

H.E.
Ambassador Yehudith Huebner

Vienna, 26 February 2010

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Dear Ambassador Huebner,

Foreign Minister Spindelegger has instructed me to respond to the e-mail addressed to him on 11 February 2010 by you and your colleagues with regard to questions concerning the Washington Agreement.

As you know, the Washington Agreement constitutes a tightly wrapped package, based on framework agreements and concluded with several partners, among them the US and Jewish organisations. Apart from the work carried out by the Claims Committee, the Arbitration Panel for *In Rem* Restitution, also governed by the Washington Agreement, recommended the restitution of publicly-owned properties to 68 applicants. The value of all properties restituted so far amounts to an estimated € 31 million. Furthermore, in addition to the accomplishments of the General Settlement Fund, several other measures have been carried out to compensate cases of social hardship, e.g. by amending the Austrian Victim's Welfare Act, thus enabling non-EU-citizens to benefit from an increased home care support, or by allowing the most needy persons to benefit from a law by which special funds are allotted on the occasion.

I am of course aware that many recipients of payments by the Claims Committee, notably those who have received their advance payment, are critical about the

continuing delay in receiving their closing payment and about the sometimes modest amount of a possible closing payment. Indeed, in a number of cases, e.g. where there are multiple heirs to a not very wealthy victim, the total amount, which is determined by the wealth of the victim, can indeed be regarded as being small. Determining a ceiling for compensation payments, however, had been essential for achieving the conclusion of the Washington Agreement. This was always as clearly and comprehensively as possible communicated to claimants.

The carefully balanced package contained in the Washington Agreement cannot be reopened for legal and political reasons as this would endanger the "legal peace" which it generated. This corresponds with the position taken by the US Government.

With kind regards,

H. Tichy
(Amb. Helmut Tichy)
Legal Adviser

c/c: Dr. Haim Galon
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