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Claims Committee of the General Settlement Fund Disbanded Upon Acknowledgment of its Final Report

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Claims CMedal of Honor of the Republic of Austria

Claims Committee Chairman Sir Franklin Berman takes the lectern – a view to the audience. Reception in honor of the Claims Committee held at the Austrian Parliament on 4 April 2017 (c) Parlamentsdirektion / Johannes Zinner

On 4 April 2017, the Main Committee of the Austrian National Council unanimously acknowledged the receipt of the Final Report of the General Settlement Fund's Claims Committee. The three-member Claims Committee, which has decided on 20,702 applications for compensation of victims of National Socialism is now disbanded and "one of the Second Republic's most significant projects to compensate Nazi seizures of assets has been completed", stated National Council President Doris Bures in tribute to the work of the Claims Committee at a reception held at the Parliament in the Committee's honor.

The National Council President stressed that it would not have been possible to accomplish this task without the enormously dedicated and highly competent Claims Committee, and it would certainly not have been easy for the applicants to be confronted with their past again after so many years. The work of the Claims Committee had made an enormous contribution towards addressing the legacy of the past. Of the Claims Committee's three Members, just G. Jonathan Greenwald had not yet received official recognition for his work, Bures continued. During the reception she awarded him the Great Silver Medal for Services to the Republic of Austria.

In his closing remarks the Chairman of the Claims Committee, Sir Franklin Berman, expressed Claims Committee's hope that "through its work and, indeed, its very existence it had in its own way made a contribution towards creating an atmosphere of reconciliation, and perhaps even towards healing wounds of the past". It was not possible to present the report without feeling a degree of emotion, which arises not out of satisfaction at the fulfilment of a task, but rather out of the nature of the task itself, Berman continued. "To have contributed, over a period of some 15 years, to the construction, and then the successful operation, of a system for addressing intolerable past injustice is a moral activity, felt equally strongly to be so by all of those involved." The Claims Committee had been aware from the very outset that "monetary payment could never in itself make good for gross injustice". Instead, the main purpose of the General Settlement Fund was "to make it known that here was a body that would listen to claimants, hear their stories, and offer them some form of official acknowledgement of their suffering".

The Final Report spans more than 700 pages and documents the work of the Claims Committee, in particular the importance of the Washington Agreement in dealing with Austria's Nazi past, the many and varied aspects that had to be taken into consideration during its implementation, and the procedure and the high procedural standards applied in it. In September 2015 the Final Report was submitted to the Fund's Board of Trustees and then, subsequently, to the Main Committee of the National Council as stipulated by the General Settlement Fund Law. Preparations are currently underway to publish an edited version of the Final Report with an English translation in book form. A brief overview of the Final Report containing the most important results, statistics and figures is available on the General Settlement Fund's website.

The Claims Committee has decided on 20,702 applications containing 151,949 claims for 94,335 losses. It has awarded 18,155 applicants (87.7 %) compensation; 2,547 (12.3 %) applications were denied in their entirety. A little over two thirds of the claims (103,425 or 68.07 %) were granted. The largest proportion of positive decisions was issued in the category "Occupational and educational losses", while the vast majority of claims for real estate were rejected. These figures reflect Austria's previous restitution policies which after 1945 pursued the policy of restituting only assets, including real estate, that were still available.

Overall, the claims recognized by the Claims Committee totaled approx. 1.6 billion U.S. Dollars; around 32 % of these were for occupational and educational losses, around 22 % for liquidated businesses and 15 % for stocks, with the rest distributed among the other categories of losses; bank accounts, insurance policies, real estate, movable assets, debentures, mortgages, and other losses and damage. In line with the fixed amount with which the Fund was endowed, by 15 March 2017 a total of approx. 213.27 million U.S. Dollars was disbursed, around 161.52 million U.S. Dollar thereof in the form of advance payments and 51.75 million as closing payments. Upon its conclusion a total of 24,000 beneficiaries will have received a payment from the General Settlement Fund.

The remaining tasks of the General Settlement Fund are: the search for heirs of deceased applicants, its function as the business apparatus of the Arbitration Panel for In Rem Restitution, which will submit its Final Report in 2018, and securing and documenting the databases and archive

holdings. Heirs are still being sought for 666 applicants who passed away during ongoing proceedings. There are still 1,373 applications that have not yet been paid out in full. It is still possible to lay claim to payments for claims that have already been granted until the end of April 2019, after which they become subject to the statute of limitations. Once the General Settlement Fund has completed all of its tasks it shall be dissolved.

The Claims Committee first convened in November 2001 having been established on the basis of the Washington Agreement between the Governments of the USA and Austria in order to settle questions of compensation and restitution for victims of National Socialism, and on the basis of the General Settlement Fund Law, as an independent, international decision-making body for applications for financial compensation filed with the General Settlement Fund. Sir Franklin Berman, Visiting Professor for International Law at the Universities of Oxford, Cape Town and King's College, London, and judge in international arbitration and court proceedings, has been the Committee Chairman since its inception. The Austrian appointee is the former Vice President of the Austrian Supreme Court, Dr. Kurt Hofmann, Claims Committee Member since 2001. American nominees have been Prof. Robert Rosenstock from 2001 to 2004 and Prof. Vivian Grosswald Curran from 2004 to 2006. The U.S. Diplomat and Vice President of the International Crisis Group, Washington D.C., G. Jonathan Greenwald was a Member of the Claims Committee from May 2006.

The General Settlement Fund for Victims of National Socialism was established in 2001 as a comprehensive solution to open questions of compensation for victims of National Socialism for losses and damage that were incurred as a result of or in connection with events that took place on the present-day territory of the Republic of Austria. The Fund has the task of compensating losses that were not, or only insufficiently, accounted for by previous restitution and compensation measures.

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