

Agreement between the State of the Grand Duchy of Luxembourg and the Consistoire Israélite de Luxembourg

(The French version of this agreement is recognized by all parties as the official version of this agreement.)

This agreement is concluded between:

The State of the Grand Duchy of Luxembourg, represented by the Prime Minister, Minister of State, on the one hand

(hereinafter "the State")

and

The Consistoire Israélite de Luxembourg, on the other hand

(hereinafter "the Consistoire")

The State and the Consistoire considered together are hereinafter referred to as "the parties".

The World Jewish Restitution Organization (hereinafter "the WJRO") and the Luxembourg Foundation for the Remembrance of the Shoah (hereinafter "the Foundation") are co-signatories of this agreement.

Purpose of the agreement

This Agreement settles all issues that have been raised in connection with Outstanding Holocaust Asset Issues. The signatories and co-signatories therefore acknowledge that the agreement provides answers to all unresolved questions in the context of the spoliation of Jewish property linked to the Shoah. Luxembourg and the Consistoire have agreed to promote and apply the principle of collective and comprehensive compensation. The signatories and co-signatories will consequently waive any additional and future request submitted to the Grand Duchy of Luxembourg that would not be taken into account by the agreement.

The parties agree as follows:

1. Direct support for Holocaust Survivors

The State commits to pay the survivors of the Shoah living in the Grand Duchy of Luxembourg, the Luxembourg survivors currently living abroad and the survivors who were in the Grand Duchy of Luxembourg at the time of the Shoah, a lump sum of 1,000,000 euros (one million euros).

WJRO's sister organization, the Conference on Jewish Material Claims Against Germany, is responsible for distributing these funds to survivors.

2. Luxembourg Foundation for the Remembrance of the Shoah

- 2.1. The State commits to pay into the Foundation's budget the sum of 120,000 euros (one hundred and twenty thousand euros) per year over a period of thirty (30) years in order to promote the remembrance of the Shoah and the other objectives provided for by the bylaws of the Foundation.
- 2.2. The State continues to provide an agent to serve as the Foundation's secretary general.
- 2.3. The bylaws of the Foundation are to be amended to include the following elements:
 - the fight against the denial of the Shoah, revisionism, antisemitism, xenophobia, and racism;
 - support for sites of Jewish historical heritage that have a link with the history of the Second World War (e.g. historic Jewish cemeteries) and related programs;
 - support for the Shoah's survivors with close ties to the Grand Duchy of Luxembourg;
 - maintaining the Foundation as a point of contact for all questions related to the Shoah.
 - the addition of two new members to the Board of Directors of the Foundation, one of whom is appointed by the Consistoire, on the proposal of the WJRO, and the other is appointed by the Prime Minister, Minister of State.

3. Convent of Cinqfontaines

- 3.1. The State commits to acquire and renovate the Convent de Cinqfontaines and to designate the site to fulfill the following objectives:
 - To create an appropriate educational and commemorative center;
 - To commemorate the victims deported to and from Cinqfontaines during the Shoah and to pay tribute to their lives;
 - To educate young people and adults about the persecution of the Jewish population of Luxembourg, historical facts that are an integral part of the history of Luxembourg;
 - To promote the fight against antisemitism and racism;
 - To promote humanism, Human Rights, etc.
- 3.2. The State commits to cover the operating costs of the Convent de Cinqfontaines.
- 3.3. The Foundation is included in all decision-making processes related to the Convent de Cinqfontaines.

4. The Committee for the Remembrance of the Second World War:

The annual budget of the Committee for the Remembrance of the Second World War is fixed and increased at 65,000 euros (sixty-five thousand euros) per year for a period of 10 (ten) years.

5. Research

- 5.1. The State commits to devote a total of 2,000,000 euros (two million euros) until 2025 at the latest for the following purposes:
 - independent university research,
 - provenance research,
 - work facilitating access to the files of the National Archives relating to the Second World War and the Shoah.
- 5.2. The Foundation is consulted on the scope, method, and conduct of research and on any follow-up to be given to research results.

6. Development of a national strategy to combat antisemitism

The Luxembourg Government and the Consistoire are collaborating to develop a national strategy to combat antisemitism.

7. Items included in the agreement, but which are dealt with in separate working groups:

- 7.1. **Dormant bank accounts:** The dormant bank accounts subgroup continues its work. The period from January 1, 1930, to December 31, 1945, will be the subject of this research. The sub-group will agree on the scope of the audit and the establishment of an independent auditor through a call for tenders, in accordance with the document submitted by the WJRO and the Consistoire in March 2020 entitled "*Discussion Document on Establishing an Audit Mandate.*" All identified dormant bank accounts will be returned to the owners or their heirs. In the absence of heirs, the sum of the assets found will be transferred to the Foundation.
- 7.2. **Unpaid Holocaust-era insurance:** The dormant bank accounts sub-group will address the issue of unpaid Shoah-era insurance by following the same procedures as for dormant bank accounts with respect to the selection of the independent auditor and the transfer of assets due.
- 7.3. All research within the working groups will be based on the current and existing list of the Jewish population in the Grand Duchy of Luxembourg between 1930 and 1945, as well as the list of identified Jewish people who brought property to the Grand Duchy of Luxembourg. Research will continue until 2025 at the latest on the basis of additional names or information found in the archives.
- 7.4. **Works of art and other cultural property:** The provenance research will be carried out according to the principles of the Washington Conference of December 3, 1998 (Washington Conference Principles on Nazi-Confiscated Art) and of the Terezin Declaration of June 30, 2009. The works of art and other looted cultural property will be returned in accordance with these declarations. The institutions concerned by this research are the following: the National Museum of History and Art, the collections of the Villa Vauban, and the National Library of Luxembourg. All other institutions possessing works of art or cultural property are encouraged to research the provenance of their collections.

This agreement is governed by Luxembourg law.

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