

## Implementation of the Washington Agreement of 2001\*

(Federal Law Gazette [BGBl.] III No. 121/2001)

As at: 14 January 2011

Obligation pursuant to annex A of the Washington Agreement	Statutory implementation	Implementation status	Tasks remaining
<p><b>Annex A, para. 1: Immediate Compensation for Survivors:</b> “The Austrian Government will make a 150 million US-Dollar contribution to the National Fund, which will be distributed in its entirety on an expedited basis to all Holocaust survivors originating from or living in Austria. [...] This amount will cover 1) apartment and small business leases; 2) household property; 3) personal valuables and effects. This amount will not cover potential claims against Dorotheum (which will be covered by the GSF, see <i>infra</i> para. 2) or <i>in rem</i> claims for works of art. This amount will be credited against the final cap for the GSF. [...]”</p>	<p>Amendments to the Federal Law on the National Fund of the Republic of Austria for Victims of National Socialism  <a href="#">BGBl. I Nr. 11/2001</a> (NR: GP XXI <a href="#">IA 350/A AB 475 S. 55</a>. BR: <a href="#">AB 6300 S. 672.</a>)  <a href="#">BGBl. I Nr. 11/2001</a> (NR: GP XXI <a href="#">IA 350/A AB 475 S. 55</a>. BR: <a href="#">AB 6300 S. 672.</a>)  <a href="#">BGBl. I Nr. 14/2001</a> (Announcement regarding the date of enactment)  <a href="#">BGBl. I Nr. 19/2003</a> (NR: GP XXII <a href="#">IA 46/A AB 29 S. 10</a>. BR: <a href="#">AB 6775 S. 695.</a>)  <a href="#">BGBl. I Nr. 99/2010</a> (NR: GP XXIV <a href="#">IA 1313/A AB 990 S. 83</a>. BR: <a href="#">AB 8409 S. 790.</a>)</p>	<p>A total of 150 million US Dollars had been made available for the payments compensating seized tenancy rights. Applications were able to be submitted to the National Fund until 30 June 2004. Application processing pursuant to Sec. 2b of the National Fund Law has, for the most part, been concluded. Approx. 20,300 payments have been made in total; around 2,800 applications had to be rejected. A subsequent payment of 1,000 Euros per eligible applicant was made to around 19,000 people.</p>	<p>Currently, heirs of eligible applicants are being sought in order to be able to carry out the outstanding subsequent payments – there are currently around 860 subsequent payments outstanding. What will happen with the remaining residue of the original 150 million US Dollars which are unable to be distributed must be defined in law in 2011; a bill in this regard is being drawn up.</p>
<p><b>Annex A, para. 2: Establishment of a General Settlement Fund:</b> The Austrian Federal Government will propose the necessary legislation [...] to the National Council by April 30, 2001 to establish a GSF. Austria will undertake its best efforts to ensure that this legislation is passed by June 30, 2001. The legislation will enter into force once all contributions have been made available. The GSF will be a voluntary fund that will provide <i>ex</i></p>	<p>Federal Law on the Establishment of a General Settlement Fund for Victims of National Socialism and on Restitution Measures (General Settlement Fund Law) and for the amendment of the General Social Security Act and the Victims’ Welfare Act (NR: GP XXI <a href="#">AB 476 S. 55</a>. BR: <a href="#">AB 6301 S. 672.</a>) Original version: <a href="#">BGBl. I Nr. 12/2001</a>                      Amendment:  <a href="#">BGBl. I Nr. 40/2001</a> (NR: GP XXI <a href="#">AB 541 S. 61</a>. BR: <a href="#">6328</a> and <a href="#">6329 AB 6339</a>)</p>	<p>The independent <a href="#">Claims Committee</a> decides on individual for payments compensation claims in several <a href="#">categories of losses</a> from a fund of 210 million US Dollars. The deadline for filing applications expired on 28 May 2003. People who were directly affected by National Socialist persecution and their legal successors were eligible to file applications. The amount of the compensation payments is determined according to the amount of the established loss in each case. The compensation payments are paid out <i>pro rata</i></p>	<p>With the exception of three cases, the Claims Committee has already decided once on all applications. Applications for which appeals have been lodged or a reopening of proceedings has been applied for are still pending. Currently, focus lies on processing the remaining closing payments from the General Settlement Fund. This is dependent on the search for applicants who have passed away or moved having a successful outcome. It can be assumed that this will still take quite a</p>

\* NB. This table was compiled by the [National Fund](#) of the Republic of Austria and the [General Settlement Fund](#) for Victims of National Socialism on the basis of the information/sources available on 14 January 2011. For those items of the Washington Agreement, the implementation of which lies out of the field of competence of the National Fund or the General Settlement Fund, where necessary or possible, additional information has been obtained from the competent departments and the sources stated in the footnotes. This information may therefore be subject to possible supplementation or amendment in the future. The highlighted terms lead to the respective legislative text in the [RIS \(legal information system\)](#) of the Austrian Federal Chancellery or to the [National Fund website](#) or the parliamentary materials on the [website of the Austrian parliament](#).

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<p><i>gratia</i> payments to certain applicants. The GSF will include both a “claims-based” and an “equity-based” component. The GSF will be capped at 210 million US-Dollar plus interest, at the Euribor rate, accruing to it beginning 30 days after all claims, pending as of June 30, 2001, against Austria and/or Austrian companies arising out of or related to the National Socialist era or World War II are dismissed with prejudice, and such interest shall continue to accrue on the funds available at any given time until the GSF has paid all approved claims. The 210 million US-Dollar contribution by Austria and Austrian companies (including the Austrian insurance industry) + interest, under the terms described <i>supra</i>, will be in addition to the 150 million US-Dollar referred to <i>supra</i> in para. 1. The distribution of payments by the GSF will be based on decisions of the independent Claims Committee. [...]”</p>	<p><a href="#">S. 676.</a>)  <a href="#">BGBl. I Nr. 58/2001</a> (Announcement regarding the date of enactment)  <a href="#">BGBl. I Nr. 114/2002</a> (correction of a typing error)  <a href="#">BGBl. I Nr. 108/2004</a> (NR: GP XXII <a href="#">IA 420/A AB 563 S. 73</a>. BR: <a href="#">AB 7087 S. 712.</a>)  <a href="#">BGBl. I Nr. 142/2005</a> (NR: GP XXII <a href="#">IA 670/A AB 1101 S. 127</a>. BR: <a href="#">AB 7404 S. 728.</a>)  <a href="#">BGBl. I Nr. 20/2007</a> (NR: GP XXIII <a href="#">IA 117/A AB 47 S. 17</a>. BR: <a href="#">AB 7678 S. 744.</a>)  <a href="#">BGBl. I Nr. 2/2008</a> (1. BVRBG) (NR: GP XXIII <a href="#">RV 314 AB 370 S. 41</a>. BR: <a href="#">7799 AB 7830 S. 751.</a>)  <a href="#">BGBl. I Nr. 89/2008</a> (NR: GP XXIII <a href="#">IA 589/A AB 604 S. 63</a>. BR: <a href="#">AB 7966 S. 757.</a>)  <a href="#">BGBl. I Nr. 54/2009</a> (NR: GP XXIV <a href="#">AB 203 S. 21</a>. BR: <a href="#">AB 8114 S. 771.</a>)</p>	<p>in proportion to the total sum available of 210 million US Dollars. Due to the fact that a final determination of this “<a href="#">compensation quota</a>” requires an overall assessment of all applications, containing around 120,000 individual claims, in view of the age of many applicants the GSF Law was amended in December 2005. The amendment allowed for the proportional payments to those applicants whose losses had already been determined to be brought forward. These <a href="#">advance payments</a> were commenced in December 2005. After the necessary amendment to the GSF Law (<a href="#">Federal Law Gazette I no. 54/2009</a>) the final payment shares for monies from the General Settlement Fund were calculated on the basis of the decisions passed by the Claims Committee up to 1 July 2009 and the funds available to the General Settlement Fund. In doing so the <i>pro rata</i> distribution of the funds in relation to the established losses was settled. These quotas amounted to 10.56 percent of the established losses in the claims-based proceedings, 17.16 percent in the equity based proceedings and 20.74 percent for seized insurance policies.</p> <p>For all applications received after 1 July 2009 or revised Claims Committee decisions reached on grounds of an appeal or reopening the Federation is making further funds available in line with the determined payment quotas pursuant to Sec. 2 (1) of the GSF Law. From December 2005 to December 2010, around 202 million US Dollars were disbursed. Of these payments, around 19,000 took the form of advance payments and around 18,000 took the form of closing payments.</p>	<p>while. It is expected that these tasks will have been completed by the end of 2013.</p>

Obligation pursuant to annex A of the Washington Agreement	Statutory implementation	Implementation status	Tasks remaining
<p><b>Annex A, para. 3: Arbitration Panel for <i>In Rem</i> Restitution of Publicly-Owned Property:</b>  “a. Austria will seek to provide, in accordance with the procedures described below, on a case by case basis, <i>in rem</i> restitution of publicly-owned property. Particular attention will be given to the issue of property formerly owned by Jewish communal organizations, taking into account the particular situation of the Austrian Jewish Community. b. In connection with the establishment of the GSF, the Austrian Federal Government will propose the necessary legislation to the Austrian Parliament by April 30, 2001 to establish, fund, and authorize a three-member Arbitration Panel (“Panel”) to address the <i>in rem</i> return of publicly-owned property, including property formerly owned by Jewish communal organizations. Austria will undertake its best efforts to ensure that this legislation is passed by June 30, 2001. c. The implementation of <i>in rem</i> restitution of publicly-owned property will have to be in conformity with Austrian constitutional law and Austria’s international obligations. [...]”</p>	<p>Federal Law on the Establishment of a General Settlement Fund for Victims of National Socialism and on Restitution Measures (General Settlement Fund Law) and for the amendment of the General Social Security Act and the Victims’ Welfare Act (NR: GP XXI <a href="#">AB 476 S. 55</a>. BR: <a href="#">AB 6301 S. 672</a>.) Original version: <a href="#">BGBl. I Nr. 12/2001</a>  Amendment:  <a href="#">BGBl. I Nr. 40/2001</a> (NR: GP XXI <a href="#">AB 541 S. 61</a>. BR: <a href="#">6328</a> and <a href="#">6329 AB 6339 S. 676</a>.)  <a href="#">BGBl. I Nr. 58/2001</a> (Announcement regarding the date of enactment)  <a href="#">BGBl. I Nr. 114/2002</a> (correction of a typing error)  <a href="#">BGBl. I Nr. 108/2004</a> (NR: GP XXII <a href="#">IA 420/A AB 563 S. 73</a>. BR: <a href="#">AB 7087 S. 712</a>.)  <a href="#">BGBl. I Nr. 142/2005</a> (NR: GP XXII <a href="#">IA 670/A AB 1101 S. 127</a>. BR: <a href="#">AB 7404 S. 728</a>.)  <a href="#">BGBl. I Nr. 20/2007</a> (NR: GP XXIII <a href="#">IA 117/A AB 47 S. 17</a>. BR: <a href="#">AB 7678 S. 744</a>.)  <a href="#">BGBl. I Nr. 2/2008</a> (1. BVRBG) (NR: GP XXIII <a href="#">RV 314 AB 370 S. 41</a>. BR: <a href="#">7799 AB 7830 S. 751</a>.)  <a href="#">BGBl. I Nr. 89/2008</a> (NR: GP XXIII <a href="#">IA 589/A AB 604 S. 63</a>. BR: <a href="#">AB 7966 S. 757</a>.)  <a href="#">BGBl. I Nr. 54/2009</a> (NR: GP XXIV <a href="#">AB 203 S. 21</a>. BR: <a href="#">AB 8114 S. 771</a>.)</p>	<p>The independent Arbitration Panel for <i>In Rem</i> Restitution, established at the General Settlement Fund, can recommend the restitution of previously seized properties (and of moveable assets of Jewish communal organizations) which are publicly-owned. Publicly-owned property comprises properties owned by the Federation and by those provinces and municipalities which have affiliated themselves with proceedings of the Arbitration Panel. So far, these are the City of Vienna, the provinces of Upper Austria, Salzburg, Carinthia, Lower Austria, Styria, Vorarlberg and Burgenland and the municipalities of Bad Ischl, Eisenstadt, Grieskirchen, Kittsee, Korneuburg, Mattersburg, Oberwart, Purkersdorf, Rechnitz, Stockerau, Vöcklabruck and Wiener Neudorf. The municipalities of Bad Vöslau and Schwechat each requested the Arbitration Panel to undertake an examination of one case.  Of the 2,230 applications received, the Arbitration Panel has decided 366 “substantive” applications and 661 “formal” applications, i.e. those which do not fulfill the requirements for an application. 168 applications were concluded without a decision by the Arbitration Panel; these include, for example, applications which were withdrawn.  To date, the Arbitration Panel has recommended the restitution of properties with an estimated total value of around 40 million Euros to a total of 81 applicants.</p>	<p>Two deadlines for filing applications – regarding property of the Province of Lower Austria and the Municipality of Feldkirchen – remain open until the end of 2011. Of the 2,230 applications received by the Arbitration Panel, 1,035 are still awaiting a decision. These also include 651 formal applications with requests for improvements. Subject to possible deadline extensions and with the exception of the necessary work in connection with winding up the Arbitration Panel and the continuation of the series of publications “Decisions of the Arbitration Panel”, the tasks of the Arbitration Panel are expected to be concluded by the end of 2013.</p>
<p><b>Annex A, para. 4: Additional Social Benefits to Survivors:</b>  “a. Austria will pass the necessary</p>	<p><a href="#">BGBl. I Nr. 12/2001</a> (NR: GP XXI <a href="#">AB 476 S. 55</a>. BR: <a href="#">AB 6301 S. 672</a>.)  <a href="#">BGBl. I Nr. 70/2001</a> (NR: GP XXI <a href="#">RV</a></p>	<p><b>Pension payments:</b>  Austrian social security law contains so called “beneficial provisions”. These beneficial</p>	<p>The obligations from the Washington Agreement have been implemented and continue to in effect.</p>

Obligation pursuant to annex A of the Washington Agreement	Statutory implementation	Implementation status	Tasks remaining
<p>legislation to allow disbursement of ‘Pflegegeld’ (‘care allowance’) of categories up to 7 to victims of National Socialism living abroad as soon as possible.</p> <p>b. Austria will, as soon as possible, make the following changes in the laws that address social benefits for victims of National Socialism:</p> <p>(i) amend the Victims Assistance Act so as to abolish the six years’ age limit provided for in § 1(2) <i>lit. f</i> of the Victims Assistance Act;</p> <p>(ii) amend paragraph 11 of the Victims Assistance Act to allow for pensions for persons who were Austrian citizens as of March 13, 1938, or who had during the period of 10 years prior to that date their residence on the territory of the Republic of Austria and were not Austrian citizens if they fulfill the other requirements of the Victims Assistance Act.</p> <p>(iii) amend the definition of ‘imprisonment’ in § 1(1) of the Victims Assistance Act to include those who were confined in concentration camp-like facilities, <i>e.g.</i>, <i>Sammellager</i> (‘Collection Camps’);</p> <p>(iv) amend § 502(6) of the General Pension Law (ASVG) to the effect that all those born on the present-day territory of the Republic of Austria between January 1, 1933 and March 12, 1938 will be eligible to buy into the Austrian pension system under the conditions of § 502(1,4,6).”</p>	<p><a href="#">575 AB 658 S. 71</a>. BR: <a href="#">AB 6387 S. 678.</a>)  <a href="#">BGBl. II Nr. 34/2002</a> (adjustment of the amount by ordinance)  <a href="#">BGBl. I Nr. 41/2002</a> (NR: GP XXI <a href="#">AB 986 S. 91</a>. BR: <a href="#">AB 6571 S. 684.</a>)  <a href="#">BGBl. II Nr. 455/2002</a> (adjustment of the amount by ordinance)  <a href="#">BGBl. II Nr. 198/2003</a> (adjustment of the amount by ordinance)  <a href="#">BGBl. II Nr. 52/2004</a> (adjustment of the amount by ordinance)  <a href="#">BGBl. II Nr. 504/2004</a> (adjustment of the amount by ordinance)  <a href="#">BGBl. I Nr. 48/2005</a> (NR: GP XXII <a href="#">RV 671 AB 868 S. 110</a>. BR: <a href="#">AB 7290 S. 722.</a>)  [CELEX-Nr.: <a href="#">32004L0080</a>]  <a href="#">BGBl. I Nr. 86/2005</a> (NR: GP XXII <a href="#">IA 614/A AB 1024 S. 116</a>. BR: <a href="#">AB 7354 S. 724.</a>)  <a href="#">BGBl. II Nr. 3/2006</a> (adjustment of the amount by ordinance)  <a href="#">BGBl. I Nr. 165/2006</a> (NR: GP XXIII <a href="#">IA 27/A AB 8 S. 4</a>. BR: <a href="#">AB 7646 S. 739.</a>)  <a href="#">BGBl. I Nr. 169/2006</a> (NR: GP XXIII <a href="#">RV 12 AB 19 S. 8</a>. BR: <a href="#">7649 AB 7651 S. 740.</a>)  <a href="#">BGBl. II Nr. 25/2007</a> (adjustment of the amount by ordinance)  <a href="#">BGBl. I Nr. 16/2008</a> (NR: GP XXIII <a href="#">RV 304 AB 354 S. 40</a>. BR: <a href="#">AB 7877 S. 752.</a>)  <a href="#">BGBl. II Nr. 28/2008</a> (adjustment of the amount by ordinance)  <a href="#">BGBl. I Nr. 129/2008</a> (NR: GP XXIII <a href="#">IA 889/A S. 72</a>. BR: <a href="#">8013 AB 8022 S. 760.</a>)  <a href="#">BGBl. II Nr. 442/2008</a> (adjustment of the</p>	<p>provisions are intended to compensate for disadvantages suffered under social insurance law as a result of National Socialist persecution. These provisions regulate the opportunity for certain groups of people to receive insurance periods in the Austrian pension system for free or to purchase them at a preferential rate. As a result of the beneficial provisions, around 11,000 people currently draw a statutory pension, resulting in annual costs of approx. 5.3 million Euros. [...]</p> <p><b>Victims’ welfare payments and care allowance:</b></p> <p>Up to and including 2008, a total of approximately 810 million Euros was paid in the field of victims’ welfare. This sum also includes care allowance for people drawing pensions pursuant to the Victims’ Welfare Act amounting to 12 million Euros from the Assistance Fund and monetary payments from the Compensation Fund/Victims’ Welfare Fund amounting to 21.6 million Euros. In 2009, this expenditure in the field of victims’ welfare rose by 17.6 million Euros in addition to monetary payments from the Compensation Fund/Victims’ Welfare Fund amounting to 0.8 million Euros. Thus, including 2009, a total of approx. 828 million Euros (total expenditure and Compensation Fund/Victims’ Welfare Fund) was disbursed in the field of victims’ welfare.</p> <p>This sum is comprised of total victims’ welfare expenditure of around 806 million Euros (including care allowance for people drawing pensions pursuant to the Victims’</p>	

<sup>1</sup> This information on social measures for Holocaust survivors and people from Austria persecuted under National Socialism was provided to the National Fund/General Settlement Fund by the Federal Ministry for Labor, Social Affairs and Consumer Protection, Mag. Maria Taferner, in December 2010.

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	<p>amount by ordinance)  <a href="#">BGBl. II Nr. 436/2009</a> (adjustment of the amount by ordinance)  <a href="#">BGBl. I Nr. 135/2009</a> (NR: GP XXIV <a href="#">RV 485 AB 558 S. 49</a>. BR: <a href="#">8217 AB 8228 S. 780.</a>)  <a href="#">BGBl. I Nr. 4/2010</a> (NR: GP XXIV <a href="#">AB 544 S. 49</a>. BR: <a href="#">AB 8242 S. 780.</a>)  <a href="#">BGBl. II Nr. 456/2010</a> (adjustment of the amount by ordinance) (amendment in progress)</p>	<p>Welfare Act amounting to 12.5 million Euros and 31.6 million Euros from the Assistance Fund) and monetary payments from the Compensation Fund/Victims' Welfare Fund of 22.4 million Euros.</p> <p>Moreover, from 2002 to 2009, around 115.1 million Euros were additionally paid out to eligible persons in other states in the form of a care allowance. Since 2002, money for all seven levels of care allowance is paid out to people living in other states (previously this only applied for care allowance up to level 2).<sup>1</sup></p>	
<p><b>Annex A, para. 5: Restitution of Works of Art:</b> "Art restitution will proceed on an expedited basis pursuant to the Federal Law of December 4, 1998 concerning the works of art from Austrian Federal Museums and Collections. The Austrian Federal Government will undertake its best efforts to address the issue of the return of works of art from Austrian companies and Austrian public entities not covered by the Federal Law. The Austrian Federal Government will undertake its best efforts to encourage the adoption of similar procedures at the municipal and provincial levels. To this end, the Austrian Federal Chancellor will write a letter to governors and mayors urging them to adopt such measures, recalling the resolution by the Austrian Parliament of 1998 urging provincial and municipal museums to research the provenance of the art works in their possession and to return all such art looted during the National Socialist era to the rightful</p>	<p>Federal art restitution:  National Fund Law: <a href="#">Federal Law of 30 June 1995 on the National Fund of the Republic of Austria for Victims of National Socialism, original version: BGBl. Nr. 432/1995 idF BGBl. I Nr. 19/2003</a>  Art Restitution Law: Federal law on the restitution of art objects and other moveable cultural objects from the Austrian Federal museums and collections and other Federal ownership (Art Restitution Law) (NR: GP XX <a href="#">RV 1390 AB 1464 S. 146</a>. BR: <a href="#">AB 5802 S. 646.</a>) Original version: <a href="#">BGBl. I Nr. 181/1998</a> Amendment: <a href="#">BGBl. I Nr. 117/2009</a> (NR: GP XXIV <a href="#">RV 238 AB 349 S. 40</a>. BR: <a href="#">AB 8187 S. 777.</a>)  Art restitution of provinces and municipalities:  Carinthia: <a href="#">Law of 16 June 2003 on restitution measures for victims of National Socialism, LGBl. Nr. 49/2003</a></p>	<p>The Art Restitution Law and the Vienna Municipal Council Resolution on Art Restitution 1999 stipulate the requirements and the procedure for the restitution of artworks from the museums and collections of the Republic of Austria and the City of Vienna. In practice, the restitutions occur on the basis of recommendations by the Art Restitution Advisory Board and the Vienna Restitution Commission, which are based on the results of provenance research carried out in each museum. After it has been determined that an item is suitable for restitution, the former owners or heirs are sought. This generally occurs with the assistance of the Jewish Community Vienna or the Department for Restitution Matters of the Jewish Community and with the assistance of the National Fund.</p> <p>Since 1998, several thousand art and cultural objects have been able to be restituted, including over 32,000 books from the Austrian National Library. Each restitution which occurs is detailed in a restitution report. The online publication of these reports is</p>	<p>For the purpose of distributing the proceeds from publicly-owned art objects which are suitable for restitution but remain heirless, in 2010, the National Fund commenced the examination of the approx. 2,500 rejected applications for gesture payments for entitlement in this respect.</p>

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owners.”	<p><a href="#">(Carinthia Restitution Law)</a>  Salzburg: <a href="#">Government resolution of 9 December 2002</a>  Lower Austria: <a href="#">Government resolution of 28 August 2002</a>  Vorarlberg: <a href="#">Government resolution of 16 December 2003</a>  Burgenland: <a href="#">Government resolution of 12 November 2002</a>  Styria: <a href="#">Provincial constitutional law of 14 March 2000 on the restitution or utilization of art objects and cultural objects seized from their owners during the National Socialist regime, LGBl. Nr. 46/2000</a>  Upper Austria: <a href="#">Provincial law of 10 April 2002 on restitution measures for victims of National Socialism, LGBl. Nr. 29/2002 (Upper Austrian Restitution Law)</a>  Tyrol: <a href="#">Government resolution of 3 July on the restitution of assets and cultural objects to victims of National Socialism</a>  Stockerau: <a href="#">Municipal council resolution of 16 September 2004</a></p>	<p>ongoing.  By law, the National Fund is also entrusted with the utilization of publicly-owned art objects which were seized during the National Socialist era and are suitable for restitution but for which heirs can no longer be found. In 2010, 135,000 Euros were transferred to the National Fund as the proceeds for heirless books from the holdings of the National Library. This money is to be used to benefit victims of National Socialism pursuant to the Art Restitution Law, Federal Law Gazette I no. 181/1998 as amended by Federal Law Gazette I no. 117/2009 and to the guidelines resolved by the Board of Trustees. The National Fund is responsible for the distribution of these monies.  The National Fund has also been running an <a href="#">art database</a> of formerly seized art objects in Austria’s publicly owned museums and collections since 2006, both as an information platform and as a forum for the search for heirs. An English version of the database can be found at <a href="http://www.artrestitution.at">www.artrestitution.at</a>. The National Fund’s art database contains regularly updated information on 8,995 items (as at December 2010). The examination of 2,581 of these objects has already been completed. A reworked, barrier free version of the database has been online since October 2010. Searches can now be carried out according to museum, inventory number and restitution status meaning that it is possible to see which objects have already been restituted, which are still being examined, and for which heirs of identified previous owners are being sought.</p>	

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<p><b>Annex A para. 6: Hakoah Sports Club:</b> “The former Hakoah sports field was a leasehold property of the Hakoah Sport Club located in the Prater in Vienna. The City of Vienna is prepared to offer to lease to the IKG, on a reasonable and mutually acceptable long-term basis similar to that of the original lease, a similar piece of land in the vicinity of the former location. A contribution of 8 million US-Dollar will be made available for the construction of an appropriate sports facility. This will be the final amount for this purpose.”</p>	<p><a href="#">BGBl. III Nr. 121/2001</a> Vienna Municipal Council, 17. Wahlperiode, <a href="#">4<sup>th</sup> Session of 27 June 2001, session report, S. 10f.</a></p>	<p>From the minutes of the Vienna Municipal Council Meeting of 27.06.2001: “The municipal authority is authorized to offer the Hakoah Association a property comparable to that which was seized, with a long-term rental contract (similar to the original leasehold). The municipal authority is to immediately enter into negotiations with the Hakoah Association to this end. On the condition that the Federation provides an equal amount, a sum of 4,000,000 US Dollars (according to the exchange rate on 17 January 2001 this amounts to 58, 580,349 Schilling or 4,257,200 Euros) is to be provided in Schilling to the Association in order to build a suitable sports facility.”<sup>2</sup></p> <p>“In 2002, the final restitution was negotiated. After more than 60 years, the Hakoah Sports Association’s original land in Prater was returned. In February 2004, a land exchange was resolved by a housing committee of the Vienna Municipal Council. A 19,500 m<sup>2</sup> property near Ernst Happel Stadium was given to the Hakoah as a replacement for the area stolen by the National Socialist regime. 8 million US Dollars was provided for the rebuild (one half by the City of Vienna the other by the Federation). The opening ceremony for the sport center took place in March 2008.”<sup>3</sup></p>	<p>The obligations from the Washington Agreement have been implemented.</p>
<p><b>Annex A para. 7: State Archives:</b> “Austria will provide additional resources to the Austrian State Archives to allow better access to the files. Austria will do its utmost to ensure that requests to the Austrian State Archives for</p>		<p>Upon request of the applicants of the General Settlement Fund, the Austrian State Archives provided copies from relevant archival objects and sent them to the applicants.</p> <p>In addition to this, the General Settlement</p>	<p>The work of the research department of the General Settlement Fund for the Claims Committee is virtually completed. Until the deadline for lodging an appeal has expired, focus will lie on research for art restitution and on further research for</p>

<sup>2</sup> Vienna Municipal Council, 17th elective period, [4<sup>th</sup> session of 27 June 2001, session report, p. 10f.](#)

<sup>3</sup> Information from the municipality directorate legal division – group for civil and criminal law. URL: <http://www.wien.gv.at/verwaltung/restitution/entschaedigung/liegenhakoah.html> [14.01.2010]

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information are handled in an expedited and non-bureaucratic manner.”		Fund established a department, “historical research”. This department supported both applicants and the two decision-making bodies in obtaining documents relevant to the applications. In doing so, the information given by the applicants was supplemented – predominantly by official documents – in order to be able to examine the statutory requirements for the receipt of a payment. The “historical research department” obtained over 72,000 copies of documents and information from throughout Austria. The large majority, around 49,400, came from archives in Vienna; the remainder from other cooperative archives and departments. Among other things, in more than 12,000 cases information was obtained on insurance policies.	appeals and reopenings. Since the end of 2005, the research department had also been active in the field of provenance research, as it became apparent that claimed art objects or related prior restitution measures were unable to be sufficiently documented using only standard research methods.
<b>Annex A para. 8: Jewish Cemeteries:</b> “Austria will provide additional support for the restoration and maintenance of Jewish cemeteries, known or unknown, in Austria.”	Federal law with which a federal law on the establishment of a Fund for the restoration of the Jewish cemeteries in Austria is passed and with which the National Fund Law is amended. Original version: <a href="#">BGBl. I Nr. 99/2010</a> (NR: GP XXIV <a href="#">IA 1313/A</a> <a href="#">AB 990 S. 83</a> . BR: <a href="#">AB 8409 S. 790</a> .)	The task of administrating and coordinating the restoration of the Jewish cemeteries was transferred to the National Fund.	The National Fund is currently making preparations for the implementation of the statutory provisions.
<b>Annex A para. 9: Subsidies to the Annual Holocaust Education Program at the Salzburg Seminar:</b> “Austria will contribute to such a program.”		Austria contributed to the international conference “ <i>The Global Prevention of Genocide: Learning from the Holocaust</i> ”, which was held from 28 <sup>th</sup> of June until 3 <sup>rd</sup> of July 2010, both financially (through 75,000 Euros from the funds of the Austrian Future Fund) and through active co-operation of the Austrian ITF-Team in planning and realization of the conference.	Possibilities of a follow-up of the international conference “ <i>The Global Prevention of Genocide: Learning from the Holocaust</i> ” are being examined in cooperation with the Salzburg Seminar.
<b>Annex A para. 10: Legal Closure:</b> “The establishment of the GSF in conformity with the principles set forth in <i>supra</i> paragraphs 2 and 3, the passage of the legislation necessary to provide	<a href="#">BGBl. I Nr. 145/2005</a> [identical to <a href="#">BGBl. II Nr. 414/2005</a> ]	Pending class action suits were rejected and the General Settlement Fund was endowed with 210 million US Dollars. So far (as at January 2011), around 202 million US Dollars have been paid out from the General	It remains possible that further municipalities will affiliate themselves with the proceedings of the Arbitration Panel and consequently fall under the legal closure cited in annex A, para. 10.

Obligation pursuant to annex A of the Washington Agreement	Statutory implementation	Implementation status	Tasks remaining
<p>victims of National Socialism with the additional benefits referred to <i>supra</i> in paragraph 4, and the good faith progress in the implementation of the commitments referred to <i>supra</i> in paragraphs 5 to 9, confirmed by a diplomatic note from Austria to the United States, will lead to the dismissal with prejudice of all 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, excluding claims covered by the Reconciliation Fund, in respect of which the Agreement shall continue to govern, and further excluding <i>in rem</i> claims for works of art, by the plaintiffs’ attorneys who have signed the Joint Statement and to the United States taking appropriate steps in accordance with Articles 2(2), 2(3) and 3(3) of the Agreement between the Government of the United States of America and the Austrian Federal Government concerning the Austrian Fund “Reconciliation, Peace and Cooperation” (Reconciliation Fund) to assist Austria and Austrian companies in achieving legal closure for all such claims. The term “works of art” is understood to include tangible movable cultural or religious objects.</p> <p>Austrian provinces and municipalities will not benefit from legal closure, as set forth in Article 3(3) of the Agreement, in relation to claims for <i>in rem</i> restitution of publicly-owned property, applying <i>mutatis mutandis</i>, the principles set forth in <i>supra</i> para. 3(g), unless or until the</p>		<p>Settlement Fund. Besides the provinces of Upper Austria and Carinthia, which passed their own restitution legislation, the provinces of Vienna, Burgenland, Lower Austria, Salzburg, Steiermark and Vorarlberg and the municipalities of Bad Ischl, Eisenstadt, Frauenkirchen, Grieskirchen, Kittsee, Kobersdorf, Korneuberg, Mattersburg, Oberwart, Purkersdorf, Reichnitz, Stockerau, Vöcklabruck and Wiener Neudorf have affiliated themselves with the General Settlement Fund by governmental or municipal council resolution pursuant to Sec. 38 of the GSF Law. The municipalities of Bad Vöslau and Schwechat each requested the Arbitration Panel to undertake an examination of one case.</p>	

<b>Obligation pursuant to annex A of the Washington Agreement</b>	<b>Statutory implementation</b>	<b>Implementation status</b>	<b>Tasks remaining</b>
Austrian Federal Government notifies the Government of the United States that such province or municipality has adopted similar procedures for <i>in rem</i> restitution of publicly-owned property or agrees to accept recommendations of the Arbitral Panel established <i>supra</i> in paragraph 3.”			