

## Congressional Hearing on Bad Arolsen

On March 28, 2007 the US Congressional Committee on Foreign Affairs, Subcommittee on Europe, held a hearing on the Bad Arolsen archive issue. The Congressmen attending were (Chairman) Wexler (D-FL), Inglis (R-SC), Gallegly (R-CA), Sires (D-NJ), Tanner (D-TN) and Costa (D-CA). Congressman Hastings (D-FL), Chair of the Helsinki Commission, testified that the release of the archive should be based on a timeline geared for survivors, not for diplomats. He stated it is “time to stop hiding” and called for openness and access of the archive for survivors.

J. Christian Kennedy, US State Department Special Envoy for Holocaust Issues, testified that the US “spearheaded the effort to open the ITS (International Tracing Service) archive as soon as possible to survivors, descendants and researchers.” When speaking about the countries of the ITS he said nobody wants to be the last one to ratify the agreement. So far the US, Poland, Israel, the Netherlands and the United Kingdom have already approved the release. Germany is in the process of approving the release. France, Belgium, Luxembourg, Greece and Italy have not yet approved.

Congressman Wexler asked about the fairness of closing insurance claims before the Bad Arolsen archive is released.

Paul Shapiro, Director of the Center for Advanced Holocaust Studies, US Holocaust Memorial Museum, spoke about the relevance of the archive in a post-Holocaust world making these points: the memorial significance, moral obligation, scholarly significance, the fates of both Jewish and non-Jewish victims, combating anti-Semitism and Holocaust denial. There was no mention of compensation or restitution.

David Schaecter, President of the **HSF** (Holocaust Survivors Foundation) - **USA**, spoke about the importance of this archive to the survivors. He asked for an accounting of those who benefited from the Holocaust. He also pointed out that “non-survivor institutions, class action lawyers, organizational operatives and other so-called representatives not of the survivors’ choosing” should not be making decisions about survivors’ rights.

Leo Rechter, President of **NAHOS** (National Association of Jewish Child Survivors of the Holocaust) testified that Holocaust restitution programs have not been successful. “Bad Arolsen set an unjustified pattern of secrecy and concealment that was eagerly emulated by organizations charged with the distribution of Holocaust restitutions.” When asked why the archive has not yet been available Mr. Rechter said survivors were not consulted or made part of the decision-making process and other purposes from other organizations always came first. He stated survivors believe they will “never see justice for ourselves—they are waiting for us to die.”

The members of the committee asked what could they do that would most help open up the archives and help in getting restitution. Mr. Tanner of TN indicated he was going to get his colleagues on the NATO parliamentary group from the US Congress involved to try to get all the governments that have yet to approve, to open the archive quickly.

The survivors asked that, in addition to the Bad Arolsen archive, the Congressional committee also review all of the processes in which others have decided survivors’ rights, such as the Swiss bank case, the ICHEIC, and the Claims Conference.