

**▼ REPORT TO THE PUBLIC ON THE  
WORK OF THE COMMISSION IN 2008 ▲**



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## ▼ FOREWORD ▲

Renewed for the third time in September 2008, the French Commission for the Compensation of Victims of Spoliations (CIVS) has just turned ten.

Despite all of the work accomplished since the end of 1999, this report, the eighth to be presented to the French Prime Minister, is not yet to paint a definitive picture of the CIVS's activity, although the prognoses made last year have proved correct. In particular, the backlog of files pending examination or review by the Commission has fallen by a thousand and currently stands at around 1,600.

This result goes hand in hand with a justified reduction in the number of Commission staff members and rapporteurs as well as the number of sessions held by the latter. It may be questioned, however. New requests have only slightly decreased, from 82 per month on average to 74, to which should be added the number of internal creations and requests for renewed examination.

Moreover, a change in the current situation may be considered because of the efforts of the Commission which, in the hope that the Government's intention is fully realized, is endeavoring to reach as many people as possible who are likely to benefit from France's reparation policy.

The CIVS therefore used its last mission to New York, with the help of the Consulate General, to ask the institutions and organizations it met to promote its work.

Accordingly, the American Gathering of Jewish Holocaust Survivors and their Descendants has just published a detailed text on our work and how to contact us in its latest newsletter.

Moreover, an initiative is currently under way with the French National War Veterans and War Victims Administration (ONAC) to try and inform those people living abroad on an orphan's pension who may not know we exist.

Lastly, there would certainly be a significant rise in new claims if a deadline were imposed on the CIVS's mission.

As they stand, the following statistics and comments show that the Commission now works "just-in-time", at least for files that do not pose any particular difficulties. The crucial consultation of various archive centers takes several months and it is therefore impossible to cut waiting time.

Neither can a time interval be avoided for claimants who want their file to be reexamined by Commission in plenary session. The Commission, which meets much more often than previously, must also examine a number of cases, the complexity of which has delayed this examination. Those claims that have still not been examined in any way must be given priority.

The past year was marked by the arrival of a new Director, Mr Jean Pierre Le Ridant, who in January took over the difficult task on which the Prefect Lucien Kalfon had been working since the Commission was set up.

The following report gives a faithful and full account of the CIVS's work over this period and subsequently only calls for a few additional comments.

- We should start by highlighting the success of our last mission to New York, revealed through both the number of claimants who replied to the invitation sent by the Commission and the welcome we received from the countless institutions and figures we met. France's reparation policy, which has no limits for the time being, was considered to be a model.
- In New York, as well as during our work visit to the German Consultative Committee for the restitution of looted cultural property and our participation in the conference organized at the Museum of Judaism History and Art on the looting of works of art, we noticed how this issue is gaining importance in America and Europe. Here again, our country's work is sparking particular interest. Moreover, France was asked to co-chair the working group in this field, which is preparing the final conference in Prague of the Czech Presidency of the European Union.

In a few weeks' time, the Commission is due to meet for the sixth time in Israel. Such a trip needs complex, meticulous planning involving all of the Commission's staff. This will enable the claimants concerned to avail of the same prerogatives as those in France who can go in person to the CIVS headquarters. They will thus be able to give their point of view in full awareness of the facts and track their family history in the files.

These aspects of our work are illustrated by the decision that the US District Court of New York has just made. To set aside a claim made against France and the SNCF (National Railways of France), the Court has acknowledged the merits of the reparation system set up in our country and the work accomplished by the CIVS.

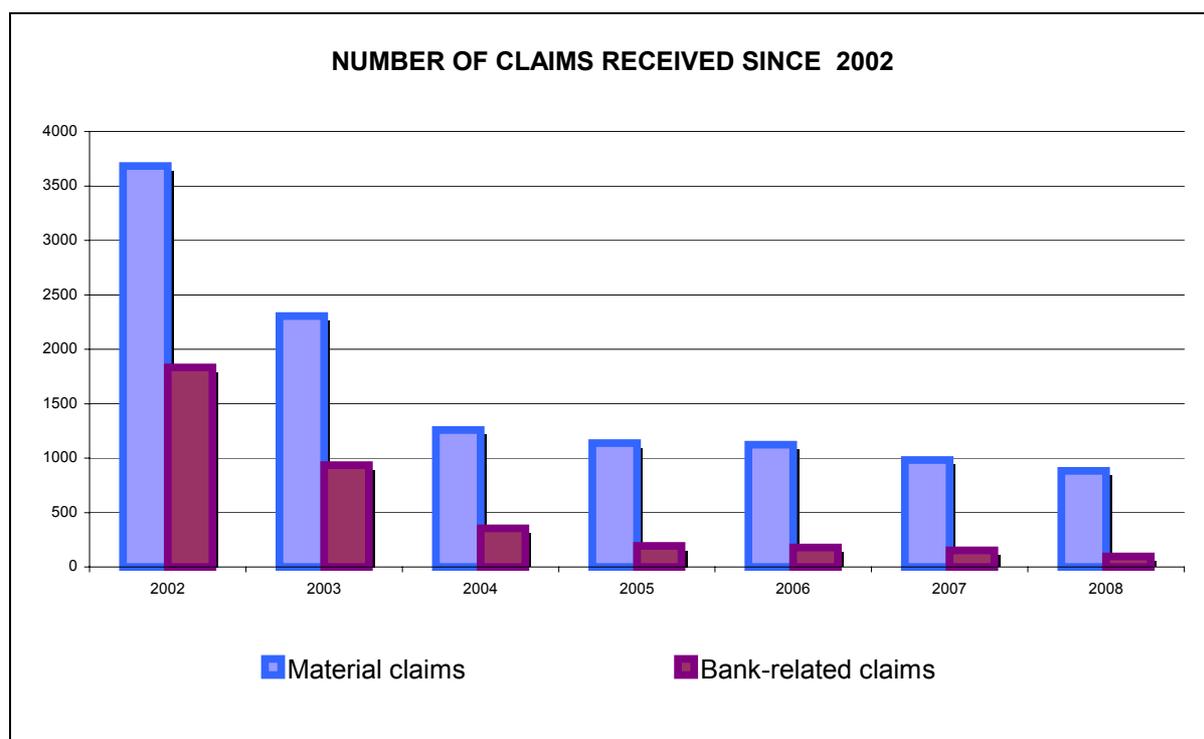
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## ▶ A CONTINUOUS FLOW OF FILES TO PROCESS ◀

**The number of claims received has once again fallen steadily in 2008.**

This reduction is now in for the long term, after a period of stability in 2004, 2005 and 2006 which followed the peaks observed in 2002 and 2003.

In 2007, an average 82 claims were received each month. In 2008, a drop was observed with 74 claims received on average per month.



### ➔ The status of claimants

Direct victims<sup>1</sup> account for 6% of claimants, compared with 8% in 2007.

The number of claims submitted by direct line heirs has fallen from 79% in 2007 to 74% in 2008. The number of collateral heirs now represents almost 20% of claims, however, indicating an increase of around 50% compared with the year before.

This trend has continued for the last three years. **14% of claims submitted in 2008 came from collateral heirs who had already opened a file as direct line heirs.**

<sup>1</sup> Direct victims are claimants who ask to receive compensation following loss during the Occupation either because their personal property was looted, or because they were interned and/or deported.

## ➤ Follow-up of files “pending a questionnaire”

The Data processing service follows up claims for which the questionnaires have not been returned several months after they were sent out to claimants.

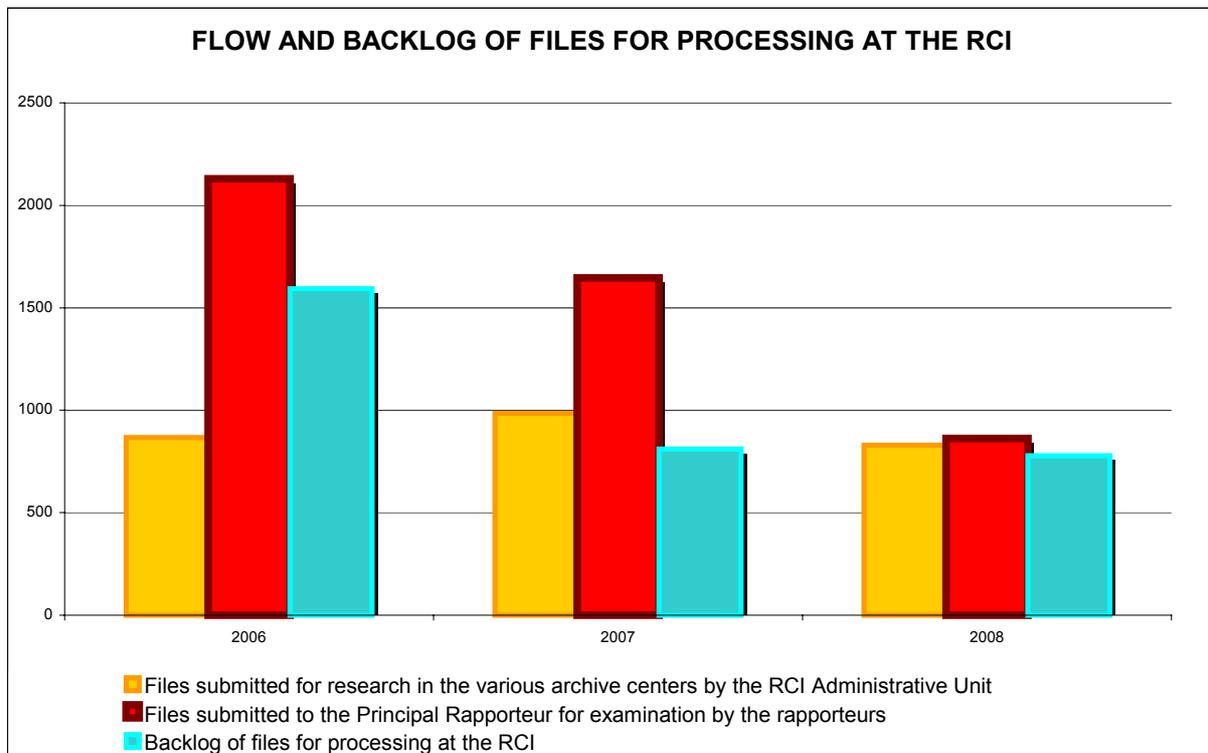
It has been noted that the method of sending reminders by post did not always bear fruit. Telephone reminders were more conclusive, as they were more direct and more clearly understood by claimants, who were often touched that they were called on and helped in this way. Some of the files pending questionnaire responses were therefore completed in this way.

## ① MATERIAL FILES

### ➤ The state of files being processed by the Control and Investigation Network (RCI)

In 2007, the number of files pending responses from the RCI had fallen sharply.

**In 2008, this trend continued with the backlog decreasing from 700 files in January to 630 in December.** The RCI currently does not have any more files dating back before 2007. They are either being reviewed by the Committee or examined by rapporteurs.



However, the department's activity has remained stable as the Data processing service sent 70 files on average per month to the RCI, which has maintained its backlog of files, half of which are a priority. The RCI for its part sent the same number of files to the archive centers and offices in 2008 and 2007, or almost 900.

The number of files being examined by rapporteurs decreased markedly, however, to a little under 900 in 2008 compared with 1,651 in 2007 for the reasons explained below.

### ➤ **The difficulties of planning files**

Several factors may explain the slowdown in dispatch of files to rapporteurs.

- **In the Berlin office**, the “double-checking” of files, which involves consultation of the Oberfinanzdirektion (OFD) and Wiedergutmachungsämter (WGA) archives, takes 2 months. Where applicable, this must be rounded off by investigations in other German archive centers such as the Coblenz archives, which increases the time it takes to obtain answers.

- **In the French National Archives**, over 60% of files sent to the office needed research in county-based archives, which increased the length of time it took to obtain answers, since the latter archives need at least three months to communicate the archival documents found.

- **In the Paris Archives**, the instigation of a new investigations procedure in traditionally consulted funds, carried out by staff at the Paris-based office rather than the Commission's research officers, caused a certain delay in the processing of files. An improvement should be observed.

- **The increasing number of complex files** requires longer investigations at archive offices. For information, between 15 days and 1 month of research were required for 12% of files sent to the French National Archives alone. Highly specialized records must be consulted for complex files, such as the winding-up by decision of court fund or the national solidarity tax fund for the Paris Archives.

For all these reasons, it is difficult to plan when feedback will be received from investigations, since this is partly subject to office examination problems and partly to a restricted backlog of files at the RCI.

Likewise, for Movable Cultural Property (**BCM**), archival research is time-consuming and complex.

### ▶ **The funds consulted for “Movable Cultural Property”<sup>2</sup>**

#### □ **French sources**

- **Private sources** can be a valuable source of documentation, but they are also difficult to consult: solicitors, auctioneers, households, etc.
- **The archives of French Museums**: these concern special collections placed under the protection of the French National Museums since 1939 and art preemptions by

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<sup>2</sup> “Movable Cultural Property” refers to all movable assets of archeological, historical, artistic, scientific or technical interest or value.

the State on sequestered property. Two annotated copies of volume II of the *Répertoire des biens spoliés en France pendant la guerre 1939-1945*<sup>3</sup>, on paintings, tapestries and sculptures, can also be found there. Museums and curators are also taking part in research and lending a particular hand in the assessment of works.

- **The French National Archives:** files on the aryanization of art dealers are kept in the sub-series AJ38. The archives of the French Court of Justice of the former Seine county contain files of tried cases, non-suits, investigation requests and submissions for an out-of-court settlement of dealers and purchasers sentenced at the Liberation. The files of the National Inter-professional Cleansing Committee concern a certain number of antique and art dealers.
- **The Paris and county-based archives:** auctioneer archives are a source of information on the sales carried out during the war. They are not always added to the main archives.
- **The archives of the French Foreign Affairs Ministry:**
  - Fund of the Office for Personal Property and Interests (Nantes)
  - Fund of the Artistic Recovery Commission, **CRA** (Paris), **the main fund kept in France**. This contains named files of despoiled people, including the following main documents: lists of looted property, photos, ownership certificates, receipt letter in the event of restitution, letters and German documents.

#### □ German sources

The archives kept in Germany are those of the Einsatzstab Reichsleiters Rosenberg (ERR) and post-war departments. These archives are in Berlin (OFD/WGA), Coblenz and Magdebourg (Lostart Register). Original documents in the Coblenz archives can also be consulted at the National Archives and Records Administration and National Gallery in Washington.

#### ➤ **“Movable Cultural Property”: a constant but very limited flow**

By December 31<sup>st</sup> 2008, the number of files in which the claimants requested compensation for the loss of "Movable Cultural Property" amounted to **1,593**.

340 BCM claims are currently being processed and 1,253 have already been examined by the Commission.

Out of all the claims, 389 concerned BCM, **132 of which mention works of art in the strict sense of the term**.

The 797 other claims were considered to concern “furniture” rather than BCM.

The average value of compensations granted was around **€55,000** for “Movable Cultural Property” and the total amount of compensations granted by the CIVS for this category of property is **€21,500,000**.

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<sup>3</sup> *Répertoire des biens spoliés en France pendant la guerre 1939-1945* (List of looted goods in France during World War II): drawn up from 85,000 typed sheets listing the claims from cultural property owners. Ten volumes were published from 1947 to 1949 by the Restitutions Office of the French Command in Chief in Germany. They cover industrial property, transport property, movable valuables, horses and works of art, paintings, tapestries, furniture, silverware, photographs and so on. They were distributed to museums, galleries, government departments and customs authorities, mainly in France, Germany and Austria.

## **② BANK-RELATED FILES**

### **➤ The depletion of Fund B**

With regards to the availability of the finances forming Fund B and statistics forecasts on the compensations liable to be covered by this Fund, the Commission announced the forthcoming depletion of Fund B in its previous report.

According to the CDC (State banking handling deposit Office), by the beginning of October 2008, **€24,037,382** had been paid in lump-sum compensation or as compensation supplements from Fund B. This amount represents **the total and definitive depletion of the Fund**, or 153% of the initial capital of 22,500,000 USD and overall availability (interests and discounts). As a result, in order to pay the compensation amounts recommended by the CIVS using Fund B alone or as supplements, **the escrow account Fund A automatically replaced Fund B** as stipulated in the Washington Agreement

The purpose of the escrow account Fund A is to pay for the compensations recommended from Fund B or from Fund A until the Commission closes down. Moreover, it is stipulated that this transfer did not amend the formulation of compensation recommendations or the payment due dates in any way.

Lastly, the information on the consumption of Funds B and A was sent by the CIVS every six months, on June 15<sup>th</sup> and December 15<sup>th</sup>, 2008, in 2 information notices concerning the management of bank-related files.

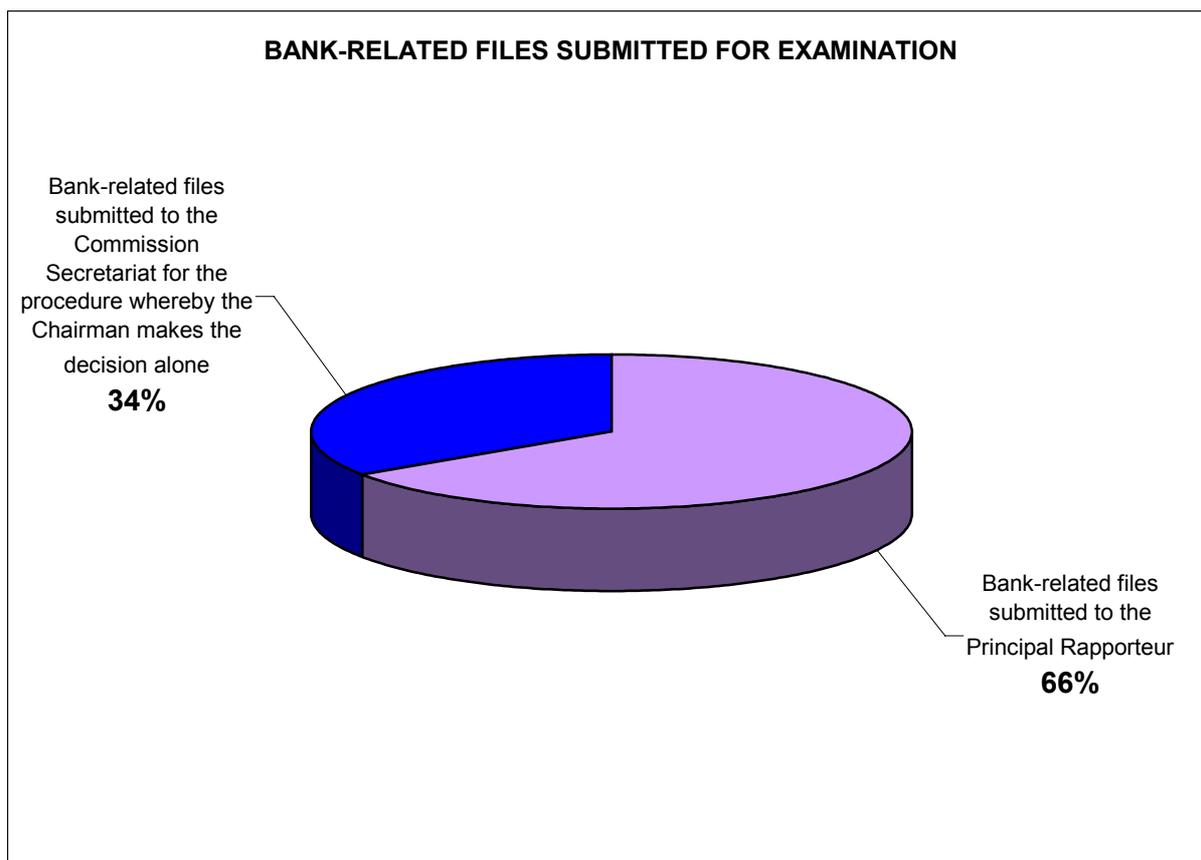
### **➤ Processing**

The bank-related office undertook a routine verification of the existence of business-related or personal bank accounts in the documents gathered from the various archive centers questioned, within the framework of claims for compensation for material losses. This led to the creation of around 300 “internally created” bank-related files.

At the same time, the Washington Agreement was applied to the flow of files reaching the Commission. It should be pointed out that 95 of the 480 files examined by the ad hoc department could not give rise to compensation because of a negative research result and foreclosure.

37 others, the claims for which were made prior to February 2<sup>nd</sup>, 2005, may receive lump-sum compensation from Fund B. The remaining 348 files would probably receive a compensation recommendation in the form of confirmed accounts or compensation supplements provided for by the Agreement from the escrow account Fund A, Fund B or the State budget.

To conclude, 495 files were submitted for examination in 2008. Although all of these bank-related files meet the priority character of the Washington Agreement, the simplified procedure whereby the Chairman makes the decision alone was applied for only a few of them. This is because their complexity prevented them from being examined separately from material files.



### **③ RAPPORTEURS**

Without going back over the details that have already been presented in previous reports, we shall recall that rapporteurs are entrusted with a key mission in the reparation process.

Based on the archival documents found and information obtained from the claimants, they must provide the Commission with the necessary data for assessing the loss resulting from spoliations and determining which claimants may receive compensation.

Their task, complicated by the time that has passed and spread of families, proves particularly difficult when the spoliations concerned major businesses and companies or works of art.

It goes beyond the accounting requirements of compensation insofar as it often enables the claimants to learn about a painful time of their family history.

The number of rapporteurs, 25 at the end of 2007, has been reduced to 19 at the end of 2008 to take account of the reduction in the number of files submitted for examination. That said, the number of complex files for examination has significantly increased. These are old cases that have required a great deal of time-consuming research in archive departments.

## **④ EXAMINATION OF CLAIMS**

### **➤ The examination of claims and recommended amounts in 2008**

**2,239 recommendations** were adopted, including 1,635 for material spoliations and 604 for bank-related spoliations.

396 of these were rejected, including 156 for material claims and 240 for bank-related claims.

With regard to recommendations to lift reserved portions<sup>4</sup>, 324 were adopted including 267 for material recommendations and 57 for bank-related recommendations.

**The total amount of recommended compensations, all losses combined, is €37,895,119.** Note that this figure only includes the first round of bank-related compensations under the Washington Agreement<sup>5</sup>.

### **➤ Sessions organized**

The Commission organized 156 sub-commissions, or 30% fewer than in 2007.

This reduction is explained by the clearance of the backlog of files pending examination, which began in 2007 and was completed at the end of June 2008. Between 9 and 11 files are now examined per session, with shorter waiting times. Once examination of the files is complete, these are immediately programmed for review in a session, over an average of 3 weekly sessions.

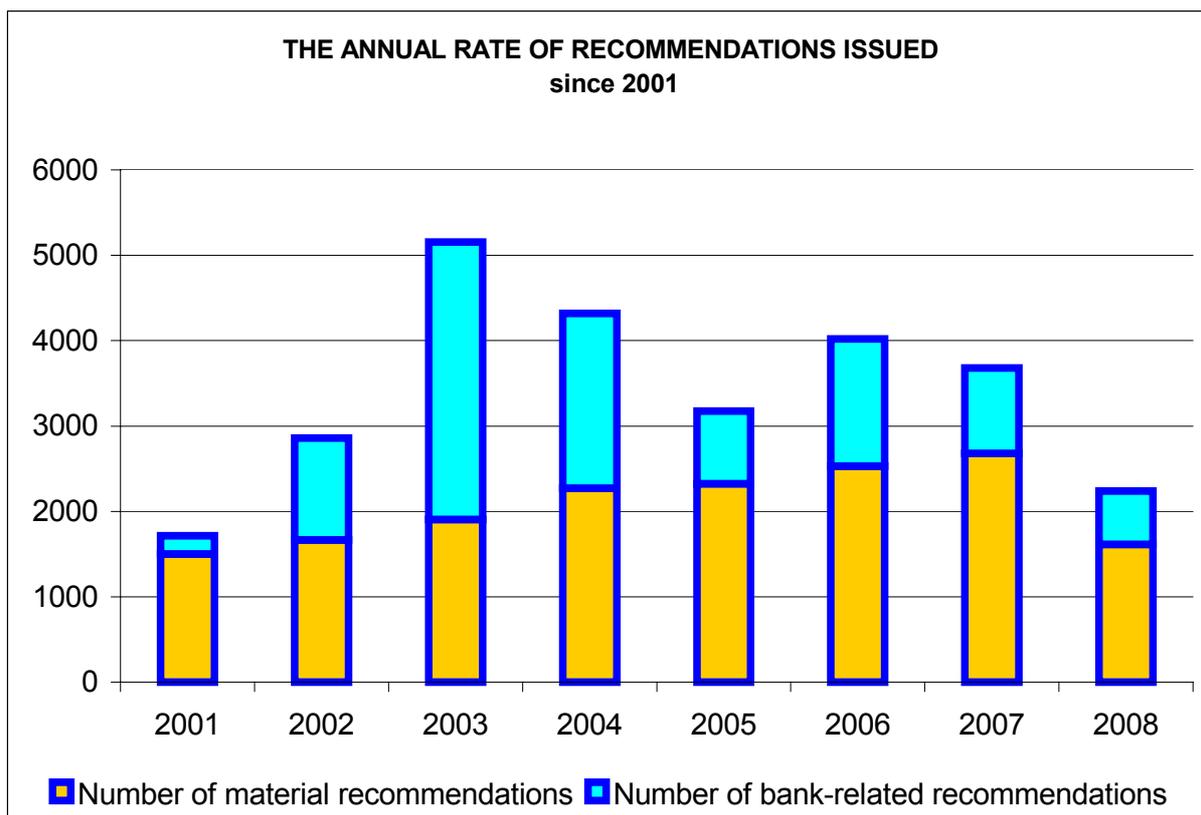
The number of plenary sessions has increased from 13 to 18, given the increase in complex files.

With regard to this information, the number of recommendations issued in 2008 fell by almost 39% in line with a 32% reduction in the recommended amount compared with 2007.

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<sup>4</sup> A “reserved portion” is a portion of the compensation recommended by the Commission for heirs who have not contacted the CIVS.

<sup>5</sup> The second and third rounds should be added, which only the FSJU (United Jewish Welfare Fund), in its role as certifying body, is able to fill in based on the dollar rate, to obtain the total amount of compensations paid to claimants.



➡ **The examination of claims and recommended amounts since the Commission began working**

**27,148 recommendations** have been adopted which amounts to **22,356 recommended files**<sup>6</sup>, including 16,481 recommendations for material spoliations and 10,667 for bank-related spoliations.

At the same time, 2,886 of these have been rejected, including 1,093 for material spoliations and 1,793 for bank-related spoliations.

Concerning recommendations to lift reserved portions, 2,474 have been adopted including 2,051 concerning material spoliations and 423 bank-related spoliations.

**The total amount of recommended compensations, all losses combined, is €409,867,563 (including €380,845,102 for material spoliations).** Note that this figure only includes the first round of bank-related compensations under the Washington Agreement<sup>7</sup>.

<sup>6</sup> Remember that a file may correspond to several recommendations.

<sup>7</sup> The second and third rounds should be added, which only the FSJU (United Jewish Welfare Fund), in its role as certifying body, is able to fill in based on the dollar rate, to obtain the total amount of compensations paid to claimants.

## ➤ Review of the missions to the United States and Israel

The Commission organized missions to Israel and the United States for on-the-spot examination of the files of claimants living abroad, thereby highlighting the French government's commitment to giving them the same opportunity to present their own observations as claimants living in France.

Five delegations went to Israel (Tel-Aviv and Jerusalem) and four to the United States (New York). 25% of the files of claimants living in Israel were thus directly examined in their country and 20% of American claimants' files. In total, **these 9 missions resulted in 662 cases being studied**, with three-quarters of the claimants attending sessions. This participation rate is higher than the one observed during sessions organized in France. This is explained by the fact that this is often the first opportunity claimants living abroad have had to meet with the Commission, while claimants living in France are followed up by the rapporteur in charge of examining their case, a task that is not made any easier by claimants who move away or speak a foreign language. This attitude also shows how much foreign claimants appreciate the lengths that France goes to in order to meet them. **The CIVS has recommended a total amount of €18,724,307** during all of these missions.

A recent delegation went to New York in November and examined 66 files of claimants living in the United States there. 70% of these claimants attended: a high figure given the large proportion of files coming from States a long way from New York.

<b>The missions</b>	<b>No. of files</b>	<b>No. of claimants who attended</b>	<b>Percentage (%) of claimants who attended</b>	<b>Amounts recommended (in €)</b>
4 missions to the United States	289	177	60	8,807,057
5 missions to Israel	373	306	82	9,917,250
<b>Total for the 9 missions abroad</b>	<b>662</b>	<b>483</b>	<b>73</b>	<b>18,724,307</b>

## ⑤ THE CIVS AT YOUR SERVICE: AN IMPORTANT MISSION, FROM SUBMISSION OF THE CLAIM TO EXAMINATION OF THE FILE

**The time given over to claimants by the different departments is a priority.**

An officer specifically in charge of the **Telephone Contact and Information Unit (CERT)** answers claimants' questions about their file as well as the multiple queries arising over the spoliations suffered. 2,874 calls were received in 2008 and a total of 20,369 have been received since the creation of CERT (January 2004). Claimants have been informed about how the examination of their file is progressing and how long it will take as well as about the procedures applied, such as the dispatch of the notifications to attend or lifting of reserved portions.

They are reassured somewhat by the attention and dialogue available, which help them to deal with their painful journey, often for the first time.

Claimants can call on the Commission staff at any time during the examination of their file and, at the same time, the latter gather together the necessary information for examining files correctly:

- **As soon as the files are put together**, filling in a questionnaire can be a complicated process. Assistance is then given over the telephone or by appointment to claimants by the Data processing service.

- **While the files are being examined**, rapporteurs contact families by telephone, post or appointment both to obtain further information and tell them about their proposals. This exchange, which the rapporteurs' secretaries may carry out, is a particularly useful stage.

- **Once examination is complete**, a personalized, one-to-one welcome is extended to claimants who attend the examination of their file by the Commission's decision-making members, an important occasion. **Almost 800 claimants came to see us this year**, accounting for more than 54% of the people invited. This meeting reassures them of the session's progress and gives them the chance to clarify how the paying organizations will settle their compensations.

- Lastly, the possibility given to claimants to obtain **a copy of the archival documents**, gathered by the different departments, is a valuable means of completing or piecing together their family "memory". Claimants are also encouraged to consult their file and can ask for a copy of it.

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## ▼ THE NECESSARY MANAGEMENT OF FILES ONCE THEY HAVE BEEN REVIEWED BY THE COMMISSION ▲

### ① OBJECTIVES TO BE STATISTICALLY EXHAUSTIVE

The **Supervision Unit (CDS)** continues to **check files** that have been reviewed by the Commission so as to ensure that **the information they contain tallies with what is in the Database**. This verification applies to files transmitted by the Commission Secretariat (**SDS**) after review by the Commission as well as to those that were examined before the CDS was created ("archived" files).

**"Archived" files** are those that have been reviewed by the Commission. They can be divided into two groups:

- "Closed" files are the ones that do not have any "reserved portions" or for which the reserved portions have all been lifted.
- Files that are "pending lifting of portions".

We recall that files for which the material and bank-related spoliations have been compensated may be reexamined, and therefore the archives reopened.

**"Closed" files** should be added to "archived" files, i.e. those for which no recommendation has been issued following an abandonment, definitive closing or filing for lack of Commission jurisdiction.

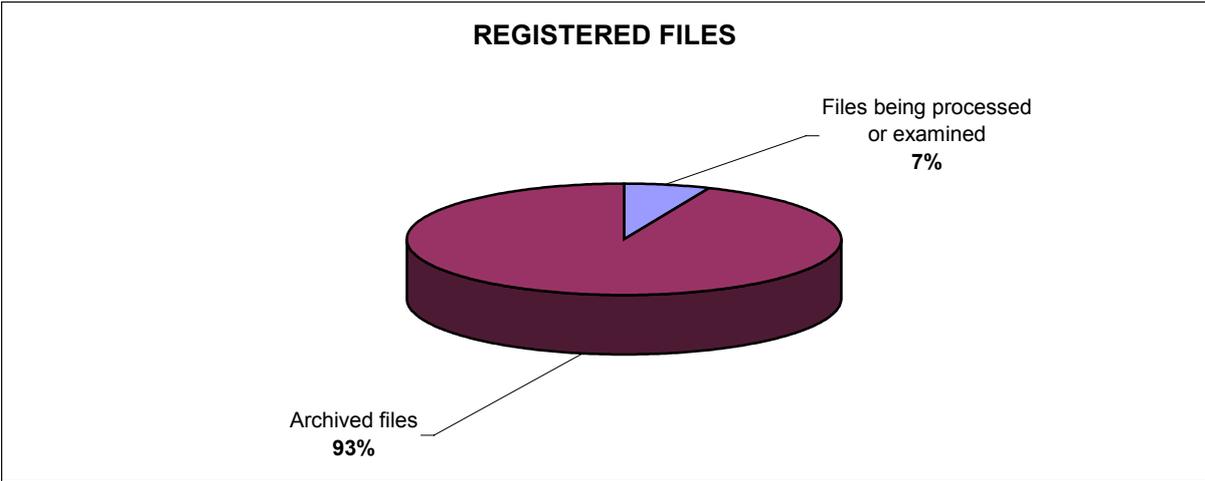
By December 31<sup>st</sup>, 2008, **16,608 verifications had been made**<sup>8</sup> by the CDS. It should be stipulated that some files may be checked several times, in the event of reexamination requests or requests to lift portions. Excluding this "double" checking and only taking account of claim numbers, **10,612 files** were reexamined.

### ➞ Overall state of registered files

Since the CIVS was set up, **25,542 files**, all losses combined, have been registered. By December 31<sup>st</sup> 2008, **23,880** of them had been archived, closed or are pending the lifting of portions.

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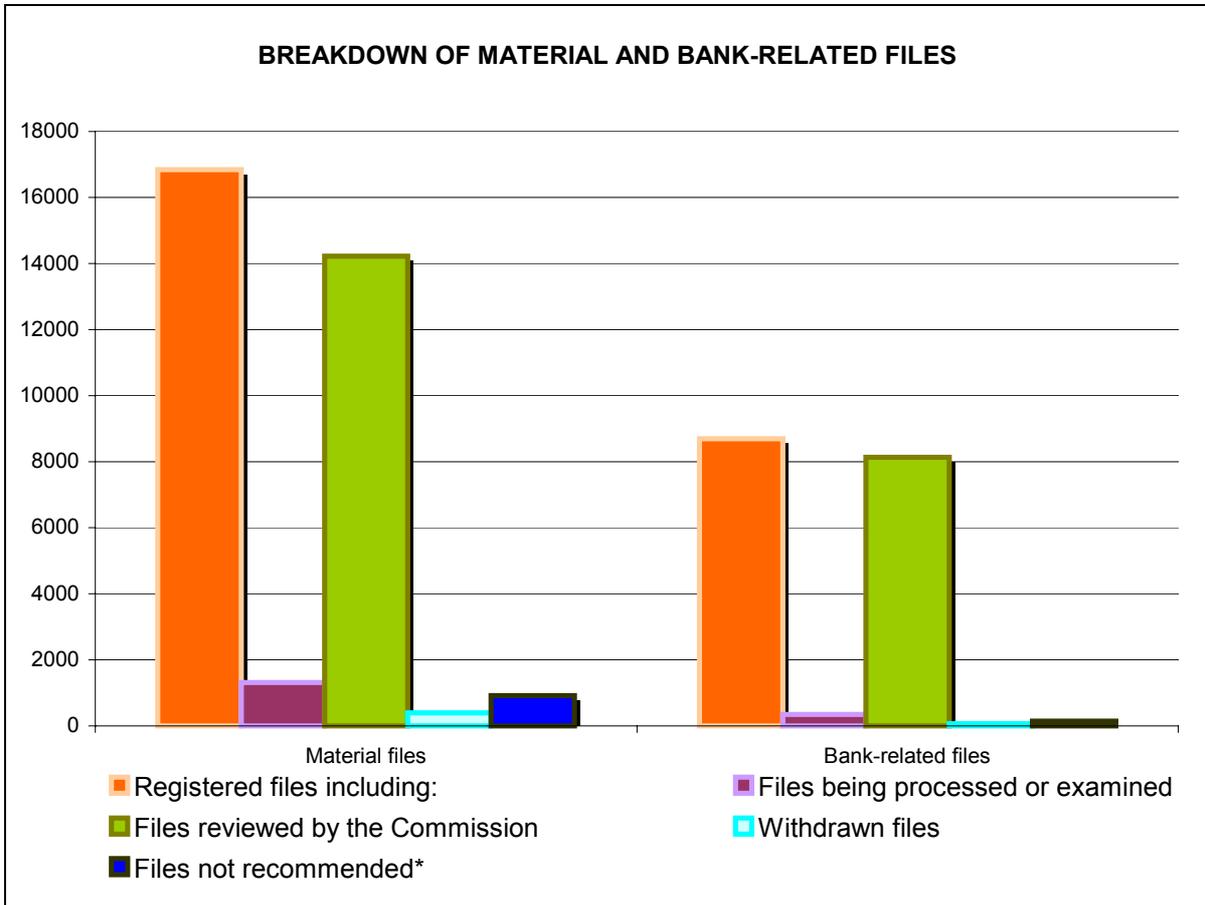
<sup>8</sup> 10,843 concern material files and 5,765 bank-related files.



➤ **The breakdown of material and bank-related files**

By December 31<sup>st</sup> 2008, the Commission had registered **16,844 material files**. 14,224 of these were subject to a recommendation and 393 were withdrawn. 914 files came to nothing (definitively closed, disqualified, lack of jurisdiction).

Furthermore, **8,698 bank-related files** were submitted, including 8,132 reviewed by the Commission and 68 withdrawn. Lastly, 149 files were closed without action (definitively closed, disqualified, lack of jurisdiction).



\* “definitively closed”, disqualifications, lack of jurisdiction

The Supervision Unit manages the standard and intermediate archives together with the “Archives” department. This management is necessary insofar as it firstly helps all of the Commission’s departments to run smoothly and secondly will determine the addition of definitive archives to the French National Archives when the time comes.

## ② THE CIVS ARCHIVES

Several operations have got under way with the creation of the “Archives” department and recruitment of an archivist.

The first stage involved raising the awareness of CIVS staff about the harmonization of archiving practices, with particular emphasis on the terminology and the establishment of a tree diagram of files applied to standard and intermediate archives. There are three types of archives:

- **standard archives** are “*documents and files for normal use by the departments, establishments or organizations having produced or received them.*”<sup>9</sup>

- **intermediate archives** are “*documents that are no longer considered to be standard archives [...] but cannot, because of their administrative interest, be sorted and eliminated.*”

- **definitive archives** are “*documents which, after sorting and assessment, are kept for an unlimited period of time*”.

At the same time, an inventory of documents produced by departments has been undertaken and revealed a prior need for each employee to store, sort and file each document, both in paper and electronic form. Since no archiving operation has been considered yet, each department must also take over the documents left by employees who have moved on.

Moreover, two projects have been carried out in close collaboration with the Supervision Unit:

### ➔ Reorganization of the CIVS archiving area

This entailed reorganizing the premises' basement to turn it fully into the storage area for intermediate archives.

This project became necessary for the following reasons: scattering of files through the buildings (Commission, outbuilding and bungalow), difficult access (files too tightly packed and shelving located in unsuitable premises), not enough linear footage available, as well as improvement of work conditions and service quality.

**The optimized area now promises satisfactory management for the future.**

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<sup>9</sup> Decree no. 79-1037 of December 3<sup>rd</sup> 1979, “on the jurisdiction of public archive departments and the cooperation between government departments to collect, keep and communicate public archives”.

## ➤ Adding files to the French National Archives

This operation has been carried out since the History Committee was set up within the CIVS. **450 have therefore been added** to the French National Archives this year, in the 20<sup>th</sup> century section.

New information is nevertheless likely to be added to these intermediate archive files and their addition has no effect on their consultation by CIVS employees or claimants.

The mission entrusted to the CIVS requires it to think very carefully about the ultimate addition of all its archives with a view to keeping and consulting them. This operation is part of the compulsory and irrevocable transfer of archives from a government department to the French National Archives.

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## ► MORE COMMUNICATION AND EXCHANGE ◀

### ① REVIEW OF THE MEETINGS IN NEW YORK

Building on its communication actions conducted during previous trips, for its mission to New York last November the CIVS drew up a busy program of meetings with key community figures and the main institutions and Jewish associations, including:

- Ms Alison Gardy, Director of International Relations of **92<sup>nd</sup> Street Y**, the largest Jewish cultural center in the United States;
- Rabbi Michael Miller, Vice President and Executive Director of the **Jewish Community Relations Council**, an organization which defends the rights of Jews in the United States, and Ms Hindy Poupko, Director of International Affairs and Executive Director of the **Council of Young Jewish Presidents**;
- Rabbi Andrew Baker, International Director of Jewish Affairs for the **American Jewish Committee**, an organization which defends the rights of Jews worldwide;
- Mr Wesley A. Fisher, Research Director, Ms Lydia S. Griffin, Executive Director of the public information and relations with the community department, Mr Saul Kagan, former Vice President and Mr Arie Bucheister, specialist in spoliations and restitutions at the **Claims Conference on Jewish Material Claims Against Germany**, the leading organization which has endeavored to obtain compensation and restitution for Holocaust survivors, and is continuing to do so.
- Ms Betty Ehrenberg, Director of International Organizations of the **World Jewish Congress** which represents and defends the interests of Jews worldwide;
- Mr Max K. Liebmann, Vice President of the **American Gathering of Jewish Holocaust Survivors and their Descendants**, the main association for Holocaust survivors in the United States;
- Ms Susan Lechter, Director of City Life & Senior Programs and Rabbi Carol Levithan, Director of the Rabbi School of the **Jewish Community Center in Manhattan**, a community education and cultural center;
- Mr David Marwell, Director of the **Museum of Jewish Heritage**, a memorial dedicated to remembering the Holocaust;
- Mr Abraham Foxman, Director, and Mr Michael A Salberg, Deputy Director and Director of International Affairs of the **Anti-Defamation League**, an American organization seeking to stop the defamation of Jewish people;
- Rabbi Arthur Schneier, President and Founder of the **Appeal of Conscience**, a foundation which speaks in favor of inter-religious dialogue;

It transpired through these meetings that the CIVS was still relatively unknown. Its representatives recalled how the reality of spoliations had been taken into account without

time or funding limit since 1999, which made the French procedure a worthy model for inspiring other countries from then on. The Commission was therefore invited to broadcast the fruits of its labor more widely, which can only serve to benefit its own and France's image among the very large Jewish community in the United States.

Some of the organizations we met also wanted to help the Commission to promote its work through their website and electronic newsletters by using their contacts with the media or during conferences, meetings and diverse events.

Note that our representatives often seemed to be concerned about two matters: the legal proceedings against the SNCF and the spoliation of works of art.

## **2 EXHIBITION AND CONFERENCES ON MOVABLE CULTURAL PROPERTY**

In the context of the French policy on compensation, provenance research, information and restitution of works of art stolen during World War II, the CIVS is involved in active communication in France and abroad.

The purpose of these exchanges is to find more about and compare the principles and practices of different national and international restitution and compensation commissions at meetings, exhibitions, conferences and during relations with the media. This is with a view to revealing any specific features and convergences of existing commissions and to consult each other on the results obtained over the ten years since the Washington Conference<sup>10</sup>.

The **exhibition** "Who did these paintings belong to?", put on at the Israel Museum in Jerusalem from February 18<sup>th</sup> to June 3<sup>rd</sup> and at the Museum of Judaism History and Art (**MAHJ**) in Paris from June 25<sup>th</sup> to October 26<sup>th</sup>, is evidence of the French policy on provenance research and restitution of works of art looted during World War II. This is about a duty to remember so as to find out the history of these goods and the restitution process in which the CIVS is participating. 53 paintings, each with unique origins and stories, were exhibited. These included *Le mur rose* by Matisse, which was returned by Ms Christine Albanel, French Minister of Culture and Communication, on November 27<sup>th</sup>.

Along the same lines, **a conference** entitled "The looting of works of art: finding out about them and providing reparation" was organized on September 14<sup>th</sup> and 15<sup>th</sup> by the French Museums Directorate and MAHJ. It was put together by Ms Isabelle Le Masne de Chermont, the general curator at the French Museums Directorate, with the help of Jean-Pierre Bady, President of the Commission for the Verification of Works of Art and member of the CIVS and Ms Laurence Sigal, MAHJ Director. The conference sought to take stock and consider the issue of looted cultural property from different viewpoints.

This was an opportunity for Mr G lineau-Larrivet, CIVS Chairman, and Mr Bady to present the Commission and more specifically its role in this particular area of spoliation.

France Culture, during its program *La Fabrique de l'Histoire*, produced a report on "Spoliations during World War II". To round off this series, organized in connection with the exhibition and debates of the MAHJ, a round table was held in which M. Bady participated.

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<sup>10</sup> Principles of the Washington Conference applicable to works of art confiscated by the Nazis communicated at the Washington Conference on confiscated goods during the Holocaust-Washington D.C, December 3<sup>rd</sup> 1998.

*Complément d'Enquêtes* on France 2 also wrote a program, "Heritage, how does France protect its treasures?" in March. Through the stories of claimants, the journalists presented the restitution process of looted works of art. The CIVS was called on to talk about the issue of compensations and restitutions of movable cultural property.

In response to the CIVS' invitation in 2007, Professor Limbach, **President of the Consultative Commission for the Restitution of Looted Cultural Property during Nazi Persecutions** (Vorsitzende der Beratenden Kommission im Zusammenhang mit der Rückgabe NS-verfolgungsbedingt entzogener Kulturgüter, insbesondere aus jüdischem Besitz) invited a CIVS delegation on a work visit to Berlin. The CIVS representatives were thus able to attend the examination of a restitution claim, in the presence of the claimant. The German Commission is organized and works differently to those in France. The Consultative Commission acts as a mediator in the event of disagreement between the current owners of cultural property and their lawful owners or heirs, at the request of both disputing parties. After the session, the Minister of State to the Federal Chancellor and Commissioner for Cultural and Media Affairs Mr Bernd Neumann welcomed members from French and German commissions. He highlighted the complex, relevant tasks facing both institutions and their effective and peaceful contribution to reparation and reconciliation in accordance with the Washington Principles.

To mark the tenth anniversary of the Washington Conference, the Prussian Foundation of Cultural Property and Coordination Department for Lost Cultural Property organized **an international symposium: "Taking responsibility. Art looted by the Nazis. A challenge for libraries, archive centers and museums"**, in Berlin on December 11<sup>th</sup> and 12<sup>th</sup>, 2008. Mr Le Ridant, CIVS Director, talked about the restitution and compensation of works of art in France in his speech, as well as the fairest possible solutions to adopt.

### **③ A PARTNERSHIP FORGED WITH THE UNITED STATES HOLOCAUST MEMORIAL MUSEUM (USHMM) IN WASHINGTON**

To promote the CIVS even further afield, a partnership has been forged with the USHMM in Washington on the “Benjamin and Vladka Meed Registry of Holocaust Survivors”.

On November 25<sup>th</sup>, the Commission welcomed Ms Diane Afoumado, a Doctor of History and head of a research group of the International Red Cross archives at the USHMM. She came to present the Registry of Holocaust Survivors on this occasion.

The purpose of this vast database is to list all of the victims worldwide of Nazi persecution who survived the Holocaust. It is intended to inform both researchers and families who can thus find the members of lost branches, if the latter consent. It is important to point out that the registry is not accessible online so as to protect the privacy of survivors and their families.

The Commission has undertaken to promote this program among direct victims who have lodged a file at the CIVS. For its part, the USHMM will inform the families of victims who lived in France and who are listed in the “Benjamin and Vladka Meed Registry of Holocaust Survivors”.

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**► SUMMARY OF THE SUMS ALLOCATED  
SINCE THE START OF THE WORK OF THE COMMISSION  
UP TO DECEMBER 31<sup>st</sup> 2008▲**

**① THE TOTAL AMOUNT OF RECOMMENDED COMPENSATIONS\*, ALL LOSSES COMBINED:**

**€409,867,563**

\* by recommended amount we mean the sums borne by the State and the first bank-related round.

**② THE AMOUNT OF COMPENSATIONS PAID\* FOR BANK-RELATED SPOILIATIONS:**

(amounts communicated by the CDC – dollar rate as at 12/31/2008: **€1.3917**)

**€37,537,033**

⇒ Escrow account – Fund A: **€13,314,184**

⇒ Fund B: depleted (October 2008) at €24,037,382

⇒ Fund A for Fund B: **€185,467**

\* by amount paid we mean all of the sums received by claimants under the Washington Agreement in the first, second and third compensation rounds.

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## ► MEMENTO ◄

### EXECUTIVE BOARD OF THE COMMISSION:

- ⇒ Chairman: **Mr Gérard Gelineau-Larrivet**, Honorary President of Chamber at the Court of Cassation
- ⇒ Director: **Mr Jean Pierre Le Ridant**
- ⇒ Principal Rapporteur: **Mr Jean Géronimi**, Honorary Advocate General at the Court of Cassation

### COMMISSION'S DECISION-MAKING MEMBERS

- ⇒ **Mr François Bernard**, Honorary *Conseiller d'Etat*, Vice Chairman of the Commission
- ⇒ **Mr Jean-Pierre Bady**, Honorary Master of the *Cour des Comptes*
- ⇒ **Mr Bernard Boubli**, Honorary Senior Counselor at the Court of Cassation
- ⇒ **Ms Anne Grynberg**, Professor at the National Institute for Oriental Languages and Civilizations (INALCO) and researcher at the Institute of History and the Present (IHTP)
- ⇒ **Mr Gérard Israël**, philosopher, writer and member of the steering committee of the Representative Council of Jewish Institutions in France (CRIF)
- ⇒ **Mr Pierre Kauffmann**, Secretary General of the Shoah Memorial in Paris
- ⇒ **Mr Pierre Parthonnaud**, Honorary Master of the *Cour des Comptes*
- ⇒ **Mr David Ruzié**, Honorary Dean and Professor Emeritus of the universities
- ⇒ **M. Henri Toutée**, *Conseiller d'État*

### GOVERNMENT COMMISSARIAT

- ⇒ **Ms Martine Denis-Linton**, *Conseiller d'État*, Government Commissioner
- ⇒ **Mr Bertrand Dacosta**, *Maître des requêtes* (Master in Chambers) at the *Conseil d'Etat*, Deputy Government Commissioner

## RAPPORTEURS

- ⇒ **Ms Monique Abittan**, Magistrate of the regular court system
- ⇒ **Mr Jean-Michel Augustin**, Magistrate of the regular court system
- ⇒ **Mr Christophe Baconnier**, Magistrate of the regular court system
- ⇒ **Ms Françoise Chandelon**, Magistrate of the regular court system
- ⇒ **Mr Brice Charles**, Magistrate of the administrative court system
- ⇒ **Mr Claude Cohen**, Magistrate of the regular court system
- ⇒ **Mr Jean Corbeau**, Magistrate of the regional audit office
- ⇒ **Ms Rosine Cusset**, Magistrate of the regular court system
- ⇒ **Ms Chantal Descours-Gatin**, Magistrate of the administrative court system
- ⇒ **Ms Marie Franceschini**, Magistrate of the regular court system
- ⇒ **Mr François Gayet**, Magistrate of the administrative court system
- ⇒ **Ms Nicole Julienne-Saurin**, Magistrate of the regular court system
- ⇒ **Ms France Legueltel**, Magistrate of the regular court system
- ⇒ **Mr Jean Lilti**, Magistrate of the regular court system
- ⇒ **Mr Ivan Luben**, Magistrate of the administrative court system
- ⇒ **Mr Jean-Pierre Marcus**, Magistrate of the regular court system
- ⇒ **Ms Éliane Mary**, Magistrate of the regular court system
- ⇒ **Mr Michel Morel**, Magistrate of the regular court system
- ⇒ **Ms Nicole Moriamez**, Magistrate of the regular court system
- ⇒ **Mr Pierre Renard-Payen**, Magistrate of the regular court system
- ⇒ **Mr Pierre Rocca**, Magistrate of the regional audit office
- ⇒ **Ms Marie-Hélène Valensi**, Magistrate of the regular court system
- ⇒ **Ms Sophie Zagury**, Magistrate of the regular court system

FILES REGISTERED: **25,542**

- ⇒ Including 16,844 material files
- ⇒ Including 8,698 bank-related files

FREQUENCY OF SESSIONS:

- ⇒ Sub-commissions: **3 a week** (since September 2008)
- ⇒ Plenary sessions: **2 a month**

SESSIONS ORGANIZED IN 2008: **174**

- ⇒ Sub-commissions: 156
- ⇒ Plenary sessions: 18

AVERAGE NUMBER OF FILES EXAMINED PER SESSION:

- ⇒ Sub-commissions: **10**
- ⇒ Plenary sessions: **2**

RECOMMENDATIONS ADOPTED<sup>11</sup>: **27,148** of which

- ⇒ 16,481 material recommendations
- ⇒ 10,667 bank-related recommendations including 2,474 recommendations formulating the lifting of reserved portions, or 9.11% of recommendations adopted.

RECOMMENDED FILES<sup>12</sup> **22,356**

CLOSED FILES<sup>13</sup> **1,524**

REJECTION RECOMMENDATIONS: **2,886** (i.e., 10.6% of the recommendations made)

- ⇒ In respect of material spoliations: 1,093
- ⇒ In respect of bank-related spoliations: 1,793

APPLICATIONS FOR RE-EXAMINATION SCREENED BY THE COMMISSION: **404**

**\*\***

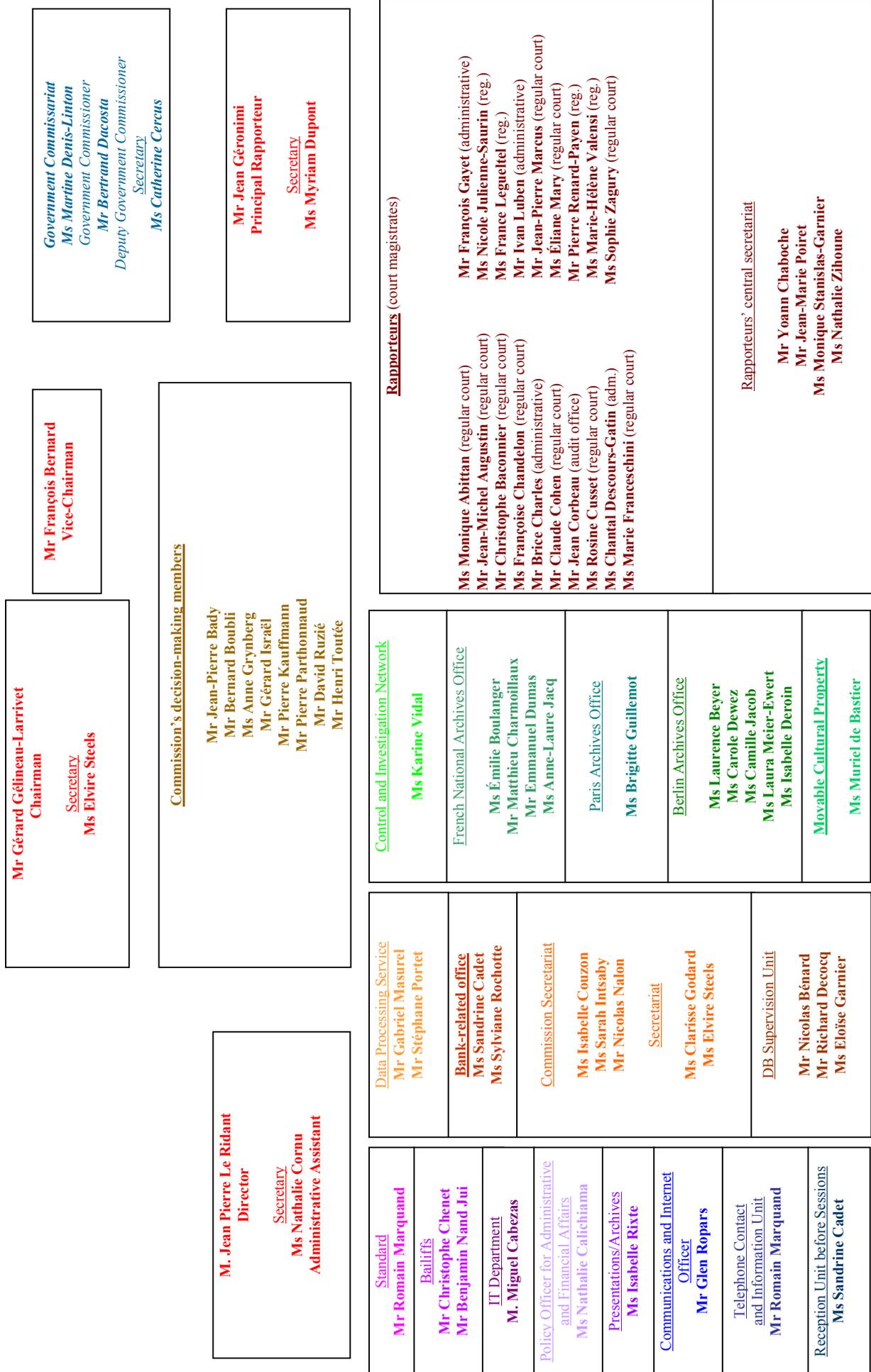
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<sup>11</sup> All losses combined, rejections included.

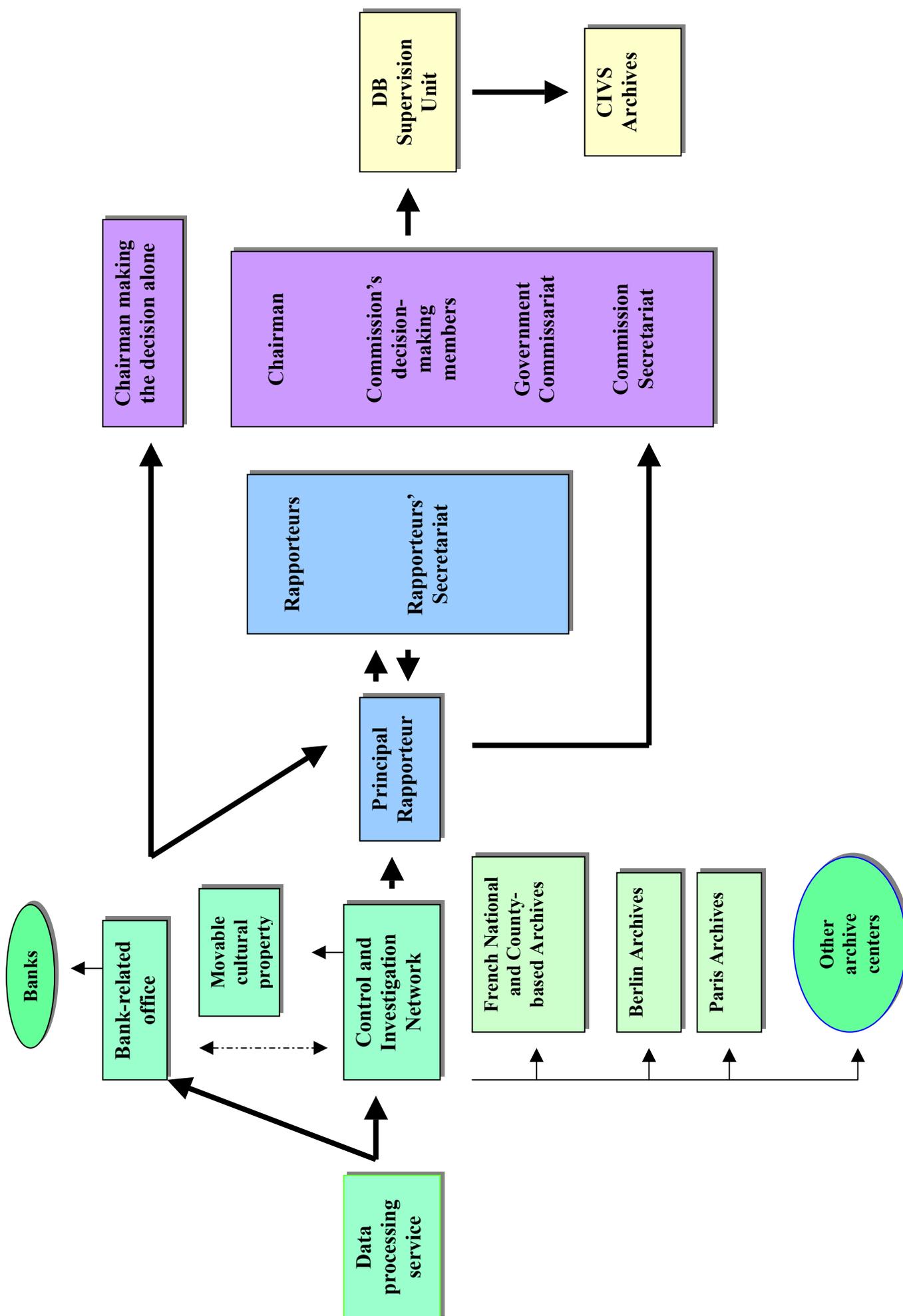
<sup>12</sup> Remember that a file may correspond to several recommendations.

<sup>13</sup> These are closed files following an abandonment, definitive closing or filing for lack of jurisdiction of the Commission.

# ORGANIZATION CHART



▼ **DIAGRAM OF HOW A FILE IS PROCESSED** ▲



The archives centers and offices consulted by the RCI

**CIVS office in Berlin**  
 French Embassy  
 Kurturstendamm 211  
 D-10719 BERLIN  
**Ms Laurence Beyer**  
 Office Manager  
  
**Ms Isabelle Deroin**  
**Ms Carole Dewez**  
**Ms Camille Jacob**  
**Ms Laura Meier-Ewert**  
 Research officers

**CIVS office at the French National Archives**  
 Historic Center – 20th century section  
 60, rue des Francs-Bourgeois  
 75141 PARIS CEDEX 03  
**Ms Martine de Boisdeffre**  
 Chief Curator  
**Director of the Archives of France**  
**Mr Christian Oppetit**  
 General Curator  
 Head of the 20th century section  
**Ms Émilie Boulanger**  
**Mr Matthieu Charmoillaux**  
**Mr Emmanuel Dumas**  
**Ms Anne-Laure Jacq**  
 Research officers

**CIVS office at the Paris Archives**  
 18, boulevard Sérurier  
 75019 PARIS  
**Ms Agnès Masson**  
 Director  
**Ms Brigitte Guillemot**  
 Research Officer

**State banking handling deposit Office**  
 DBRP2, Cellule des biens spoliés  
 15, quai Anatole France  
 75700 PARIS SP  
**Mr Olivier Grémont**  
 Manager for Research & Development Coordination  
**Mr Jean-Louis Maurel**  
 Deposits Department Manager  
**Mr Dominique Neau**  
**Mr Philippe Krief**  
 Bank Managers

**Paris Police Prefecture**  
 1 bis, rue des Carmes  
 75005 PARIS  
**Mr Claude Charlot**  
 Archives Department Head  
**Mr Olivier Accarie**  
**Ms Cécile Ramirez**  
**Ms Sneijna Wolf**  
 Archivists

**Contemporary Jewish Documentation Center**  
 17 rue Geoffroy L'Asnier  
 75004 PARIS  
**Mr Jacky Fredj**  
 Director  
**Ms Cécile Lauvergeon**  
 Archivist

**County-based Archives**  
 Research on the GURS and St CYPRIEN camps:  
 Directorate General of services  
 County-based archives  
 Pyrénées Atlantiques  
 Cité administrative  
 Boulevard Tourasse  
 64000 PAU

**The Central Archives for the History of Jewish People**  
 (for consulting the archives of the FSJU movable spoiliations office)  
 Hebrew University, Jerusalem  
 46 rehov Jabotinsky  
 Jerusalem  
**Ms Esther Lichtenstein**  
 Administrative Affairs Secretary  
**Ms Fabienne Bergmann**  
 Archivist

**French Foreign Affairs Ministry**  
 Artistic Recovery Archives  
 37, quai d'Orsay  
 75007 PARIS  
**Mr Jean Mendelson**  
 Director  
  
 Archives Directorate  
**Ms Marie Hamon**  
 Chief Heritage Curator  
  
 Diplomatic Archives Center  
 17, rue Castereau  
 B.P. 43605  
 44036 NANTES  
**Ms Annie-France Renaudin & Mr Damien Heurtebise**  
 Heritage Curators  
**Ms Viviane Mélatine**  
 Archivist

**French Culture and Communications Ministry**  
 French Museums Directorate  
 6, rue Pyramides  
 75041 PARIS CEDEX 01  
**Ms Marie-Christine Labourdette**  
 Director  
**Mr Thierry Bajou**  
 Collectors Department Curator  
**Ms Catherine Granger**  
 Curator

**French Insurance Companies Federation (F.F.S.A.)**  
 26, boulevard Haussman  
**Mr Gilles Wolkowitsch**  
 Secretary General

**Centre Georges Pompidou**  
 75191 PARIS CEDEX 04  
**Mr Didier Schulmann**  
 Chief Curator  
 Head of the Collections Management Department

**French Economy, Finance and Industry Ministry**  
 Sub-Directorate of Property Matters for the French Tax Directorate.  
**Mr Jean-Louis Donz**  
 Office Manager, County Tax Director  
 Bâtiment Turgot Bureau F3  
 86, allée de Bercy  
 75572 PARIS cedex 12  
 Télédoc 946  
**Ms Mathilde Trétout**  
 Drafter

**Overseas Archives Center**  
 (For "Algeria" files)  
 29, chemin du moulin de Testa  
 13090 Aix-en-Provence  
**Ms Françoise Martine Cornède**  
 General Curator  
 CAOM Director  
**Mr André Brochier**  
**Mr Daniel Hick**  
 Chief Curators  
  
**Mr Jean Laloum**  
 Historian  
  
 CNRS

## ▀ ABBREVIATIONS ▀

**AN:** French National Archives Branch (CIVS)  
**AP:** Paris Archives Branch (CIVS)  
**BCM:** Movable Cultural Property  
**CDC:** State banking handling deposit Office  
**CERT:** Telephone Contact and Information Unit (CIVS)  
**CIVS:** Commission for the Compensation of Victims of Spoliations  
**CNRS:** French National Center for Scientific Research  
**CRA:** Artistic Recovery Commission (French Foreign Affairs Ministry)  
**CRIF:** Representative Council of Jewish Institutions in France  
**DB:** Database (CIVS)  
**DMF:** French Museums Directorate (French Culture Ministry)  
**IHTP:** Institute of History and the Present (CNRS)  
**INALCO:** National Institute for Oriental Languages and Civilizations  
**MNR:** National Museums - Recoveries register  
**NARA:** National Archives and Records Administration (United States)  
**OBIP:** Office for Personal Property and Interests  
**ONAC:** National War Veterans and War Victims Administration  
**PP:** Police Prefecture  
**RCI:** Control and Investigation Network (CIVS)  
**SDS:** Commission Secretariat (CIVS)  
**USHMM:** United States Holocaust Memorial Museum

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