudolf Hundstorfer	Federal Minister for Labor, Social Affairs and Consumer Protection
Dr. Claudia Schmied	Federal Minister for Education, the Arts and Culture
Univ.-Prof. Mag. Dr. Karlheinz Töchterle	Federal Minister for Science and Research
Mag. Johann Maier	Delegate of the National Council, Parliamentary Club of the Social Democratic Party
Christine Marek	Delegate of the National Council, Parliamentary Club of the Austrian People's Party
Mag. Terezija Stoisits	Ombudsman
Dr. Peter Fichtenbauer	Delegate of the National Council, Parliamentary Club of the Freedom Party
Ursula Haubner	Delegate of the National Council, Parliamentary Club of the Alliance for the Future of Austria
Univ.-Prof DDr.h.c. Clemens Jabloner	President of the Administrative Court
MR Mag. Dr. Helmut Wohnout	Head of Department VII/1 at the Federal Chancellery (Media and Documentation)
Prof. Rudolf Sarközi	Chairman of the Cultural Association of Austrian Roma
Ing. Ernst Nedwed	Chairman of the Federation of Social Democratic Freedom Fighters, Victims of Fascism and Active anti-Fascists
Dr. Ariel Muzicant	President of the Jewish Community Vienna until February 2012
Dr. Ludwig Schwarz SDB	Diocesan bishop of Linz
Prof. Dr. Udo Jesionek	President of the Juvenile Court, retired
Univ.-Prof. Dr. Erika Weinzierl	Honorary Member, Institute for Contemporary History of the University of Vienna

Until May 2011:
 Dr. Ursula Plassnik
 Alfred Ströer (passed away on 20 August 2011)

Until May 2010:
 Dipl. Vw. Dr. Ludwig Steiner
 Dipl.-Ing. Josef Pröll
 Dr. Beatrix Karl

Until January 2010:
 Dr. Peter Sonnberger

Regularly called in experts:

Moshe Jahoda
 Willi Mernyi
 Dr. Gerhard Kastelic

Claims Conference, Committee for Jewish Claims on Austria
 Chairman of the Mauthausen Committee Austria
 Chairman of the Austrian People's Party Fellowship of Victims of Political Persecution

As at 31 December 2011

CONTROL COMMITTEE

Dr. Richard Bock	Auditor and tax advisor
Dr. Alfred Finz	State Secretary, retired

COMMITTEE OF THE NATIONAL FUND

Mag. Barbara Prammer (Chairperson)	President of the National Council
Fritz Neugebauer	Second President of the National Council
Dr. Hans Winkler	State Secretary, retired
Dr. Wolfgang Schallenberg	Ambassador, retired
Dr. Susanne Janistyn	Deputy Director of the Directorate of the Parliament

CLAIMS COMMITTEE OF THE GENERAL SETTLEMENT FUND

Sir Franklin Berman KCMG QC (Chairman)	British diplomat, expert on international law and judge in international arbitration proceedings
G. Jonathan Greenwald LL.B.	Vice President of the International Crisis Group
Dr. Kurt Hofmann	Vice President of the Supreme Court, retired

ARBITRATION PANEL FOR *IN REM* RESTITUTION

o.Univ.-Prof. Dr. Josef Aicher (Chairman)	University of Vienna, Institute for Corporate and Economic Law
Hon.-Prof. Dr.Dr.h.c. Erich Kussbach LL.M.	Ambassador, retired
Univ.-Prof. MMag. Dr. August Reinisch	University of Vienna, Institute for European Law, International Law and Comparative Law

ADVISORY BOARD OF THE FUND FOR THE RESTORATION OF THE JEWISH CEMETERIES IN AUSTRIA

Dr. Barbara Neubauer (Chairperson)	President of the Federal Office for the Protection of Monuments
Mag. Martin Grüneis (Deputy Chairperson)	Representative from the Heads of Provincial Government Conference (Office of the Lower Austrian Provincial Government)
Mag. Michael Haider	Federal Ministry for European and International Affairs
DDr. Barbara Glück	Federal Ministry of the Interior
Mag. Petra Stefenelli	Federal Chancellery
Mag. Monika Anderl	Federal Ministry of Finance
Dr. Ariel Muzicant	Jewish Community Vienna
Mag. Raimund Fastenbauer	Jewish Community Vienna
Dr. Thomas Weninger, MLS, (Secretary General)	Association of Austrian Cities
Dr. Robert Hink, (Secretary General)	Association of Austrian Municipalities
Mag. Christiane Kada	Representative from the Heads of Provincial Government Conference (Office of the Styrian Provincial Government)

Until September 2011:
 Envoy Dr. Thomas Michael Baier

After the first constituent meeting on 12 April 2011, Dr. Barbara Neubauer, President of the Federal Office for the Protection of Monuments, was voted Chairperson and Mag. Martin Grüneis, representative from the Heads of Provincial Government Conference, voted Deputy Chairperson of the Advisory Board.

REDESIGN OF THE AUSTRIAN EXHIBITION AT THE STATE MUSEUM AUSCHWITZ-BIRKENAU

Steering Committee

The Steering Committee is composed of representatives from the Federal ministries, the National Fund, the Future Fund and the Federal provinces.

Mag. Michael Haider	Federal Ministry for European and International Affairs
DDr. Barbara Glück	Federal Ministry of the Interior
MR Mag. Martina Maschke	Federal Ministry for Education, the Arts and Culture
DDr. Elisabeth Freismuth	Federal Ministry for Science and Research
Dr. Gerhard Hesse	Federal Chancellery
Mag. Hannah M. Lessing	National Fund of the Republic of Austria for Victims of National Socialism
Dr. Christoph Kainz	Future Fund of the Republic of Austria
Dr. Karl Albrecht-Weinberger	Representative of the Federal provinces

Until October 2011:

Dr. Isabelle Hassler
Envoy Dr. Thomas Michael Baier

Academic Advisory Board

The Academic Advisory Board is composed of experts from the fields of contemporary history, exhibition organization and education.

Dr. Wolfgang Neugebauer (Chairman)	Documentation Centre of Austrian Resistance, Institute for Contemporary History of the University of Vienna
Dr. Brigitte Halbmayr (Deputy Chairperson)	Institute for Conflict Research
Dr. Felicitas Heimann-Jelinek	Former Head Curator of the Jewish Museum Vienna
Univ.-Prof. Dr. Gerhard Jagschitz, retired	Institute for Contemporary History of the University of Vienna
Dr. Karin Liebhart	Institute for Political Science of the University of Vienna
Dr. Kurt Scholz	Future Fund of the Republic of Austria
Univ.-Doz. Mag. Dr. Horst Schreiber	Institute for Contemporary History at the University of Innsbruck
DDr. Barbara Glück	Federal Ministry of the Interior
Mag. Dr. Peter Plener	Federal Chancellery
Dr. Karl Albrecht-Weinberger	Cultural Department of the City of Vienna
Prof. Dr. Michael John	Camp Community Auschwitz in Remembrance, Institute for Social and Economic History of the Johannes Kepler University Linz

As at 31 December 2011

Societal Advisory Board

The Societal Advisory Board is composed of representatives from victims' organizations, religious communities, memorial service organizations, interest groups, Federal Ministries, and the parliamentary parties.

Mag. Dr. Herta Neiß (Chairperson)	Camp Community Auschwitz in Remembrance, Institute for Social and Economic History of the Johannes Kepler University Linz
Prof. Rudolf Sarközi (Deputy Chairperson)	Cultural Association of Austrian Roma
Norbert Lopper (Honorary Chairperson)	Camp Community Auschwitz in Remembrance
Albert Dlabaja	Federal Alliance of Austrian Anti-Fascists, Resistance Fighters and Victims of Fascism
Dr. Ariel Muzicant	Jewish Community
Dr. Ludwig Schwarz SDB	Catholic Church, Diocese of Linz
Prof. Dr. Udo Jesionek	Evangelical Church
Heide Gsell	Jehovah's Witnesses
Ing. Ernst Nedwed	Alliance of Social Democratic Freedom Fighters, Victims of Fascism and active Anti-Fascists
Dr. Gerhard Kastelic	Austrian People's Party Fellowship of Victims of Political Persecution
Mag. Hannah M. Lessing	National Fund of the Republic of Austria
Mag. Markus Feurstein	Claims Conference and Future Fund of the Republic of Austria
Prof. Hannes Schwantner	Association Never Forget
Mag. Florian Wenninger	Memorial Service Association
Dr. Gudrun Hauer	Homosexual Initiative (HOSI) Vienna
Mag. Dr. Tatjana Cardona	Federal Chancellery
Dr. Kurt Wegscheidler	Federal Ministry for Labor, Social Affairs and Consumer Protection
Mag. Michael Haider	Federal Ministry for European and International Affairs
MR Mag. Monika Anderl	Federal Ministry of Finance
Mag. Barbara Schrotter	Federal Ministry of the Interior
Mag. Manfred Wirtitsch	Federal Ministry for Education, the Arts and Culture
Dr. Thomas Köhler	Federal Ministry for Science and Research
Mag. Johann Maier	Parliamentary Club of the Social Democratic Party
Christine Marek	Parliamentary Club of the Austrian People's Party
Dr. Harald Walser	Parliamentary Club of the Green Party
Dr. Peter Fichtenbauer	Parliamentary Club of the Freedom Party
Ursula Haubner	Parliamentary Club of the Alliance for the Future of Austria

Until March 2012:
Mag. Alois Schneebauer

Until February 2012:
Dr. Harald Dossi

Until October 2011:
Envoy Dr. Thomas Michael Baier

Until September 2011:
Dr. Ursula Plassnik

Until November 2010:
Mag. Terezija Stoisits

Until July 2010:
Dr. Peter Sonnenberger

Until March 2010:
Mag. Sabine Klinglmair

PROJECTS SPONSORED BY THE NATIONAL FUND IN 2010/2011

Applicant	Antragsteller
Documentation Centre of Austrian Resistance Foundation	Stiftung Dokumentationsarchiv des österreichischen Widerstandes
Chamber Music Festival Schloss Laudon	Verein Kammermusikfestival Schloss Laudon
Industrial Culture and the History of Daily Life Association - Friends of the Suburbs	Verein Industriekultur und Alltagsgeschichte – Freunde der Vorstadt
Industrial Culture and the History of Daily Life Association - Friends of the Suburbs	Verein Industriekultur und Alltagsgeschichte – Freunde der Vorstadt
Office trafo.K	Büro trafo.K
University of Vienna - Institute for Pre- and Protohistory in cooperation with the Institute of Contemporary History	Universität Wien, Institut für Ur- und Frühgeschichte in Kooperation mit dem Institut für Zeitgeschichte
Memorial Site Seminar Austria Working Group	Arbeitsgruppe Gedenkstättenseminar Österreich
Institute for Science and Art	Institut für Wissenschaft und Kunst
Concentration Camp Association / Upper Austrian Association of anti-Fascists	KZVerband / Verband der AntifaschistInnen Oberösterreich
Concentration Camp Association / Upper Austrian Association of anti-Fascists	KZVerband / Verband der AntifaschistInnen Oberösterreich
Institute for Historical Intervention	Institut für historische Intervention
erinnern.at – National Socialism and Holocaust: Memory and the Present	erinnern.at – Nationalsozialismus und Holocaust: Gedächtnis und Gegenwart
Roma Service Association	Verein Roma Service
Documentation Centre of Austrian Resistance Foundation	Stiftung Dokumentationsarchiv des österreichischen Widerstandes
exil. Center for intercultural art and work against racism	exil. zentrum für interkulturelle kunst und antirassismuarbeit
Institute for Austrian Jewish History	Institut für jüdische Geschichte Österreichs
Slovenian Scientific Institute Klagenfurt	Slowenisches Wissenschaftliches Institut Klagenfurt
Austrian Camp Community Ravensbrück and Friends	Österreichische Lagergemeinschaft Ravensbrück und FreundInnen
Concentration Camp Association Buchenwald, Association of Former Political Prisoners of the Concentration Camp Buchenwald	KZVereinigung Buchenwald – Verband ehemaliger politischer Häftlinge des KZ Buchenwald
Working Community of Concentration Camp Associations and Resistance Fighters Austria	Arbeitsgemeinschaft der KZVerbände und Widerstandskämpfer Österreichs
The Central Committee of Jews from Austria in Israel	The Central Committee of Jews from Austria in Israel
The Central Committee of Jews from Austria in Israel	The Central Committee of Jews from Austria in Israel
The Central Committee of Jews from Austria in Israel	The Central Committee of Jews from Austria in Israel
The Central Committee of Jews from Austria in Israel	The Central Committee of Jews from Austria in Israel
The Central Committee of Jews from Austria in Israel	The Central Committee of Jews from Austria in Israel
The Central Committee of Jews from Austria in Israel	The Central Committee of Jews from Austria in Israel

DURCH DEN NATIONALFONDS GEFÖRDERTE PROJEKTE 2010/2011

Project title	Projektbezeichnung
Extension of the "Room of remembrance for the victims of the Austrian fight for freedom" to a "Room of reflection"	Erweiterung des „Gedenkraums für die Opfer des österreichischen Freiheitskampfes“ zu einem „Denk-Raum“
Chamber Music Festival Schloss Laudon 2010 and 2011	Kammermusikfestival Schloss Laudon 2010 und 2011
Carinthian presentation of the traveling exhibition "What was legal then... Soldiers and civilians before the courts of the German Armed Forces"	Kärnten-Präsentation der Wanderausstellung „Was damals Recht war... – Soldaten und Zivilisten vor Gerichten der Wehrmacht“
Victims of National Socialism in Rosegg/Rožek, Carinthia (victims' biographies, bilingual brochures, putting together an exhibition)	Opfer der Naziherrschaft in Rosegg/Rožek, Kärnten (Opferbiografien, zweisprachige Broschüre, Zusammenstellung einer Ausstellung)
What's it got to do with me? Transnational images of history on the National Socialist past (educational history project for school students in Vienna, Brigittenau)	Und was hat das mit mir zu tun? Transnationale Geschichtsbilder zur NS-Vergangenheit (Geschichtsvermittlungsprojekt für SchülerInnen in Wien-Brigittenau)
Archeological Traces of Terror, Daily Survival and Death in the Former Concentration Camp Mauthausen	Archäologische Spuren von Terror, täglichem Überleben und Tod im ehemaligen Konzentrationslager Mauthausen
Planning, organization and realization of the first memorial site seminar in Austria	Planung, Organisation und Durchführung des 1. Gedenkstätten-Seminars Österreich
A second look at victims of National Socialism, taking Lilli Weber-Wehle and her family as an example (research project by Susanne Blumesberger)	Opfer des Nationalsozialismus auf den zweiten Blick. Am Beispiel der Biografie von Lilli Weber-Wehle und ihrer Familie (Forschungsprojekt von Susanne Blumesberger)
History of the Upper Austrian Association of Former Political Persecutees and its successors	Geschichte des Landesverbandes Oberösterreich ehemaliger politisch Verfolgter und seiner Nachfolgeverbände
Florian Schwanninger, Max Petek. Biography of a Resistance Fighter, Linz 2010	Florian Schwanninger, Max Petek. Biographie eines Widerstandskämpfers, Linz 2010
Hermann Leopoldi. A Viennese folk singer with Jewish origins (sorting out the estate, publication of Leopoldi's songs and of a biography)	Hermann Leopoldi. Ein Wiener Volksänger jüdischer Herkunft (Aufarbeitung des Nachlasses, Publikation der Lieder Leopoldis und einer Biographie)
9 th central seminar by erinnern.at in Salzburg, 11–13 November 2010	9. Zentrales Seminar von erinnern.at in Salzburg, 11.–13.11.2010
Interview project II: "Amari Historija" – "Our history"	Interviewprojekt II: „Amari Historija“ – „Unsere Geschichte“
Expulsion – Exile – Emigration. Austrians expelled by the Nazis reflected in the collection of the law firm Dr. Hugo Ebner (research project)	Vertreibung – Exil – Emigration. Die österreichischen NS-Vertriebenen im Spiegel der Sammlung der Rechtsanwaltskanzlei Dr. Hugo Ebner (Forschungsprojekt)
"I'm scared that Auschwitz could only be sleeping". Anti-racism workshops for school classes with Ceija Stojka	„Ich habe Angst, Auschwitz könnte nur schlafen“ Antirassismusworkshops für Schulklassen mit Ceija Stojka
"There were such nice people there..." Website as a memorial site for the destroyed Jewish community of St. Pölten in conjunction with the "Synagogue St. Pölten educational site"	„Es gab so nette Leute dort..." Website als Gedenkort für die vernichtete jüdische Gemeinde St. Pölten im Rahmen des „Lernorts Synagoge St. Pölten“
Brigitte Entner, Who was Klara from Šentlipš/St. Philippen? Carinthian Slovenes as victims of National Socialist persecution. A book of remembrance, Klagenfurt/Celovec 2012.	Brigitte Entner, Wer war Klara aus Šentlipš/St. Philippen? Kärntner Slowenen und Sloweninnen als Opfer der NS-Verfolgung. Ein Gedenkbuch, Klagenfurt/Celovec 2012.
Group excursion to the liberation ceremony of the former concentration camp Ravensbrück; participation in the symposium of the International Ravensbrück Committee (2010 and 2011)	Gruppenfahrt zur Befreiungsfeier des ehemaligen KZ Ravensbrück; Teilnahme an der Tagung des Internationalen Ravensbrück-Komitees (2010 und 2011)
Memorial events at the concentration camp Buchenwald, at the memorial site Buchenwald/Dora and at several satellite camps marking the 65 th anniversary of the liberation of the concentration camp Buchenwald (9-14 April 2010)	Gedenkfeierlichkeiten im KZ Buchenwald, in der Gedenkstätte Buchenwald/Dora und einigen Nebenlagern anlässlich des 65. Jahrestages der Befreiung des KZ Buchenwald (9.–14.4. 2010)
Journey of remembrance to the memorial in Stein an der Donau; commemoration ceremony in the former Mauthausen concentration camp	Gedenkfahrt zur Gedenkstätte in Stein an der Donau; Gedenkkundgebung im ehemaligen KZ Mauthausen
Club in Tel Aviv for senior citizens from Austria in Israel	Klublokal in Tel Aviv für SeniorInnen aus Österreich in Israel
Austrian club in Jerusalem (activities in 2010 and 2011)	Österreichischer Klub in Jerusalem (Aktivitäten 2010 und 2011)
Austrian club in Tel Aviv (meals on wheels, meals at the club in Tel Aviv for senior citizens from Austria in Israel; 2010 and 2011)	Österreichischer Klub in Tel Aviv (Essen auf Rädern, Essen im Klublokal in Tel Aviv für SeniorInnen aus Österreich in Israel; 2010 und 2011)
Social assistance for Austrian Holocaust victims in Israel in the care of an experienced social worker/gym teacher 2010 and 2011	Soziale Hilfeleistungen für österreichische Holocaustopfer in Israel unter Betreuung einer erfahrenen Sozialarbeiterin/Turnlehrerin 2010 und 2011
Cultural activities in Haifa 2010 and 2011	Kulturelle Aktivitäten in Haifa 2010 und 2011
"Sznuselen (Snoezelen)" therapy – therapist for 2010 and 2011	„Sznuselen (Snoezelen)“ - Therapie – Therapeutin 2010 und 2011

Applicant	Antragsteller
Documentation Centre of Austrian Resistance Foundation	Stiftung Dokumentationsarchiv des österreichischen Widerstandes
Böhlau Publishers	Böhlau Verlag
Milena Publishers	Milena Verlag
Studien Publishers	Studienverlag
Studien Publishers	Studienverlag
Mandelbaum Publishers	Mandelbaum Verlag
Christian Brandstätter Publishers	Christian Brandstätter Verlag
Hilgarth-Buch Publishers	Hilgarth-Buch Kleinverlag
Turia und Kant Publishers	Verlag Turia und Kant
Springer Publishers	Springer Verlag
NonPlus Film	NonPlus Film
Salzburg Script Workshop	Drehbuchwerkstatt Salzburg
Fisher Features	Fisher Features
Remembrance for the Future Association	Verein Erinnern für die Zukunft
Milli Segal Agency	Agentur Milli Segal
Association for the Preservation and Cultural Use of the Synagogue Koberisdorf	Verein zur Erhaltung und kulturellen Nutzung der Synagoge Koberisdorf
Društvo Peršman (Peršman Association)	Društvo Peršman (Verein Peršman)
Opem Space Association	Verein Opem Space
Study Group for Historical Communication Research	Arbeitskreis für historische Kommunikationsforschung
coobra Association – cooperativa braccianti	Verein coobra – cooperativa braccianti
Association for the Promotion of Culture, Animation and Education in Burgenland	Verein zur Förderung von Kultur, Animation und Bildung im Burgenland
Castle Hartheim Association	Verein Schloss Hartheim
Anne Frank Association	Verein Anne Frank
Yad Vashem – The Holocaust Martyrs' and Heroes' Remembrance Authority	Yad Vashem – The Holocaust Martyrs' and Heroes' Remembrance Authority
Yad Vashem – The Holocaust Martyrs' and Heroes' Remembrance Authority	Yad Vashem – The Holocaust Martyrs' and Heroes' Remembrance Authority
Centropa - Center for Research and Documentation of Jewish Life in Eastern and Central Europe	Centropa – Zentrum zur Erforschung und Dokumentation jüdischen Lebens in Ost- und Mitteleuropa

Project title	Projektbezeichnung
Florian Freund, The Dead of Ebensee. Analysis and documentation of the prisoners who died in Ebensee 1943 – 1945, Vienna 2010	Florian Freund, Die Toten von Ebensee. Analyse und Dokumentation der im Konzentrationslager Ebensee umgekommenen Häftlinge 1943–1945, Wien 2010
Dirk Rupnow, Heidemarie Uhl (eds.), Exhibiting contemporary history in Austria. Museums – Memorials – Exhibitions, Vienna 2011	Dirk Rupnow, Heidemarie Uhl (Hg.), Zeitgeschichte ausstellen in Österreich. Museen – Gedenkstätten – Ausstellungen, Wien 2011
Elisabeth Markstein, Moscow is much more beautiful than Paris. Living between two worlds, Vienna 2010	Elisabeth Markstein, Moskau ist viel schöner als Paris. Leben zwischen zwei Welten, Wien 2010
Stefan Karner, Philipp Lesiak, Heinrich Strods (eds.), Austrian Jews in Latvia. Flight – Asylum – Internment, Innsbruck 2010 (including a Latvian edition)	Stefan Karner, Philipp Lesiak, Heinrich Strods (Hg.), Österreichische Juden in Lettland. Flucht – Asyl – Internierung, Innsbruck 2010 (inkl. Ausgabe in lettischer Sprache)"
Gerhard Oberkofler, Thomas Schönfeld. An Austrian natural scientist and freedom fighter. Biographical contours with selected socio-political texts, Innsbruck 2010	Gerhard Oberkofler, Thomas Schönfeld. Österreichischer Naturwissenschaftler und Friedenskämpfer. Biographische Konturen mit ausgewählten gesellschaftspolitischen Texten, Innsbruck 2010
Alexander Litsauer, Barbara Litsauer (eds.), Lost neighborhood. Jewish emigration from the Danube to the Rio de la Plata, Vienna 2010	Alexander Litsauer, Barbara Litsauer (Hg.), Verlorene Nachbarschaft. Jüdische Emigration von der Donau an den Rio de la Plata, Wien 2010
Andrea Amort, Hanna Berger. Following the traces of a dancer in the resistance, Vienna 2010	Andrea Amort, Hanna Berger. Auf den Spuren einer Tänzerin im Widerstand, Wien 2010
Walter Hilgarth, Bound / Tortured / Beheaded, Eferding 2007	Walter Hilgarth, Gefesselt / Gefoltert / Enthauptet, Eferding 2007
Christiane Rothländer, Karl Motesiczky. A biographical reconstruction, Vienna 2009	Christiane Rothländer, Karl Motesiczky. Eine biografische Rekonstruktion, Wien 2009
Amos Schueller, Angelica Bäumer (eds.), Shoshana. Life and work, Vienna/New York 2010	Amos Schueller, Angelica Bäumer (Hg.), Shoshana. Leben und Werk, Wien/New York 2010
"526" (Documentary about the Austrian emigration to Colombia, by Stefan Lukacs and Georg Eggenfellner, Austria 2011)	„526“ (Dokumentarfilm über die Emigration von ÖsterreicherInnen nach Kolumbien, von Stefan Lukacs und Georg Eggenfellner, Österreich 2011)
"Deserter!" (Documentary by Gabriele Neudecker, Austria 2012)	„Deserteur!“ (Dokumentarfilm von Gabriele Neudecker, Österreich 2012)
"Six Million and One" (documentary by David Fisher, Israel 2011)	„Six Million and One“ (Dokumentarfilm von David Fisher, Israel 2011)
"Wild Mint" (Documentary by Jenny Gand and Lisa Rettl, Austria 2009; English subtitles)	„Wilde Minze“ (Dokumentarfilm von Jenny Gand und Lisa Rettl, Österreich 2009; englische Untertitel)
"Janusz Korczak - giving the children a voice" (traveling exhibition)	„Janusz Korczak – den Kindern eine Stimme geben“ (Wanderausstellung)
Series of events "Culture in the Temple" on the subject "stories from the ghetto" to mark the 150 th anniversary of the Kobersdorf Synagogue	Veranstaltungsreihe „Kultur im Tempel“ zum Thema „Ghettogeschieden“ anlässlich des 150-Jahre-Jubiläums der Synagoge Kobersdorf
Redesign of the Museum in Peršmanhof	Neugestaltung des Museums am Peršmanhof
"The Diary of Anne Frank" (chamber opera by Grigori Fried)	„Das Tagebuch der Anne Frank“ (Kammeroper von Grigori Frid)
Memory loss? History Didactics and History Conveyance on the Cusp of the Loss of the Communicative Memory (Cooperative conference of the Association Study Group for Historical Communication and Research and the Association Memorial Service)	Gedächtnisverlust? Geschichtsdidaktik und Geschichtsvermittlung an der Schwelle des Verlustes des kommunikativen Gedächtnisses (Kooperationstagung des Vereins Arbeitskreis für historische Kommunikationsforschung und des Vereins Gedenkdienst)
Room of remembrance and dialogue Herklotzgasse 21	Erinnerungs- und Dialograum Herklotzgasse 21
National Socialist euthanasia in Burgenland (exhibition)	NS-Euthanasie im Burgenland (Ausstellung)
Further development of the educational and memorial site Castle Hartheim as a permanent institution; research into the history of National Socialist euthanasia in Austria	Weiterentwicklung des Lern- und Gedenkortes Schloss Hartheim als Dauereinrichtung; Erforschung der Geschichte der NS-Euthanasie in Österreich
TransBorders Czech Republic-Austria (exhibition, film and discussion project for young people)	TransBorders Tschechien-Österreich (Ausstellungs-, Film- und Diskussionsprojekt für Jugendliche)
Acquisition of Austrian Holocaust documentation (2010 and 2011)	Acquisition of Austrian Holocaust Documentation (2010 und 2011)
Filming and cataloging documentation of the confiscation of Jewish property in Austria (2010 and 2011)	Filming and Cataloging Documentation of the Confiscation of Jewish Property in Austria (2010 und 2011)
Summer Academy 2010 and 2011	Sommerakademie 2010 und 2011

Applicant	Antragsteller
Centropa - Center for Research and Documentation of Jewish Life in Eastern and Central Europe	Centropa – Zentrum zur Erforschung und Dokumentation jüdischen Lebens in Ost- und Mitteleuropa
Sigmarswerd – Scientific Circle for the Promotion of History and Culture	Sigmarswerd – Wissenschaftskreis zur Förderung von Geschichte und Kultur
AMCHA – National Israeli Center for Psychosocial Support of Survivors of the Holocaust and the Second Generation	AMCHA – National Israeli Center for Psychosocial Support of Survivors of the Holocaust and the Second Generation
Selfhelp Community Services	Selfhelp Community Services
ESRA - Center for Psycho-social, Socio-therapeutic and Socio-cultural Integration	ESRA – Zentrum für psychosoziale, sozialtherapeutische und soziokulturelle Integration
ESRA - Center for Psycho-social, Socio-therapeutic and Socio-cultural Integration	ESRA – Zentrum für psychosoziale, sozialtherapeutische und soziokulturelle Integration
Theodor Kramer Society	Theodor Kramer Gesellschaft
Theodor Kramer Society	Theodor Kramer Gesellschaft
Czernin Publishers	Czernin Verlag
Czernin Publishers	Czernin Verlag
Frida – Association for the Promotion and Networking of Women's Information and Documentation Institutions in Austria	Frida – Verein zur Förderung und Vernetzung frauenspezifischer Informations- und Dokumentationseinrichtungen in Österreich
s/w-Tsiganka – Association for the Promotion and Preservation of Roma and Jenische Art and Culture	s/w-Tsiganka – Verein zur Förderung und Erhaltung von Kunst und Kultur der Roma und Jenischen
Mandelbaum Publishers	Mandelbaum Verlag
Mandelbaum Publishers	Mandelbaum Verlag
Residenz Publishers	Residenzverlag
Residenz Publishers	Residenzverlag
construction site Castle Lind / the ALTERNATIVE 'heimat' museum	baustelle schloss lind / das ANDERE heimatmuseum
University of Vienna, Institute for Contemporary History, Center for Visual Contemporary and Cultural History	Universität Wien, Institut für Zeitgeschichte, Schwerpunkt Visuelle Zeit- und Kulturgeschichte
Extra Film	Extrafilm
Gellner Film	Gellnerfilm
Mauthausen Committee Steyr	Mauthausen Komitee Steyr
Jewish Community Vienna	Israelitische Kultusgemeinde Wien
Miriam's Tambourine – Association for the Promotion of Multicultural Music	Miriams Tamburin – Verein zur Förderung multikultureller Musik
Association Persons' Committee: Justice for Victims of National Socialist Military Justice"	Verein „Personenkomitee Gerechtigkeit für Opfer der NS-Militärjustiz“
exil.arte - Austrian Coordination Office for Exile Music	exil.arte – Österreichische Koordinationsstelle für Exilmusik
Ketani Association for Roma and Sinti	Verein Ketani für Sinti und Roma
fran:cultures - Platform for Francophone Cultures	fran:cultures – Plattform frankophoner Kulturen

Project title	Projektbezeichnung
Centropa senior citizens' club 2010 and 2011	Centropa-Seniorenclub 2010 und 2011
Memorial for Maria Grausenburger – "Righteous among the Nations"	Denkmal für Maria Grausenburger – eine „Gerechte unter den Völkern“
Psychotherapeutic and psychosocial service for Holocaust survivors 2010 and 2011	Psychotherapeutisches und psychosoziales Service für Holocaust-Überlebende 2010 und 2011
Program supporting Austrian Holocaust survivors in New York	Programm zur Unterstützung österreichischer Holocaust-Überlebender in New York
Caring for survivors of National Socialist persecution who have not yet been reached	Betreuung von bisher nicht erreichten Überlebenden der NS-Verfolgung
Accompanying survivors of National Socialist persecution in the last stages of their lives	Begleitung von Überlebenden der NS-Verfolgung in der letzten Lebensphase
Hans Reichenfeld, <i>On the Fringe. A sort of autobiography</i> , Vienna 2010	Hans Reichenfeld, <i>Bewegtes Exil. Erinnerungen an eine ungewisse Zukunft</i> , Wien 2010
Gerda Hoffer, Judith Hübner: <i>Two paths, one objective. Two women's destinies between Vienna and Jerusalem</i> , Vienna 2011 (ed. by Evelyn Adunka and Konstantin Kaiser)	Gerda Hoffer, Judith Hübner: <i>Zwei Wege ein Ziel. Zwei Frauenschicksale zwischen Wien und Jerusalem</i> , Wien 2011 (hg. von Evelyn Adunka und Konstantin Kaiser)
Susanne Rolinek, Gerald Lehner, Christian Strasser (eds.), <i>In the shadow of Hitler's homeland. Travel guide through the brown topography of Upper Austria</i> , Vienna 2010	Susanne Rolinek, Gerald Lehner, Christian Strasser (Hg.), <i>Im Schatten von Hitlers Heimat. Reiseführer durch die braune Topografie von Oberösterreich</i> , Wien 2010
Eva Kollisch, <i>The Ground Under my Feet</i> , Vienna 2010	Eva Kollisch, <i>Der Boden unter meinen Füßen</i> , Wien 2010
Amalia Rosenblüth (1892–1979) – Philosopher and Librarian. <i>A woman's life between awakening and resignation</i> (research project by Susanne Blumesberger)	Amalia Rosenblüth (1892–1979) – Philosophin und Bibliothekarin. <i>Ein Frauenleben zwischen Aufbruch und Resignation</i> (Forschungsprojekt von Susanne Blumesberger)
I Karnali Sirma Naschik Chal O Manusch - <i>People can't eat barbed wire</i> (book with DVD)	I Karnali Sirma Naschik Chal O Manusch – <i>Den Stacheldraht kann der Mensch nicht essen</i> (Buch mit DVD)
Werner Sulzgruber, <i>Jewish Wiener Neustadt. History and testimonials of Jewish life from the 13th to 20th century</i> , Vienna 2010	Werner Sulzgruber, <i>Das jüdische Wiener Neustadt. Geschichte und Zeugnisse jüdischen Lebens vom 13. bis ins 20. Jahrhundert</i> , Wien 2010
Bob Martens, Herbert Peter, <i>The destroyed synagogues of Vienna. Virtual strolls through the city</i> , Vienna 2009	Bob Martens, Herbert Peter, <i>Die zerstörten Synagogen Wiens. Virtuelle Stadtpaziergänge</i> , Wien 2009
Deborah Holmes, <i>Boredom is Poison. The life of Eugenie Schwarzwald</i> , St. Pölten 2012	Deborah Holmes, <i>Langeweile ist Gift. Das Leben der Eugenie Schwarzwald</i> , St. Pölten 2012
Manès Sperber, <i>What is culture?</i> , St. Pölten 2010	Manès Sperber, <i>Was ist Kultur?</i> , St. Pölten 2010
Museum catalogue, attempt at creating an inventory	Museumskatalog, Inventarisierungsversuch
Frank Stern (ed.), <i>Feuchtwanger and exile. Faith and culture 1933–1945. "The Day Will Come"</i> , Bern 2011	Frank Stern (Hg.), <i>Feuchtwanger und Exil. Glaube und Kultur 1933–1945. „Der Tag wird kommen“</i> , Bern 2011
„Wien–Baltimore“ / „See you soon again“ (documentary by Lukas Stepanik and Bernadette Wegenstein, Austria 2010)	„Wien–Baltimore“ / „See You Soon Again“ (Dokumentarfilm von Lukas Stepanik und Bernadette Wegenstein, Österreich 2010)
„We fought back. Young Jewish women in the Résistance“ (documentary, in production)	„Wir haben uns gewehrt. Junge jüdische Frauen in der Résistance“ (Dokumentarfilm, in Produktion)
„Lamberg tunnels - tunnels of remembrance“, Steyr (sub-project "exhibition development")	„Lambergstollen – Stollen der Erinnerung“ Steyr (Teilprojekt „Ausstellungsgestaltung“)
Cantoral memorial concert 2010 and 2011	Kantoren-Gedenkkonzert 2010 und 2011
Concert on 10 November 2010 in the synagogue of Rabbi Schneier in New York to mark the anniversary of the "November Pogrom"	Konzert am 10.11.2010 in der Synagoge von Rabbi Schneier in New York anlässlich des Jahrestags des „Novemberpogroms“
Extension of the traveling exhibition "What was legal then... Soldiers and civilians before the courts of the German Armed Forces" for its presentation in the federal provinces and accompanying publication: Thomas Geldmacher, Magnus Koch, Hannes Metzler, Peter Pirker, Lisa Retzl (eds.), "We won't go along with it any more!" Austrian soldiers and civilians before the courts of the German Armed Forces, Vienna 2010	Erweiterung der Wanderausstellung „Was damals Recht war...“ Soldaten und Zivilisten vor Gerichten der Wehrmacht“ für die Präsentation in den Bundesländern sowie Begleitpublikation: Thomas Geldmacher, Magnus Koch, Hannes Metzler, Peter Pirker, Lisa Retzl (Hg.), „Da machen wir nicht mehr mit!“ Österreichische Soldaten und Zivilisten vor Gerichten der Wehrmacht, Wien 2010
Austrian composers in American exile	Österreichische KomponistInnen im amerikanischen Exil
Sinti and Roma in the 20 th century (exhibition in the Castle Museum Linz)	Sinti und Roma im 20. Jahrhundert (Ausstellung im Linzer Schlossmuseum)
You girls of Mauthausen (concerts in homage to Iakovos Kambanellis and reading on the "Fantasy Novel" by Erwin Blumenfeld)	Ihr Mädchen von Mauthausen (Konzerte als Hommage an Iakovos Kambanellis und Lesung zum „Einbildungsroman“ von Erwin Blumenfeld)

Applicant	Antragsteller
Milli Segal Agency	Agentur Milli Segal
Cultural Society Active Margareten	Kulturverein Margareten Aktiv
Austrian Embassy in Ljubljana	Österreichische Botschaft Ljubljana
Working Community of Concentration Camp Associations and Resistance Fighters Austria	Arbeitsgemeinschaft der KZVerbände und Widerstandskämpfer Österreichs
Cultural Society Orient Occident Express	Kulturverein Orient Okzident Express
Association for Research into Policies on Dealing with the Past	Verein zur Erforschung von Vergangenheitspolitiken
Werner Müller Film Production	Filmproduktion Werner Müller
Vienna Free Radio – Association Promoting and Supporting Free, Local, Non-Commercial Radio Projects	Freies Radio Wien – Verein zur Förderung und Unterstützung von Freien Lokalen Nichtkommerziellen Radioprojekten
Böhlau Publishers	Böhlau Verlag
Austrian Society for Exile Research	Österreichische Gesellschaft für Exilforschung
Studien Publishers	Studienverlag
Studien Publishers	Studienverlag
Milena Publishers	Milena Verlag
Institute for Posttayloristic Studies	Institut für Posttayloristische Studien
LIT Publishers	LIT Verlag
Czernin Publishers	Czernin Verlag
KITAB Publishers	KITAB Verlag
Milena Publishers	Milena Verlag
Stones of Remembrance Association	Verein Steine der Erinnerung
Austrian Academy of Sciences, Institute for Cultural Sciences and History of Theater	Österreichische Akademie der Wissenschaften, Institut für Kulturwissenschaften und Theatergeschichte
Vienna Adult Education Centers	Wiener Volkshochschulen
Working Community consisting of the Federation of Austrian Industries, the Austrian Trade Union Federation and the Austrian Youth Red Cross	Arbeitsgemeinschaft bestehend aus der Vereinigung der Österreichischen Industrie, dem Österreichischen Gewerkschaftsbund und dem Österreichischen Jugendrotkreuz
Federal High School Bad Ischl	Bundesgymnasium/Bundesrealgymnasium Bad Ischl
Memorial Service Association – Association for Historical Political Education and International Dialogue	Verein Gedenkdienst – Verein für historisch-politische Bildungsarbeit und internationalen Dialog

Project title	Projektbezeichnung
"BESA: a question of honor. How Albanian Muslims saved Jewish lives" (exhibition)	BESA: eine Sache der Ehre. Wie muslimische Albaner Juden retteten (Ausstellung)
Memorial "Emperor Franz Joseph 50 th Jubilee Temple" in Vienna Margareten	Denkmal „Kaiser Franz Joseph-Regierungsjubiläums-Tempel“ in Wien-Margareten
Grave of the mother of university professor Dr. Hans Kelsen, Mrs. Auguste Kelsen, in Bled (Slovenia)	Grabstätte der Mutter von Univ.-Prof. Dr. Hans Kelsen, Frau Auguste Kelsen, in Bled (Slowenien)
Journey of remembrance to the concentration camp memorials Dachau and Flossenbürg 65 years after their liberation from National Socialism	Gedenkfahrt zu den KZ-Gedenkstätten Dachau und Flossenbürg 65 Jahre nach der Befreiung vom NS-Gewaltregime
Old homeland – Cut – New homeland (Documentary on exiled Jews from Innsbruck, in production)	Alte Heimat – Schnitt – Neue Heimat (Dokumentarfilm über vertriebene Innsbrucker Jüdinnen und Juden, in Produktion)
"...in that case I'm a murderer." The massacre of Hungarian Jews in Deutsch Schützen in March 1945 (TV documentary by Walter Manoschek)	„...dann bin ich ja ein Mörder!“ Das Massaker an ungarischen Juden in Deutsch Schützen im März 1945 (TV-Dokumentation von Walter Manoschek)
Everywhere alone. The painter Shoshana (TV documentary by Elisabeth Korinek-Schönthal and Werner Müller, in production)	Überall alleine. Die Malerin Shoshana (TV-Dokumentation von Elisabeth Korinek-Schönthal und Werner Müller, in Produktion)
Fathomizing memory – an interactive and multimedia project in remembrance of the victims of the National Socialist regime	Fathomizing Memory – Ein interaktives und multimediales Projekt zur Erinnerung an die Opfer des Nazi-Regimes
Paul Schieder, French slave laborers working for the Reich on the territory of the Republic of Austria. Background and circumstances, Vienna 2012	Paul Schieder, Französische Zwangsarbeiter im „Reichseinsatz“ auf dem Gebiet der Republik Österreich. Hintergründe und Lebenswelten, Wien 2012
Rudolf Kauders, The Blue Danube Waltz on Irrawaddy River. Exile in England, Fighting in Burma, Return to Vienna, Vienna 2011	Rudolf Kauders, Donauwalzer am Irawadi. Exil in England, Kampf in Burma, Rückkehr nach Wien, Wien 2011
Sabine Aschauer-Smolik, Mario Steidl (eds.), Tamid Kadima – Ever Onwards. The Jewish exodus from Europe 1945–1948, Innsbruck 2010	Sabine Aschauer-Smolik, Mario Steidl (Hg.), Tamid Kadima – Immer vorwärts. Der jüdische Exodus aus Europa von 1945–1948, Innsbruck 2010
Elisabeth Fraller, George Langnas (eds.), Mignon. Diaries and letters of a Jewish nurse in Vienna 1938-1949, Innsbruck 2010	Elisabeth Fraller, George Langnas (Hg.), Mignon. Tagebücher und Briefe einer jüdischen Krankenschwester in Wien 1938–1949, Innsbruck 2010
Lisa Rettl, Peter Pirker, "I did it with pleasure". The concentration camp doctor Sigbert Ramsauer. An Austrian story, Vienna 2010	Lisa Rettl, Peter Pirker, „Ich war mit Freuden dabei.“ Der KZ-Arzt Sigbert Ramsauer. Eine österreichische Geschichte, Wien 2010
Josef Frank, Gesammelte Schriften/Complete Writings (German/English), Vienna 2012 (edited by Iris Meder, Christopher Long, Tano Bojankin; in production)	Josef Frank, Gesammelte Schriften/Complete Writings (dt./engl.), Wien 2012 (hg. von Iris Meder, Christopher Long, Tano Bojankin; im Druck)
Lotte Weiss, My two lives. Recollections of a Holocaust survivor, Berlin 2010 (incl. DVD)	Lotte Weiss, Meine zwei Leben. Erinnerungen einer Holocaust-Überlebenden, Berlin 2010 (inkl. DVD)
Hans Schafranek, Mercenaries for the 'Anschluss'. The Austrian Legion 1933–1938, Vienna 2011	Hans Schafranek, Söldner für den Anschluss. Die Österreichische Legion 1933–1938, Wien 2011
Wilhelm Baum (ed.), Like a bird in a cage. Olip's diary – memories of a Slovenian resistance fighter from Carinthia in 1942, Klagenfurt 2010 Wilhelm Baum, The Freisler Trials in Carinthia. Testimonies of resistance against the National Socialist regime in Austria, Klagenfurt 2011	Wilhelm Baum (Hg.), Wie ein im Käfig eingesperrter Vogel. Das Tagebuch des Olip – Erinnerungen eines slowenischen Widerstandskämpfers aus Kärnten von 1942, Klagenfurt 2010 Wilhelm Baum, Die Freisler-Prozesse in Kärnten. Zeugnisse des Widerstandes gegen das NS-Regime in Österreich, Klagenfurt 2011
Lilian M. Bader, One life is not enough. Memoirs of a Viennese Jew, Vienna 2011	Lilian M. Bader, Ein Leben ist nicht genug. Memoiren einer Wiener Jüdin, Wien 2011
Stones of Remembrance 2011 and 2012	Steine der Erinnerung 2011 und 2012
The impact of restitution/compensation on the victim experience, the family memory and the cultural memory (research project)	Das Nachleben von Restitution/Entschädigung für die Opfer-Erfahrung, das Familiengedächtnis und das kulturelle Gedächtnis (Forschungsprojekt)
Anti-Semitic policies after the Anschluss. 'Aryanizations' and liquidations in the Vienna textile and fashion industry (1938-1940) – victims, profiteers and institutions (research project)	Antisemitische Politik nach dem Anschluss. Arisierungen und Liquidationen in der Wiener Textil- und Modewirtschaft (1938–1940) – Opfer, Profiteure und Institutionen (Forschungsprojekt)
Teaching program: Who contributes what?	Unterrichtsprogramm: Wer trägt was bei?
School trip by the 8 th grade of the High School Bad Ischl to Oświęcim 2010 and 2011	Gedenkstättenbesuch der SchülerInnen der 8. Klassen des BG/BRG Bad Ischl in Oświęcim 2010 und 2011
The students excluded from the Vienna Academic High School (school project)	Die vertriebenen SchülerInnen des Wiener Akademischen Gymnasiums (Schulprojekt)

Applicant	Antragsteller
Institute for Conflict Research	Institut für Konfliktforschung
exil. Center for intercultural art and work against racism	exil. zentrum für interkulturelle kunst und antirassismuarbeit
Jewish Museum Vienna	Jüdisches Museum Wien
Public Bookshelf Association	Verein Offener Bücherschrank
March of Remembrance and Hope	March of Remembrance and Hope
Association for Promoting and Researching anti-Fascist Literature	Verein zur Förderung und Erforschung der antifaschistischen Literatur
Institute for Posttayloristic Studies	Institut für Posttayloristische Studien
University of Linz, Institute for Social and Economic History	Universität Linz, Institut für Sozial- und Wirtschaftsgeschichte
WDW Film and Video Production	WDW Film- und Videoproduktion
Association IM-MER - Malvine Initiative - Remembering Maly Trostinec (in memory of the Austrian Victims of the Shoah in Belarus)	"Verein IM-MER – Initiative Malvine – Maly Trostinec erinnern (zum Gedenken an die österreichischen Opfer der Shoah in Weißrussland)"
Dornbirn Municipal Museum	Stadtmuseum Dornbirn
JDC – ESHEL (The Association for the Planning and Development of Services for the Aged in Israel)	JDC – ESHEL (The Association for the Planning and Development of Services for the Aged in Israel)
Maimonides Center Sanatorium	Sanatorium Maimonides-Zentrum
Art Space Association	Verein KunstPlatz
Gipsy Music Association	Gipsy Music Association
Mémorial de la Shoah (Musée, Centre de documentation juive contemporaine)	Mémorial de la Shoah (Musée, Centre de documentation juive contemporaine)
Jewish Film Festival Zagreb	Jewish Film Festival Zagreb
Baro Ilo Association	Verein Baro Ilo
Austrian Mauthausen Committee	Mauthausen Komitee Österreich
Institute for Conflict Research	Institut für Konfliktforschung
Working Group Strasshof Association	Verein Arbeitsgruppe Strasshof
Association for the Preservation of the Zwi Perez School of the Jewish Community Vienna	Verein zur Erhaltung der Zwi Perez Schule der IKG Wien
Federal High School Vienna 19	Bundesgymnasium Wien 19
erinnern.at - National Socialism and Holocaust: Memory and the Present	erinnern.at – Nationalsozialismus und Holocaust: Gedächtnis und Gegenwart
Ghetto Fighters' Museum Archives (Israel)	Ghetto Fighters' Museum Archives (Israel)
Alliance of Social Democratic Freedom Fighters, Victims of Fascism and Active anti-Fascists Salzburg in cooperation with the Renner Institute Salzburg	Bund Sozialdemokratischer Freiheitskämpfer, Opfer des Faschismus und aktiver Antifaschisten Salzburg in Kooperation mit dem Renner-Institut Salzburg

Project title	Projektbezeichnung
Brigitte Halbmayr, "Hermann Langbein: Consistent all his life. A political biography," Vienna 2012	Brigitte Halbmayr, Hermann Langbein: Zeitlebens konsequent. Eine politische Biografie, Wien 2012
Shani Bar-On, Emil Rennert, The Jewish Bukovina. Traces, Vienna 2010 (incl. post-production of the film "A Lost World" by Emil Rennert, an exhibition and a school project)	Shani Bar-On, Emil Rennert, Die jüdische Bukovina. Spuren, Wien 2010 (inkl. Nachproduktion des Films „Eine verschwundene Welt“ von Emil Rennert, einer Ausstellung und eines Schulprojekts)
German language version and update of the database "Jewish Communities of Austria"	Deutschsprachige Fassung und Aktualisierung der Datenbank „Jewish Communities of Austria“
Heinz Heger's "The men with the pink triangle" on the public bookshelf in Heinz Heger Park, 9 th District of Vienna (free book initiative)	Heinz Hegers „Die Männer mit dem rosa Winkel“ im Offenen Bücherschrank im Heinz Heger Park, Wien 9. (Gratisbuchaktion)
Holocaust memorial journey to Auschwitz 2011 and 2012	Holocaust-Gedenkreise nach Auschwitz 2011 und 2012
Colloquium "Fundamental problems of Austrian exile literature"	Kolloquium „Grundprobleme der österreichischen Exilliteratur“
Female Jewish photographers from Vienna pre- and post-1938 (book project)	Wiener jüdische Fotografinnen vor und nach 1938 (Buchprojekt)
Conversations with surviving eyewitnesses. A video project with Holocaust survivors	Zeitzeugengespräche. Ein Videoprojekt mit Überlebenden des Holocaust
"Landscapes of memory. Ruth Klüger, still alive" (Documentary by Renata Schmidtkunz, Austria 2011)	„Landschaften der Erinnerung. Das Weiterleben der Ruth Klüger“ (Dokumentarfilm von Renata Schmidtkunz, Österreich 2011)
International conference "Remembering Maly Trostinec" (28–29 November 2011 in the Vienna Museum)	Internationale Konferenz Maly Trostinec Erinnern (28.–29.11.2011 im Wien Museum)
"What was legal then – soldiers and civilians before the courts of the German Armed Forces" (exhibition 28 September - 30 October 2011, school project, publication)	„Was damals Recht war – Soldaten und Zivilisten vor den Gerichten der Wehrmacht“ (Ausstellung 28. 9. – 30. 10. 2011, Schulprojekt, Publikation)
"Witness Theater Program" in Hof Hasharon (Israel)	„Witness Theater Program“ in Hof Hasharon (Israel)
Home residents service (performance of the "Liver dumpling parade", Theatre Cabaret LEO)	Heimbewohnerservice (Vorführung der „Leberknödel Parade“, Theater Kabarett LEO)
Sonja Frank (ed.), Young Austria. Austrians in British exile 1938–1947. For a free, democratic and independent Austria, Vienna 2012 (with exhibition)	Sonja Frank (Hg.), Young Austria. ÖsterreicherInnen im britischen Exil 1938–1947. Für ein freies, demokratisches und unabhängiges Österreich, Wien 2012 (mit Ausstellung)
Baranka-Park remembrance event 2011	Baranka-Park Gedenkveranstaltung 2011
Austrian adaptation of the exhibition "La Shoah en Europe" – "The Holocaust in Europe"	Österreichische Adaptierung der Ausstellung „La Shoah en Europe“ – „Holocaust in Europa“
Austrian adaptation of the exhibition "Women in Holocaust"	Österreichische Adaptierung der Ausstellung „Women in Holocaust – Frauen im Widerstand“
"From sorrow to joy" Past and future of the Roma (film – discussion – concert)	„Aus der Trauer zur Freude kommen“ Vergangenheit und Zukunft der Roma (Film–Diskussion–Konzert)
Anti-racism simulation game "miramix". New decade – new challenges	Antirassistisches Planspiel „miramix“. Neue Dekade – neue Herausforderungen
List of names of former inmates of Ravensbrück concentration camp from Austria (evaluation of the database and development of an interactive website)	Namentliche Erfassung der ehemals inhaftierten ÖsterreicherInnen im KZ Ravensbrück (Auswertung der Datenbank sowie Erstellung einer interaktiven Website)
National Socialism confrontation work in Strasshof	NS-Aufarbeitung Strasshof
Artur Brauner and the portrayal of the Shoah in German post-war films (school project incl. DVD with interviews with Michael Drill and Ben Segenreich)	Artur Brauner und die Darstellung der Shoah im deutschen Nachkriegsfilm (Schulprojekt inkl. DVD mit Interviews mit Michael Drill und Ben Segenreich)
Translocation as a method / redesign of the so called war memorial	Translozierung als Methode / Neugestaltung des so genannten Kriegerdenkmals
10 th central seminar "Orientation: Mauthausen"	10. Zentrales Seminar „Orientierung: Mauthausen“
Digital documentation of documents and objects relating to Austrian Jewry before, during and after the Holocaust	Digital documentation of documents and objects relating to Austrian Jewry before, during and after the Holocaust
The resistance in Salzburg 1941 with particular focus on the period after the commencement of the Russian campaign on 22 June 1941 (research project)	Der Widerstand in Salzburg 1941 unter besonderer Berücksichtigung der Zeit nach Beginn des Russlandfeldzuges am 22. Juni 1941 (Forschungsprojekt)

Applicant	Antragsteller
Memorial Service Association – Association for Historical Political Education and International Dialogue	Verein Gedenkdienst – Verein für historisch-politische Bildungsarbeit und internationalen Dialog
Tacheles Styria – Association for the Promotion of Jewish Culture	Tacheles Steiermark – Verein zur Förderung der jüdischen Kultur
Memorial Carinthia/Koroška – Plattform against the resurgence of Fascism, Racism and anti-Semitism	Memorial Kärnten/Koroška – Plattform gegen das Wiederaufleben von Faschismus, Rassismus und Antisemitismus
RE.F.U.G.I.U.S. – Rechnitz Refugee and Memorial Initiative	RE.F.U.G.I.U.S. – Rechnitzer Flüchtlings- und Gedenkinitiative
Kuland - Association for the Diversity of Culture and Information	Kuland – Verein für Kultur- und Informationsvielfalt
Art in Vienna's Public Places	Kunst im öffentlichen Raum Wien
Buchenwald Concentration Camp Association	KZVereinigung Buchenwald
Working Community of Concentration Camp Associations and Resistance Fighters Austria	Arbeitsgemeinschaft der KZVerbände und Widerstandskämpfer Österreichs
Mapitom. The Cultural Association	Mapitom. Der Kulturverein
Cultural Circle Langenrohr – Neusiedl – Langenschönbichl – Asparn – Kronau	Kulturkreis Langenrohr – Neusiedl – Langenschönbichl – Asparn – Kronau
Association IM-MER - Malvine Initiative - Remembering Maly Trostinec (in memory of the Austrian Victims of the Shoah in Belarus)	Verein IM-MER – Initiative Malvine – Maly Trostinec erinnern (zum Gedenken an die österreichischen Opfer der Shoah in Weißrussland)
neuland film & media	neulandfilm & medien
University of Vienna, Institute for Roman Law and Ancient Legal History	Universität Wien, Institut für Römisches Recht und Antike Rechtsgeschichte
Institute for Science and Art	Institut für Wissenschaft und Kunst
Milena Publishers	Milena Verlag
Praesens Publishers	Praesens Verlag
Praesens Publishers	Praesens Verlag
Concentration Camp Association / Upper Austrian Association of anti-Fascists	KZ-Verband / Verband der AntifaschistInnen Oberösterreich
Mandelbaum Publishers	Mandelbaum Verlag
Amalthea Signum Publishers	Amalthea Signum Verlag
CCC International – International Club for the Creative Development of Children and Young People	CCC-International – Internationaler Club für kreative Entfaltung von Kindern und Jugendlichen
Ludwig Boltzmann Institute for Historical Social Science	Ludwig-Boltzmann-Institut für historische Sozialwissenschaften
Austrian Central Research Agency for Postwar Trials	Zentrale österreichische Forschungsstelle Nachkriegsjustiz
Studien Publishers	Studienverlag

Project title	Projektbezeichnung
Places of remembrance – in the here and now (study trips to memorial sites)	Orte der Erinnerung – im Hier und Heute (Studienfahrten zu Gedenkstätten)
Jewish lifelines with Christians and Muslims in Styria and South Eastern Europe (film and educational project)	Jüdische Lebenslinien bei Christen und Muslimen in der Steiermark und Südosteuropa (Film- und Bildungsprojekt)
"Dedicated to the victims for a free Austria" (redesign of the memorial at the Annabichl cemetery in Klagenfurt)	„Den Opfern für ein freies Österreich“ (Neugestaltung der Gedenkstätte am Friedhof Annabichl in Klagenfurt)"
Kreuzstadl place of remembrance for the victims of the construction of the South Eastern Rampart (phase two of the project)	Gedenkort Kreuzstadl für die Opfer des Südostwallbaus (zweite Projektphase)
Memorial for victims of National Socialism in the Upper Drau Valley	Erinnerungsstätte für Opfer des Nationalsozialismus im oberen Drautal
Memorial at the Turner Temple	Mahnmal Turnertempel
Remembrance ceremony marking the 66 th anniversary of the liberation of the concentration camp Buchenwald-Dora	Gedenkfeier zum 66. Jahrestag der Befreiung des Konzentrationslagers Buchenwald-Dora
Journey to the liberation ceremonies at the concentration camp memorial sites Mauthausen and Ebensee (7–8 May 2011)	Fahrt zu den Befreiungsfeiern in den KZ-Gedenkstätten Mauthausen und Ebensee (7.–8. 5. 2011)
Monument in remembrance of the Jewish Community Deutschkreutz-Zeem from the 17 th century to 1938	Denkmal zur Erinnerung an die Jüdische Gemeinde Deutschkreutz-Zeem vom 17. Jahrhundert bis 1938
Josef Reither Museum	Josef Reither Museum
Second journey of remembrance to Minsk/Maly Trostinec (Pentecost 2011)	2. Gedenkreise nach Minsk/Maly Trostinec (Pfingsten 2011)
"The Porzellangasse Boys" (documentary by Lukas Sturm, Austria 2011; 2 days of filming)	„Die Porzellangassenbuben“ (Dokumentarfilm von Lukas Sturm, Österreich 2011; 2 Drehtage)
"Egon Michael Zweig (1877–1949). A Viennese Zionist in Jerusalem" (research project as part of the cluster "Jews in the Holy Roman Empire and its successor states")	„Egon Michael Zweig (1877–1949). Ein Wiener Zionist in Jerusalem“ (Forschungsprojekt im Rahmen des Clusters „Juden im Heiligen Römischen Reich und seinen Nachfolgestaaten“)
Austrian women in the resistance 1938–1945. Project module of "biografiA – biographical lexicon of Austrian women" (processing the entire manuscript)	Österreichische Frauen im Widerstand 1938–1945. Modulprojekt zu „biografiA – Biografisches Lexikon österreichischer Frauen“ (Bearbeitung des Gesamtmanuskripts)
Evelyn Steinhilber, I have to leave tomorrow. Richard Tauber: The emigration of an international star, Vienna 2011	Evelyn Steinhilber, Morgen muss ich fort von hier. Richard Tauber: Die Emigration eines Weltstars, Wien 2011
A bridge across the gaps in time. Hertha Pauli (1906–1973): Journalist, actress and children's author (book project by Susanne Blumesberger and Ernst Seibert within the scope of the biografiA series)	Eine Brücke über den Riß der Zeit. Hertha Pauli (1906–1973): Journalistin, Schauspielerin und Kinderbuchautorin (Buchprojekt von Susanne Blumesberger und Ernst Seibert im Rahmen der Reihe biografiA)
Translation of Marjorie Perloff's "The Vienna Paradox" into German	Übersetzung ins Deutsche von Marjorie Perloffs "The Vienna Paradox"
Günther Grabner, Peter Kammerstätter. Biography of a Resistance Fighter, Linz 2011	Günther Grabner, Peter Kammerstätter. Biographie eines Widerstandskämpfers, Linz 2011
Heinz Amberger, Claudia Kuretsidis-Haider (eds.), Remembrance and commemoration in Lower Austria. Memorial signs of resistance, persecution, exile and liberation, Vienna 2011	Heinz Amberger, Claudia Kuretsidis-Haider (Hg.), Gedenken und Mahnen in Niederösterreich. Erinnerungszeichen zu Widerstand, Verfolgung, Exil und Befreiung, Wien 2011
Georg Gaugusch, Who once lived. Vienna's Jewish bourgeoisie 1800–1938, vol.1, A–K, Vienna 2011	Georg Gaugusch, Wer einmal war. Das jüdische Großbürgertum Wiens 1800–1938. Bd. 1, A–K, Wien 2011
Hedy Dichter. Concert pianist and science manager (book project)	Hedy Dichter. Konzertpianistin und Wissenschaftsmanagerin (Buchprojekt)
Heinrich Berger, Melanie Dejnega, Regina Fritz, Alexander Prenninger (eds.), Political violence and power in the 20 th century. Contemporary history, contemporary events and controversies, Vienna 2011 (commemorative publication for Gerhard Botz)	Heinrich Berger, Melanie Dejnega, Regina Fritz, Alexander Prenninger (Hg.), Politische Gewalt und Machtausübung im 20. Jahrhundert. Zeitgeschichte, Zeitgeschehen und Kontroversen, Wien 2011 (= Festschrift für Gerhard Botz)
Claudia Kuretsidis-Haider, Irmgard Nöbauer, Winfried R. Garscha, Siegfried Sanwald, Andrzej Selerowicz (eds.), The concentration camp Lublin-Majdanek and the judiciary. Criminal prosecution and justice denied. A comparative study of Poland, Germany and Austria, Graz 2011	Claudia Kuretsidis-Haider, Irmgard Nöbauer, Winfried R. Garscha, Siegfried Sanwald, Andrzej Selerowicz (Hg.), Das KZ Lublin-Majdanek und die Justiz. Strafverfolgung und verweigerter Gerechtigkeit. Polen, Deutschland und Österreich im Vergleich, Graz 2011
Stefan August Lütgenau (ed.), Jewish individual testimonies in Austria 1938–1942. Letters and diary fragments from the National Socialist "Ostmark" (in production)	Stefan August Lütgenau (Hg.), Jüdische Selbstzeugnisse in Österreich 1938–1942. Briefe und Tagebuchfragmente aus der nationalsozialistischen „Ostmark“ (im Druck)

Applicant	Antragsteller
Cultural Association Everyday Life	Kulturverein Alltag
Steinbauer Edition	Edition Steinbauer
Association Concerning Neudeggasse	Verein Betrifft: Neudeggasse
Ludwig Boltzmann Institute for Research on the Consequences of War	Ludwig-Boltzmann-Institut für Kriegsfolgen-Forschung
Theodor Kramer Society	Theodor Kramer Gesellschaft
Theodor Kramer Society	Theodor Kramer Gesellschaft
Theodor Kramer Society	Theodor Kramer Gesellschaft
Bruno Kreisky Forum for International Dialogue	Bruno Kreisky Forum für internationalen Dialog
Picus Publishers	Picus Verlag
Czernin Publishers	Czernin Verlag
Czernin Publishers	Czernin Verlag
International Schönberg Society	Internationale Schönberg Gesellschaft
Splitter Vienna Edition	Edition Splitter Wien
Haymon Publishers	Haymon Verlag
papercomm publishers	Verlag papercomm
Alliance of Slovene Women	Verband slowenischer Frauen
Wagner Publishers	Wagner Verlag
Ferdinand Berger & Söhne Publishers	Verlag Ferdinand Berger & Söhne
University of Vienna, Institute for Contemporary History	Universität Wien, Institut für Zeitgeschichte
Upper Austrian Provincial Association of the Alliance of Social Democratic Freedom Fighters, Victims of Fascism and Active anti-Fascists	Landesverband ÖÖ des Bundes Sozialdemokratischer Freiheitskämpfer/innen, Opfer des Faschismus und aktiver Antifaschist/inn/en
Standbild – Association for the Promotion of Audiovisual Media Culture	Standbild – Verein zur Förderung audiovisueller Medienkultur
Kurt Mayer Film	Kurt Mayer Film
PerlePress Productions	PerlePress Productions
pre TV – Society for Video Production	pre TV – Gesellschaft für Videoproduktion
Mischief Films	Mischief Films

Project title	Projektbezeichnung
Brigitte Haberstroh, Maximilian Huber, Michael Rosecker (eds.), <i>Stumbling stones Wiener Neustadt. City guide to remembrance, Wiener Neustadt 2011</i>	Brigitte Haberstroh, Maximilian Huber, Michael Rosecker (Hg.), <i>Stolpersteine Wiener Neustadt. Stadtführer des Erinnerns, Wiener Neustadt 2011</i>
Jonny Moser, Nisko. <i>The first Jewish deportations, Vienna 2012</i>	Jonny Moser, Nisko. <i>Die ersten Judendeportationen, Wien 2012</i>
Contribution towards the printing costs for the Spanish edition of "Lost Neighborhood": <i>Vecinos Perdidos. Emigración judía desde el Danubio al Río de la Plata, Buenos Aires 2011</i>	Druckkostenbeitrag für die spanischsprachige Ausgabe von „Verlorene Nachbarschaft“: <i>Vecinos Perdidos. Emigración judía desde el Danubio al Río de la Plata, Buenos Aires 2011</i>
Contribution towards the printing costs for the Latvian edition of "Austrian Jews in Latvia"	Druckkostenbeitrag für die lettischsprachige Ausgabe von „Österreichische Juden in Lettland“
Scarlett Epstein, <i>There is a way. A Jewish woman from Vienna, Vienna 2011</i>	Scarlett Epstein, <i>Es gibt einen Weg. Eine Jüdin aus Wien, Wien 2011</i>
Magazine "Zwischenwelt" 2011/2012 in three booklets with the subjects: 1. Theodor Kramer in focus - exile from Yugoslavia (June 2011) 2. Exile in Argentina (October 2011) 3. Women in exile. New episode (May 2012)	Zeitschrift „Zwischenwelt“ 2011/2012 in drei Heften mit den Schwerpunkten: 1. Theodor Kramer im Bild – Exil aus Jugoslawien (Juni 2011) 2. Exil in Argentinien (Oktober 2011) 3. Frauen im Exil. Neue Folge (Mai 2012)
Handbook of Austrian exile literature in two volumes (volume 1)	Handbuch der österreichischen Exilliteratur in zwei Bänden (1. Band)
Isolde Charim, Gertraud Auer Borea (eds.), <i>Diaspora: a model for living. Modern nomads, Bielefeld 2012</i>	Isolde Charim, Gertraud Auer Borea (Hg.), <i>Lebensmodell Diaspora. Über moderne Nomaden, Bielefeld 2012</i>
Renée Wiener, <i>A rebel from the start. Memories</i> (ed. by Maria Ecker, Daniela Ellmauer and Albert Lichtblau), Vienna 2012	Renée Wiener, <i>Von Anfang an Rebellin. Erinnerungen</i> (hg. von Maria Ecker, Daniela Ellmauer und Albert Lichtblau), Wien 2012
Anthony Grenville, <i>Voices of escape. Austrian emigration to Great Britain from 1938, Vienna 2011</i>	Anthony Grenville, <i>Stimmen der Flucht. Österreichische Emigration nach Großbritannien ab 1938, Wien 2011</i>
Richard Berczeller, <i>Journey into the blue, Vienna 2012</i>	Richard Berczeller, <i>Fahrt ins Blaue, Wien 2012</i>
Critical edition of the complete writings of Arnold Schönberg (printing costs for volume 1)	Kritische Gesamtausgabe der Schriften Arnold Schönbergs (Druckkosten für den 1. Band)
Annika Tetzner. <i>Personals</i> (book project)	Annika Tetzner. <i>Personale</i> (Buchprojekt)
Thomas Albrich (ed.), <i>Jewish life stories from Tyrol. From the Middle Ages to the present, Innsbruck 2012</i>	Thomas Albrich (Hg.), <i>Jüdische Lebensgeschichten aus Tirol. Vom Mittelalter bis in die Gegenwart, Innsbruck 2012</i>
"Our Jewish compatriots and their portable fatherland" – trilogy in book form (volume 1: <i>Homeland in spite of everything</i> ; volume 2: <i>Homeland to take with you</i> ; volume 3: <i>Portable fatherland</i> ; all by Johannes Kammerstätter, Wieselburg 2012)	„Unsere jüdischen Landsleute und ihr tragbares Vaterland“ – Trilogie in Buchform (Bd. 1: <i>Heimat trotz alledem</i> ; Bd. 2: <i>Heimat zum Mitnehmen</i> ; Bd. 3: <i>Tragbares Vaterland</i> ; alle von Johannes Kammerstätter, Wieselburg 2012)
Helena Verdel, <i>Vida Obid, Šola, ne šivanko! Milena Gröblacher in njen boj za slovenske ženske, Klagenfurt/Celovec 2012</i>	Helena Verdel, <i>Vida Obid, Šola, ne šivanko! Milena Gröblacher in njen boj za slovenske ženske, Klagenfurt/Celovec 2012</i>
Johann Großruck, <i>Benedictine monastery Lambach in the Third Reich 1938–1945. A monastery in the viziof of the Hitler myth and the legend of the Swastika, Linz 2011</i>	Johann Großruck, <i>Benediktinerstift Lambach im Dritten Reich 1938–1945. Ein Kloster im Fokus von Hitlermythos und Hakenkreuzlegende, Linz 2011</i>
Manfred Pawlik, <i>Johann Nebenführ. Christian resistance in Lower Austria</i> (in production)	Manfred Pawlik, <i>Johann Nebenführ. Christlicher Widerstand in Niederösterreich</i> (im Druck)
Regina Fritz, <i>After war and Holocaust. Hungary's policies of dealing with its past since 1944, Göttingen 2012</i>	Regina Fritz, <i>Nach Krieg und Judenmord. Ungarns Geschichtspolitik seit 1944, Göttingen 2012</i>
Evelyn Steinhäler, Klaus Sander, <i>The voluntary resistance. The memories of Katharina Sasso</i> (audio book, in production)	Evelyn Steinhäler, Klaus Sander, <i>Der selbstgewählte Widerstand. Die Erinnerungen der Katharina Sasso</i> (Hörbuch, in Produktion)
Updating the film series "Forgotten victims", including a DVD edition	Inhaltliche und wissenschaftliche Aktualisierung der filmischen Reihe „Vergessene Opfer“ samt DVD-Edition
"What's it got to do with me?" (Film project with young people)	„Was geht mich das noch an?“ (Filmprojekt mit Jugendlichen)
"To save a life" (documentary by Steven Pressman, USA 2012)	„To Save a Life“ (Dokumentarfilm von Steven Pressman, USA 2012)
"Deported and exploited" (TV documentary by Andreas Novak and Wolfgang Stickler, first broadcast by the ORF on 10 November 2011 as part of the series "People and powers")	„Verschleppt und ausgebeutet“ (TV-Dokumentation von Andreas Novak und Wolfgang Stickler, Erstausstrahlung im ORF am 10.11.2011 im Rahmen der Reihe „Menschen und Mächte“)
"Erich Lessing. A photographer without a camera" (Documentary by Rainer Frimmel and Tizza Covi, in production)	„Erich Lessing. Fotograf ohne Kamera“ (Dokumentarfilm von Rainer Frimmel und Tizza Covi, in Produktion)

Applicant	Antragsteller
Society of Friends of the Austrian Exile Library	Gesellschaft der Freunde der Österreichischen Exilbibliothek
Baro Ilo Association	Verein Baro Ilo
Nanook Film	NanookFilm
Zila Film – Division of the Slovenian Cultural Association SPD Zila/Gailtal	Zila Film – Sektion des slowenischen Kulturvereines SPD Zila/Gailtal
Ernst Pohn Film Production	Ernst Pohn Filmproduktion
Filmdelights	Filmdelights
pooldoks film production	pooldoks Filmproduktion
Alliance of Resettled Slovenes	Verband der ausgesiedelten Slowenen
Working Group Strasshof Association	Verein Arbeitsgruppe Strasshof
Transit Theater	Theater Transit
Remember Rosegg – Rožek se spominja	Erinnern Rosegg – Rožek se spominja
Association Friends of Cazaux-Debat – Association Les amis de Cazaux-Debat	Verein Freunde von Cazaux-Debat – Association Les amis de Cazaux-Debat
Laube Socio-psychiatric Activities	Laube sozial-psychiatrische Aktivitäten
Ketani Association for Roma and Sinti	Verein Ketani für Sinti und Roma
Association for the Preservation and Cultural Use of the Synagogue Koberndorf	Verein zur Erhaltung und kulturellen Nutzung der Synagoge Koberndorf
Romano Svato - Association for Transcultural Communication	Romano Svato – Verein für transkulturelle Kommunikation
Braunau am Inn Association for Contemporary History	Verein für Zeitgeschichte Braunau am Inn
Association Beyond	Verein Beyond
Erika Mitterer Society	Erika Mitterer Gesellschaft
Austrian Society for Exile Research	Österreichische Gesellschaft für Exilforschung
exil.arte – Austrian Coordination Office for Exile Music	exil.arte – Österreichische Koordinationsstelle für Exilmusik
Institute for Science and Art	Institut für Wissenschaft und Kunst
Concentration Camp Association / Federal Association of anti-Fascists	KZ-Verband / Verband der AntifaschistInnen Bundesverband
Institute for Historical Intervention	Institut für historische Intervention
Vienna University of Applied Arts – Center for the Transfer of Art and Knowledge	"Universität für angewandte Kunst Wien – Zentrum für Kunst- und Wissenstransfer"
Milli Segal Agency	Agentur Milli Segal

Project title	Projektbezeichnung
"Der Heimwehträger [approximately: 'The homesick man']. 90 minutes with Fritz Kalmar" (documentary by Erich Hackl and Libertad Hackl, Austria 2012)	"„Der Heimwehträger. 90 Minuten mit Fritz Kalmar“ (Dokumentarfilm von Erich Hackl und Libertad Hackl, Österreich 2012)"
"Dui Roma – two survival whizzes" (Documentary by Iovanca Gaspar, 2010)	„Dui Roma – Zwei Lebenskünstler“ (Dokumentarfilm von Iovanca Gaspar, 2010)
"Ex Libris" (Animated documentary by Melissa Hacker, in production)	„Ex Libris“ (Animations-Dokumentarfilm von Melissa Hacker, in Produktion)
Documentary on the 70 th anniversary of the deportation of the Carinthian Slovenes by the National Socialists	Dokumentation zum 70. Jahrestag der Deportation der Kärntner SlowenInnen durch die Nationalsozialisten
"Deported from Vienna to Maly Trostinec – belated remembrance" (documentary by Ernst Pohn and Christine Tragler, Austria 2012)	„Deportiert von Wien nach Maly Trostinec – Eine verspätete Erinnerung“ (Dokumentarfilm von Ernst Pohn und Christine Tragler, Österreich 2012)
"Banishing intelligence" (double DVD production)	„Vertreibung der Intelligenz“ (Doppel-DVD-Produktion)
DVD production of the TV documentary "The Gruen effect. Victor Gruen and the shopping mall"	DVD-Produktion der TV-Dokumentation „Der Gruen Effekt. Victor Gruen und die Shopping Mall“
Deportation memorial (Ebenthal near Klagenfurt train station)	Denk Mal Deportation (Bahnhof Ebenthal bei Klagenfurt)
Memorial for the slave laborers held in the seven camps in Strasshof	Erinnerungsmal für die in den sieben Strasshofer Lagern festgehaltenen ZwangsarbeiterInnen
Memorial plaque for Aaron Menczer, the "Austrian Janusz Korczak", in conjunction with a discussion with a contemporary witness and a school project	Gedenktafel für Aaron Menczer, den „österreichischen Janusz Korczak“, verbunden mit einem ZeitzeugInnengespräch und einem Schulprojekt
Erection of a memorial for the victims of National Socialism from Rosegg/Rožek including accompanying program	Erichtung eines Denkmals für die Opfer des Nationalsozialismus aus Rosegg/Rožek inkl. Rahmenveranstaltungen
Memorial plaques in the town of Cazaux-Debat for Austrian victims of National Socialism	Gedenktafeln in der Stadt Cazaux-Debat für österreichische Opfer des Nationalsozialismus
"20 th anniversary of the National Socialist euthanasia monument in Salzburg. 1991–2011. A retrospective" (commemorative event on 9 November 2011 in Castle Mirabell)	20 Jahre NS-Euthanasie-Mahnmal in Salzburg. 1991– 2011. Eine Erinnerung (Gedenkveranstaltung am 9.11.2011 im Schloss Mirabell)
Film presentation and discussion with contemporary witness Hugo Höllenreiner at the Linz „Wissensturm“ ("Tower of Knowledge")	Filmpräsentation und Zeitzeugengespräch mit Hugo Höllenreiner im Linzer Wissensturm
"Culture in the Temple" 2011: "The Golem. The magical world of Jewish Prague" (concerts, readings, film presentation, school project)	„Kultur im Tempel“ 2011: "Der Golem. Die magische Welt des jüdischen Prags" (Konzerte, Lesungen, Filmvorführung, Schulprojekt)
"Rukeli" (a play)	„Rukeli“ (Theaterstück)
"A difficult legacy" – 20th Braunau contemporary history days 23. – 25. September 2011	„Schwieriges Erbe“ – 20. Braunauer Zeitgeschichte Tage 23. – 25. 9. 2011
"Eavesdropping on the executioner. The story of Mr. Rat" (scenic reading journey)	„Auf den Henker lauschen. Die Geschichte vom Herrn Rat“ (szenische Lese-Reise)
"What are you doing here in...Vienna?" – XVIII th Else Lasker-Schüler forum 10-15 April 2012 in Vienna	„Was tun Sie da in...Wien?“ – XVIII. Else-Lasker-Schüler-Forum 10.–15.4. 2012 in Wien
Activities of the Women's Working Group of the Austrian Society for Exile Research in the summer semester 2011 and winter semester 2011/2012	Aktivitäten der öge-FrauenAG im Sommersemester 2011 und Wintersemester 2011/2012
5 years of exile.arte – events raising awareness of the cultural losses incurred as a result of the murder and banishment of Jewish composers (honoring Walter Arlen, concerts)	5 Jahre exile.arte – Veranstaltungen zur Bewusstmachung des durch die Ermordung und Vertreibung jüdischer KomponistInnen hervorgerufenen kulturellen Verlustes (Ehrung von Walter Arlen, Konzerte)
"Hieroglyph of the era? The work of the Austro-Jewish author Anna Maria Jokl (1911–2001)" – conference on 20–22 October 2011 in Vienna	„Hieroglyphe der Epoche? Zum Werk der österreichisch-jüdischen Autorin Anna Maria Jokl (1911–2001)“ – Tagung am 20.–22.10.2011 in Wien
Journey to Brussels for the conference of the Executive Committee of the International Federation of Resistance Fighters (30 September-2 October 2011)	Reise nach Brüssel zur Tagung des Exekutiv Ausschusses der Internationalen Föderation der Widerstandskämpfer (30.9.–2.10.2011)
AKM and AustroMechana in the transition between "aryanization" and reestablishment (publication and online database)	AKM und AustroMechana im Wandel von „Arisierung“ und Neugründung (Publikation, Online-Datenbank)
Repercussions of the National Socialist occupation on the property ownership and the whereabouts of the estate of Ludwig Wittgenstein (research project)	Auswirkungen der NS-Besatzung auf die Besitzverhältnisse und den Verbleib des Nachlasses von Ludwig Wittgenstein (Forschungsprojekt)
"The story behind a photo" (traveling exhibition for 20 schools)	„Auf den Spuren eines Fotos“ (Wanderausstellung für 20 Schulen)

Applicant	Antragsteller
exil. Center for intercultural art and work against racism	exil. zentrum für interkulturelle kunst und antirassismuarbeit
LICRA - International League against Racism and anti-Semitism	LICRA – Internationale Liga gegen Rassismus und Antisemitismus
Austrian Society for Contemporary History	Österreichische Gesellschaft für Zeitgeschichte
Austrian Mauthausen Committee	Mauthausen Komitee Österreich
Karl Franzens University of Graz	Karl-Franzens-Universität Graz, Centrum für Jüdische Studien
Memorial Service Association – Association for Historical Political Education and International Dialogue	Verein Gedenkdienst – Verein für historisch-politische Bildungsarbeit und internationalen Dialog
University of Salzburg, Center for Jewish Cultural History	Universität Salzburg, Zentrum für jüdische Kulturgeschichte
Austrian Academy of Sciences, Institute for Cultural Sciences and History of Theater	Österreichische Akademie der Wissenschaften, Institut für Kulturwissenschaften und Theatergeschichte
Democracy Centre Vienna	Demokratiezentrum Wien
University of Vienna	Universität Wien
Working Group of the Austrian Memorial Site Seminar	Arbeitsgruppe Gedenkstättenseminar Österreich
Salzburg Global Seminar	Salzburg Global Seminar
exponat – Association for Museology and Visual Culture	exponat – Verein für Museologie und visuelle Kultur
High School 1 st District, Stubenbastei	Gymnasium/Realgymnasium 1 Stubenbastei

Project title	Projektbezeichnung
"The Roma, a persecuted people". Project part 1: "Is it a dream, am I alive?" Project part 2: "roma.threatened.persecuted" (events, exhibitions, workshops with school students)	„Roma, verfolgtes Volk“ Projektteil 1: „Träume ich, dass ich lebe?“ Projektteil 2: „roma.bedroht.verfolgt“ (Veranstaltungen, Ausstellungen, Workshops mit SchülerInnen)
Austrians in Venezuelan exile (research project)	Österreicherinnen und Österreicher im venezolanischen Exil (Forschungsprojekt)
"Center and periphery. Perceptions of the National Socialist concentration camps" – 17 th workshop on the history and the history of remembering the National Socialist concentration camps (30 September – 4 October 2011 in the concentration camp memorials Mauthausen and Gusen)	„Zentrum und Peripherie. Die Wahrnehmung der nationalsozialistischen Konzentrationslager“ – 17. Workshop zur Geschichte und Gedächtnisgeschichte der NS-Konzentrationslager (30.9.–4.10.2011 in den KZ-Gedenkstätten Mauthausen und Gusen)
Civil courage training and additional options "CIVIL.COURAGE.WORKS" (2012)	Zivilcourage-Trainings sowie Zusatzangebot „ZIVIL.COURAGE.WIRKT“ (2012)
Emigration, flight and exile of Austrian Jews to Palestine in the 1930s and 1940s (research project)	Emigration, Flucht und Vertreibung österreichischer Jüdinnen und Juden nach Palästina in den 1930er- und 1940er-Jahren (Forschungsprojekt)
"This side of the Holocaust and beyond. Learning from history at memorial sites" – conference 15 – 17 September 2011	„Diesseits und jenseits des Holocaust. Aus der Geschichte lernen in Gedenkstätten“ – Tagung 15.–17. September 2011
"Jews, 'deemed Jews', 'half-castes' – a fragmented community of fate. 'Jewish' life and survival in National Socialist Vienna 1938–1945" (research project)	„Juden, ‚Geltungsjuden‘, ‚Mischlinge‘ – eine fragmentierte Schicksalsgemeinschaft. ‚Jüdisches‘ (Über-)Leben im nationalsozialistischen Wien 1938–1945“ (Forschungsprojekt)
Jewish youth in National Socialist Vienna (research project)	Jüdische Jugend im nationalsozialistischen Wien (Forschungsprojekt)
Online days of remembrance. Virtual "suitcase of materials" for dealing with remembrance days in schools	Gedenktage Online. Virtueller „Materialkoffer“ zur Beschäftigung mit Gedenktagen in Schulen
Doctors in Austria 1938-1945. Deprived of rights, banished, murdered (research project)	Ärzte und Ärztinnen in Österreich 1938–1945. Entrechtung, Vertreibung, Ermordung (Forschungsprojekt)
Planning, organization and realization of the second memorial site seminar in Austria	Planung, Organisation und Durchführung des zweiten österreichweiten Gedenkstättenseminars
"Learning from the Past: Global Perspectives on Holocaust Education" (27 June – 1 July 2012)	„Learning from the Past: Global Perspectives on Holocaust Education“ (27.6.–1.7.2012)
"The Life and Works of Alma S. Wittlin (1899–1990)" (research project)	„Leben und Wirken von Alma S. Wittlin (1899–1990)“ (Forschungsprojekt)
"We'll have a lot to tell each other if we ever see each other again." Four information boards in the entranceway of the school	„Wir werden uns viel zu erzählen haben, wenn wir uns einmal wieder sehen.“ 4 Informationstafeln im Eingangsbereich der Schule

SELECTED PUBLICATIONS

IN DIE TIEFE GEBLICHT

Lebensgeschichten.



National Fund of the Republic of Austria for Victims of National Socialism (ed.) INW edition, Illustrierte Neue Welt, Vienna 2000. 80 pages. ISBN-3-9500356-2-1

10TH ANNIVERSARY OF THE NATIONAL FUND

A Closer Look and Future Prospects.



Renate S. Meissner on behalf of the National Fund (ed.), Vienna 2005. 180 pages.

10TH ANNIVERSARY OF THE NATIONAL FUND

Figures. Data. Facts.



Renate S. Meissner on behalf of the National Fund (ed.), Vienna 2005. 180 pages.

DECISIONS OF THE ARBITRATION PANEL FOR IN REM RESTITUTION

Volume 1



Josef Aicher, Erich Kussbach, August Reinisch, General Settlement Fund for Victims of National Socialism (eds.) facultas.wuv, Vienna 2008. 479 pages. ISBN 978-3-7089-0209-8

DECISIONS OF THE ARBITRATION PANEL FOR IN REM RESTITUTION

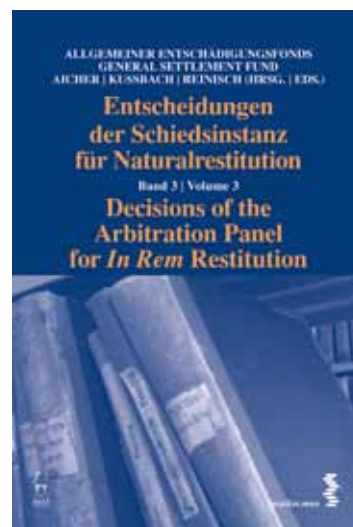
Volume 2



Josef Aicher, Erich Kussbach, August Reinisch, General Settlement Fund for Victims of National Socialism (eds.) facultas.wuv, Vienna 2009. 427 pages. ISBN 978-3-7089-0377-4

DECISIONS OF THE ARBITRATION PANEL FOR IN REM RESTITUTION

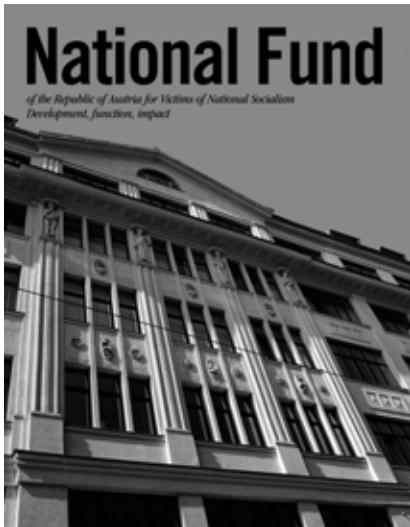
Volume 3



Josef Aicher, Erich Kussbach, August Reinisch, General Settlement Fund for Victims of National Socialism (eds.) facultas.wuv, Vienna 2010. 568 pages. ISBN 978-3-7089-0591-4

15th ANNIVERSARY OF THE NATIONAL FUND

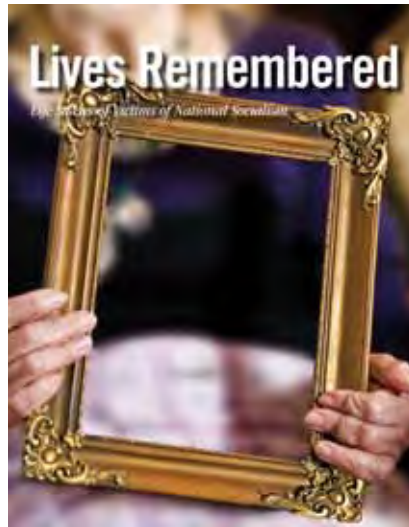
Development, function, impact.



Renate S. Meissner on behalf of the National Fund (ed.), Vienna 2010. 244 pages.

LIVES REMEMBERED

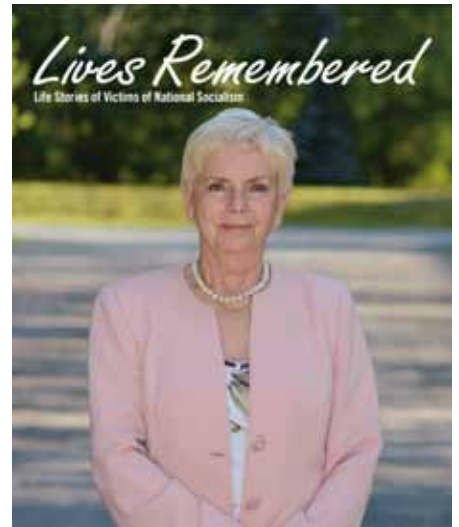
Life stories of Victims of National Socialism.



Renate S. Meissner on behalf of the National Fund (ed.), Vienna 2010. 268 pages.

LIVES REMEMBERED VOLUME 2

Life stories of Victims of National Socialism.



Renate S. Meissner on behalf of the National Fund (ed.), Vienna 2010. 336 pages.

DECISIONS OF THE ARBITRATION PANEL FOR IN REM RESTITUTION

Volume 4



Josef Aicher, Erich Kussbach, August Reinisch, General Settlement Fund for Victims of National Socialism (eds.) facultas.wuv, Vienna 2011. 589 pages. ISBN 978-3-7089-0803-8

DECISIONS OF THE ARBITRATION PANEL FOR IN REM RESTITUTION

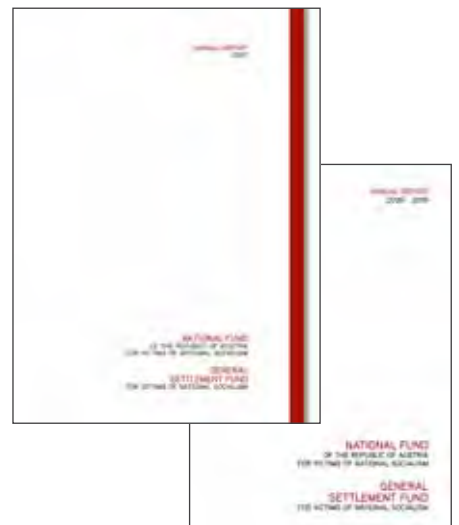
Volume 5



Josef Aicher, Erich Kussbach, August Reinisch, General Settlement Fund for Victims of National Socialism (eds.) facultas.wuv, Vienna 2012. ca. 595 pages. ISBN 978-3-7089-0939-4

ANNUAL REPORTS

2007 and 2008/09



2007: National Fund (ed.), Vienna 2008. 82 pages.

2008/2009: National Fund and General Settlement Fund (eds.), Vienna 2010. 98 pages.

LEGAL DISCLOSURE

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