

SUMMARY REPORT OF THE COMMISSION'S WORK

The following pages contain a brief “history” of the work carried out by the Commission and include an explanation of the criteria applied for solving the problems encountered and the methodology employed in obtaining informative documentation.

1. Responsibilities, composition and structure of the Commission

The Commission was set up following the decree dated 1 December 1998. Article 1, para. 1 states that “the Commission is responsible for reconstructing the events concerning the acquisition of Jewish assets in Italy by both public and private bodies”. The following paragraph states that “to carry out the responsibilities stated in paragraph 1 – and in concordance with similar organisations set up in other Nations – the Commission will consult both public and private archives where authorisation has been conceded to do so”. The Commission may also “charge individual members with responsibility for carrying out detailed investigations within the more general research framework, which may also be subsequent to a specific request from the Prime Minister himself.”

Article 1, para. 3 establishes that “the Commission has the faculty to both consult and request the participation of experts”. With this in mind, the Commission conferred the following tasks: four expert librarians/archivists were appointed to carry out the analytical reading, interpretation and summary of materials available and to set up a data base containing relevant information from the 6,100 confiscation decrees included the series of the Ministry of Finance Office for Jewish Assets, conserved in the Central State Archives; two scholars were charged with drawing up specific monographs concerning property seizures in the provinces of Bolzano, Trento, and Belluno respectively (which correspond to the area known at the time as the Prealpine Operations Zone) and to include the province of Trieste, Fiume, Gorizia and Udine (Adriatic Coast Operations Zone); another scholar was appointed to collect and comment archived documents concerning the management of the independent authority for the recovery, safeguard and transfer of residual war material (the ARAR) either ceded to the allied authorities, abandoned by the Germans in Italy or otherwise acquired: another scholar was given the responsibility for conducting research into material damages suffered by the Jews in the period 1938-1945. The investigation was carried out in the Centre for Contemporary Jewish Documentation and is included as an appendix to the Chapter on “Acts of theft and despoilment”.

Following a deadline extension to 31 March 2001, the Commission added a further four researchers to its network of collaborators in June 2000. The latter were also charged with specific in-depth investigations dealing with the banking sector, the impact racial laws had on the economic sector as well as carrying out in-depth on-site research in Rome, Ferrara, Modena and Parma. The four researches working in the Central State Archives were given the task of enhancing the database they had created, by integrating the confiscation decrees discovered in the State Archives, together with other newly uncovered documentation of varying types and to decide on how best to present the information and support it with appropriate comments.

Article 2, para. 1 defines the composition of the Commission: it comprised representatives from Public Administration, the Banking and Insurance sector, members of the Union of Jewish Communities in Italy, researchers and history experts. Following the decree of 26 March 1999, the Commission was extended to include a representative of the Banca d'Italia's Historical Research Office as established in sub-section 2.

Paragraph 4 of the decree instituting the Commission, referred to a Secretary's Office which comprised the Secretary himself and an assistant. The latter was subsequently given the position of Secretary to the Commission when the post became vacant. The office was thus able to carry on its excellent work, also thanks to the addition of another member of staff who, together with the new

coordinator, was able to supply useful solutions to technical, logistics and administrative problems. Support was also given by the General Secretary's Office, the Press Office, the IT, Telecommunications and Statistics Office, the Personnel and General Affairs Department, the Administration and Technical Services Department and the Department for Regional Affairs. The Minister for Cultural Heritage and the Environment granted the President's request to involve those state archivists who could offer help and assistance and provide more detailed information concerning areas of interest: information was exchanged by letter, by telephone, during face to face interviews etc. The Commission was instituted on 17 December 1998 by Marco Minniti, the Prime Minister's Undersecretary, who held a press conference together with the President of the Commission. Subsequently, the Commission held other meetings on the following dates; 11 and 22 February 1999; 4, 11, 18 and 25 March 1999; 22 April 1999; 10 and 24 May 1999; 7, 16 and 30 June 1999; 15 July 1999; 6 and 23 September 1999; 14 and 27 October 1999; 16 November 1999 (meeting with the banks); 30 November 1999; 16 December 1999; 11 January 2000; 1 February 2000 (meeting with Insurance Associations); 2 and 22 March 2000; 5 April 2000; 3 and 23 May 2000; 15 November 2000; 19 December 2000; 10 January 2001; 8, 16 and 29 March 2001; 5 April 2001.

In the summer of 1999, the Commission unanimously agreed to set up a smaller, internal work group that would be specifically responsible for weeding out problems, drawing up solutions and elaborating plans of action to be submitted to the Commission as a whole, as well as analysing documents of more relevant importance and gradually building up the framework of the final Report, etc. It was made up of members of the Commission, namely experts in the area of historical research and archives or others who had expressed interest in the area.

The work group met approximately fifteen times. As work drew to a close the group – which had been further pared down – concentrated on the drawing up of the final Report, which obviously incorporated both the Commission's findings and those contributions received from outside the Commission itself. Article 2, para. 3, states that “the results of the Commission's work shall be presented to the Prime Minister six months from the start date”. The presidential decree dated 21 May 1999 extended this by a further six months and the subsequent decrees of 19 April 2000 and 6 March 2001 fixed the mandate expiry date at 31 March 2001 and 30 April 2001 respectively.

2. Problems and solutions

2.1. REFERENCE TO THE TERMS “JEWISH CITIZENS”, “JEWISH RACE”, “RACIAL LAWS”

The Commission categorically stated that these terms could not and would not be given legal weight as they are incompatible with the general principles of our legal system and therefore unacceptable. Though improper and arbitrary, these terms have been used in the specific context, and with the sole purpose, of conducting research and shedding light on events which took place in a period where they were applied with the deliberate and sole intent of being discriminatory.

The persecution of the Jews at the hands of the Fascists, from 1938 to 1945, was aimed at all those considered to be of “Jewish race” based on a specifically drawn up classification which completely disregarded the fact that the Jews were not, and had never constituted, a “race”.

The Commission agreed that the authorities have no power to determine whether or not a person is “Jewish”; it is an aspect which regards a person's private life alone and does not in any way influence his or her rights and obligations. It is also important to remember that the so called “racial laws” were abrogated and regarded to be non-existent.¹

¹ Art. 3 law 20 January, 1944, no. 25 “Provisions for the re-integration of civil and political rights of Italian and non-Italian citizens previously declared to be, or considered to be of Jewish race”.

2.2. RESTRAINTS CONCERNING THE CONSULTABILITY OF DOCUMENTS, THE HANDLING OF DATA, THE OBLIGATIONS IMPOSED BY NORMS REGULATING ARCHIVES AND LAW 675 OF 31 DECEMBER 1996 REGARDING "THE SAFEGUARDING OF PERSONAL DATA OF INDIVIDUALS AND OTHERS"

As far as archive regulations were concerned, it was agreed that these should be observed with the exact intent and purpose with which they had been included in the provisions of the decree governing the Commission. The following was deliberately inserted: "after consulting the Ministry of the Interior" and considering Article 1, para. 2 of the decree, it was foreseen that the Commission should "consult the public archives and private organisations prior to agreement".

The Commission grappled with this problem at length, and even more so with the implications of the privacy laws, following constant reminders from some of its members, the Italian Banking Association in particular, who suggested that it would be wise to consult the knowledgeable opinion of the Guarantor regarding the safeguarding of personal data.

In view of the fact that, owing to the members' divergence of opinions, it was almost impossible to come to a satisfactory decision concerning the line of action to be taken, the Guarantor was finally contacted by letter, dated 30 July 1999.

Other letters dated 10 and 23 September 1999 referred in particular to an opening offered by the decree of 30 July 1999 281, "Provisions for the handling of personal data for the purpose of historical, statistical and scientific research" and which offered a positive guideline, much to the satisfaction of all concerned.

2.3. INFORMATION AND APPLICATIONS FROM PRIVATE INDIVIDUALS

During the course of its investigation, the Commission received numerous letters from Associations, Jewish Communities and private citizens mainly regarding the following:

- a) information containing documents, archive references, offers of help etc.
- b) various petitions concerning family members, requests for information, personal settlements etc.

With particular reference to the petitions, the Commission opened inquiries where possible; it informed various bodies (such as the Commission responsible for provisions to the victims of political, anti-Fascist or racial persecution and their surviving family members) and collected relevant evidence etc. The requests were always answered and their grave content and often weighty moral implications evaluated. The Commission promised to deal with them during the course of its assigned work, without losing sight of its original tasks as set out in Article 1 of the decree, enabling it to carry out a general investigation concerning the phenomenon of property seizures (which regarded Jewish citizens) rather than concentrating on single, individual requests. The latter were considered to be the responsibility of Organisations specialised in dealing with each specific area.

This context also included the question concerning the rightful ownership of Listz's grand piano, located in Palazzo Chigi Saracini, and which had already been mentioned in the June 1999 interim report. The Commission became involved in the investigation following the receipt of a letter from Dr. Avi Becker, Chairman of the Jewish World Congress. The letter stated that a member of the Chigi Music Academy of Siena claimed that the piano, which had belonged to Franz Listz, was in fact the property of a Jewish Holocaust victim. As a result, the Academy asked Professor Guido Burchi, Assistant Arts and Library Director to shed light on the matter. According to Professor Burchi, Liszt's Bechstein grand piano, located in one of the rooms of Palazzo Chigi,

had been given to Count Chigi by Roberto Almagià who had purchased the piano at auction with the intention of presenting it as a gift to his pianist wife. Following the demise of the latter, Almagià gave the piano to Count Guido Saracini. These findings were confirmed by Edoardo Achille, Mr. Almagià's son. He clearly recalled having seen the piano in the Chigi Academy on various occasions, the last being June 1996; the donor's photograph has been placed on the piano as a reminder of his gift.

Despite the fact that this investigation was necessarily brief, it was decided that the matter should nonetheless be given adequate space in view of the importance of the person who raised the issue and the symbolic value of the object itself. Although this case was satisfactorily concluded, there were others – as the Report explains – which were not so easily resolved and the numerous, remaining uncertainties may only be cleared up by further, in-depth historical investigation.

3. Areas not included in the Commission's tasks

As with the requests mentioned at 2.3 above, the Commission was involved in other matters which did not strictly fall within its institutional responsibilities but which it considered opportune to discuss in context and, subsequently, to take action. Two particular problems areas follow.

3.1. INSURANCE POLICIES STIPULATED IN EASTERN EUROPE.

The subsequent discussion of this subject originated with a note headed "Holocaust – Insurance Companies" drawn up by the Head Office for Commerce, Industry and Crafts, General Commerce, Insurance and Services Management. The illustrative note concerned the *Assicurazione Generali* insurance company who, together with the RAS and a further fourteen leading European companies, had a "class action" brought against them by 29 claimants of Jewish origin, who declared they were the beneficiaries of insurance policies taken out between 1920 and 1945 in Czechoslovakia, Hungary, Poland, and Bulgaria. The same note pointed out that the supervisory body governing private insurance and public interests (ISVAP) had uncovered documented evidence held by some Italian insurance companies concerning insurance policies contracted between 1920 and 1940 with clients of Jewish and non-Jewish origin, most of whom resided in Eastern Europe. These countries were affected by Nazi occupation and subsequently, at the end of the War, by the effects of nationalisation under the communist regime.

Although the Commission was not directly responsible for these aspects, it did however express interest in how the final decisions would be defined at an international level, concerning Holocaust era insurance policies. With this in mind the President requested the director of the ISVAP's legal office – also a member of the Commission and operating on an international scale – publish an informative note concerning a conference which had been held on 5 and 6 May 1999 in London. During this meeting, which was also attended by ISVAP, an international Commission had been asked to find a solution to the question. On 14 May, the ISVAP representative duly fulfilled the request, thus enabling the Commission to further discuss the matter and to receive feedback from the Ministry of Foreign Affairs.

Subsequently, a meeting was called on 7 June, 1999 between the Commission and the *Assicurazione Generali*, who attended with a delegation of highly qualified experts. This resulted from interest expressed on the matter at internal levels and also intended to give rise to a more restricted examination of the problem within a strictly Italian framework.

The venue gave ample space to the question of Holocaust era policies, thus allowing the delegation to illustrate the historical complexities of the matter and to present vast quantities of supporting documentation.

Though this matter lay outside its direct responsibilities, both the Commission and the Commission's President were fully aware of the gravity of the situation and the Generali's understandable preoccupation. Agreeing with the Insurer's wish to hold an institutional role within the Commission, the President addressed the request to the Prime Minister in a letter dated 1 July 1999. Similar action was taken for another insurer, the Riunione Adriatica di Sicurtà (RAS). In July 1999 they sent the Commission a historical, legal memorandum together with a summary report of the work carried out by the International Commission together with information concerning the legal proceedings involved. The matter was briefly taken up again during the meeting on 1 February 2000 dedicated to the insurance companies.

Considering that these issues only briefly affected, or remained completely outside the Commission's competence it nonetheless included information from work conducted by the International Commission Holocaust-Era Insurance Claims (ICHEIC) wishing to present an accurate and complete historical account. The latter was set up following a Memorandum of Understanding (MOU) aimed at defining questions still pending concerning the reimbursement of policies taken out by Jewish citizens before WWII, in Eastern Europe, and subsequently nationalised by the Communist regimes then in power. In this context, the above-mentioned companies – the Assicurazione Generali and the Riunione Adriatica di Sicurtà – put together exhaustive references and documentation in order to satisfy the International Commission's request that they reimburse conspicuous sums in favour of the rightful heirs of policyholders and, where none existed, Jewish associations for humanitarian purposes. Currently outstanding payments of Holocaust era policies are covered by two distinct agreements: one between the US Department of State and the German Federal Republic regarding German Government and Insurance company reimbursement liabilities – these include RAS, whose controlling company is the German ALLIANZ group: the other between the Assicurazione Generali and ICHEIC formalised during a meeting held in November 2000, during which the President of the Commission, Tina Anselmi, was present. The agreement foresees – in addition to repayments already made for a total of \$USA 12 million contributed to setting up a General Fund in Jerusalem – the payment of \$USA 100 million as total settlement of Humanitarian awards set out in the Memorandum of Understanding. The implementation of the agreement depends on an "affidavit statement" issued by the US Government for it to be recognised in certain American Courts, in order to avoid vexatious terms for the companies involved. The Government was also consulted so as to guarantee the positive outcome of the agreement and which, because of its reparatory objectives, also had the Commission's approval.

3.2. THE QUESTION OF "FORCED LABOUR" IN GERMANY

The Commission was involved in the problem by Associations and private individuals. The basis of this project – an agreement set up between the German government, German companies and other nations – was to create a fund with which to pay compensation to foreign forced labourers. The project, where realistically founded, obviously raised hopes among those ex-interns who, during their period as deportees, had been destined to hard labour.

Following the President's request, a member of the Commission involved the Ministry of Foreign Affairs while the President herself – fully aware of the expectations mentioned above and wishing to avoid any possible improprieties – informed the Prime Minister in a letter dated 2 March, 2000.

In early March 2000 a member of the Commission was able to supply detailed information received from German diplomatic authorities in Italy.

More accurate information was acquired from the International Organisation for Migration and from frequent dealings with the Ministry of Foreign Affairs.

The International Organisation for Migration, set up following a request from the German Government, is a partner organisation to the Federal Foundation responsible for compensation

claims and repayments to people subjected to forced labour, or deported from their countries of origin, during the Nazi regime. In this guise, the corresponding organisation in Italy, acting as a coordinator for the Mediterranean area, gave the Commission further up-to-date information concerning the German initiative. The law which gave rise to the Foundation came into force on 12 August 2000. It set up a Federal Fund worth 10 billion Marks to be used to compensate the victims of forced labour or slave labour during the Nazi regime: both the German Federal Government and German industries each contributed a total of 5 billion marks. The Capital Fund is managed by the Federal foundation named *Erinnerung Verantwortung und Zukunft* (Remembrance, Responsibility and Future). For Jewish claimants, including those resident in Italy, applications must be addressed to "Jewish Material Claims against Germany".

The IOM is also responsible for those victims condemned to hard labour in the concentration camps of Matthausen and Dachau and their affiliates in Austria. All other forced labourers deported to other territories, which were then part of the Austrian Republic, should contact the Austrian Reconciliation Fund.

The IOM plays an active role on the Board of Directors (*Kuratorium*) of the Federal Foundation that establishes the procedures, methods and requirements for processing the claims. Furthermore, the law states that the IOM shall be responsible for examining the applications concerning damage to property and health.

The IOM office in Rome shall also receive assistance from associations who have been offering assistance to the victims of the Nazi regime for years, together with trade unions and charitable institutions, institutes for historical research and other organisations, in the belief that their experience may offer invaluable support to those who are entitled to it. For this reason, a Committee was set up on 11 October 2000 to coordinate the work of the organisations, associations and charitable organisations involved in seeking compensation for Italian victims.

The information detailed above was given to us by the Ministry of Foreign Affairs. In a letter dated 26 October the Ministry declared that, after having followed the various phases leading up to the passing of the law, together with the Italian Embassy in Berlin, it continued to follow the effects of its application by keeping in close contact with the other Administrations involved, including the IOM in Rome and the national organisations dealing with the interests of Italian former deportees. The Ministry also announced that a coordination meeting had been held at the Farnesina in Rome with the Ministers of Finance, Defence, and the Interior respectively, who declared they were willing to offer the necessary documentary support to those involved in indemnity claims. A meeting was also held with leading professional Associations in order to guarantee coordination with the IOM office in Rome and their support in activating files and procedures.

More recently, the Italian IOM partner declared that it had inserted the names of a possible 44,000 beneficiaries in its databank. As requested by the German Foundation, the Italian Jewish claimants were addressed to the Frankfurt office of the *Conference on Jewish Material Claims Against Germany* which is responsible for dealing with their applications. Claims put forward by those who suffered loss or damage to property, in circumstances where German industries were directly responsible, the IOM has been asked to assist possible beneficiaries, whether or not they are Jewish, and regardless of their place of residence. With regard to this last issue, meetings and interviews were carried out between representatives from the Commission and the IOM. Recently, the IOM Mission in Rome has concentrated on sending applications for indemnity claims.

The Ministry of Foreign Affairs informed that, in November 2000, a Mission comprising its own officials and defence officials, travelled to Berlin to illustrate Italy's position to the German authorities concerning Italian Military Interns (IMI). The German interlocutors were informed of the increasing interest expressed by ex-deportees, the public opinion, and Parliament in the creation of the Fund and how the exclusion of military interns – who were by far the largest category – was profoundly disappointing. We are not as yet able to comment on the final decision taken by the Fund's Board of Directors which is expected sometime in March 2001.

Lastly, it is necessary to point out that paragraph 84, article 144 of the “2001 Finance Act” states that “in order to speed up the process of compensation payable to Italian forced labourers in Nazi Germany in the period 1943 to 1945, the Ministry of Internal affairs is authorised to distribute the sum of L.1 billion in the 2001-2002 biennium to Organisations and Associations who handle compensation applications and procedures”.

4. General objectives, essential guidelines and range of research

The different professional background and different institutional roles held by the members of the Commission immediately called for the need to lay down clear mutual objectives. There was also a need to draw up a provisional plan of action that would allow for research to be carried out with open, non constrictive methodology, but nonetheless anchored to clear premises and reference points.

4.1. GENERAL OBJECTIVES

- a) general analysis of legal norms and regulations, circulars and other internal restrictions;
- b) identification of the phenomenon, whether concerning individuals who were victims of the provisions, or concerning the quality, quantity and total value of confiscated goods and the subsequent detailed analysis of situations in sample towns and the authenticity of the documentation acquired.
- c) analysis of the norms regulating restitution and the size of the phenomenon, within the limits of the documentation acquired.

4.2. ESSENTIAL REFERENCE POINTS

From the initial stages the Commissioners agreed on the following basic guidelines that each Commissioner should follow.

- a) chronological research period: to be limited to the period between October 1938 and April 1945 (following the public announcement of provisions concerning assets belonging to the Kingdom of Italy right up to the fall of the Italian Socialist Republic) and the period immediately preceding the “racial laws”;
- b) chronological events leading to acquisitions:
 - 1) period preceding the enforcement of racial laws
 - “precautionary” purchase/sale of property and companies;
 - block of orders with the subsequent closure of companies;
 - 2) October 1938 – September 1943
 - non obligatory purchase/sale of property and businesses;
 - official block of orders with the subsequent inevitable closure of companies;
 - obligatory seizure of properties considered to be in excess;
 - obligatory closure of companies classified as “beyond salvage”;
 - 3) September 1943 – April 1945
 - “legal” confiscation and seizure of all goods (in particular at the moment of arrest);
 - theft and plunder;
 - 4) post-war period (from June 1944 onwards)
 - All reparatory provisions come into effect.

In the explanatory note, the typology of the assets acquired was also listed. As well as referring to urban properties, companies, land and furniture it also included current accounts, safe deposit boxes, shares, insurance policies, works of art, assets belonging to the Jewish Communities and other Jewish associations.

c) nature of the acquisitions: all “acquisitions”, however and why ever obtained by public or private organisations (whether Italian or non-Italian), or by private individuals (or groups of private individuals) who acted on behalf of, or were authorised to act by, said organisations. The loose interpretation of the term “acquisition” allowed for the inclusion of research into the loss of livelihood and subsequent impoverishment of persecuted individuals.

d) ex-owners: all those who, regardless of nationality or class, had been classified as being of “Jewish race” (including non-Jewish relatives) together with all Jewish organisations and associations.

e) geographical area of reference:

– from October 1938 to September, 1943: the territories comprising the Kingdom of Italy (including Pola, Fiume and Zara and – from May 1941– Dalmatia and Slovenia);

– from 8 September to their liberation: the Regions falling within the Italian Social Republic and the occupied areas of the Third Reich;

– limited to the first period (October 1938 – 8 September 1943): the Dodecanese Islands, African colonies and Albania (with regard to the application of “metropolitan” and/or existing local norms);

– occupied territories in Greece and France (regarding assets of refugees interned by the Italian authorities);

– “acquirers”: referring to Italians up to 8 September 1943, and Italians and/or Germans (or others) after 8 September 1943.

4.3. THE SCOPE OF RESEARCH CARRIED OUT

The range and extent of research to be carried out became increasingly apparent right from the initial stages, as was the need to carefully balance the acquisition of useful documentation and supporting evidence, within the time scale provided by the Commission for the completion of the final report. While work was in progress, the Commission also had to reconcile the collection of relevant documentation from its various sources and the natural temptation to investigate particular and specific cases. The dynamics within the Commission will be further considered in the closing remarks in an attempt to highlight the findings and to point out which areas may still be open to ulterior research. The aim of this Report is to point out that, thanks to the various skills and experience of the Commission's members, research was carried out on a vast scale, which made it all the more evident as work carried on that some areas were still in need of further study.

5. Organisations consulted and methodology

As set out at point 4.3, the Commission directly or indirectly contacted numerous organisations believed to have documentation useful to furthering our research. Methods used were the following

– correspondence written by the President of the Commission and the Secretary's office, followed up by numerous telephone calls required to both clarify and update information already acquired

– correspondence produced by organisations or individuals represented by or involved in the Commission;

– exchanges and meetings between the various Commissioners.

It is neither useful nor indispensable, in this context, to represent or list the copious correspondence and numerous meetings held. We will limit ourselves to referring to the more salient steps taken. In some cases the correspondence is summarised in this report, while others refer to the wealth of documentation received by the Commission and on which this Report is based.

5.1. ORGANISATIONS CONSULTED BY THE COMMISSION'S SECRETARIAT

Prefectures and local Police Headquarters, Government Commissioners for the independent provinces of Trento and Bolzano, President of the Giunta of the independent region of the Aosta Valley

Letter dated 11 January, 1999 Di.C.A./158/III 5.4.7.4 and 158/III. 5.4.7.5 "Commission for the reconstruction of events in Italy leading to the acquisition of assets belonging to Jewish citizens by both public and private organisations", requesting basic documentation concerning areas covered by the Commission's research.

State Archives and Central State Archives

Letter dated 11 January, 1999 Di.C.A./157/III 5.4.7.6. Commission for the reconstruction of events in Italy leading to the acquisition of assets belonging to Jewish citizens by both public and private organisations.

This request was followed up by a long sequence of correspondence requesting basic or further information regarding specific cases.

The Central State Archives proved to be a more-or-less constant source of information and offered the possibility of consulting a vast number of records. Needless to say this documentation, together with that from the State Archives, was of primary importance.

Government Commissariat for the Autonomous Provinces of Bolzano and Trento, President's office for the Aosta Valley Region, Prefecture of the Republic, State Archives, Office for Fine Arts and Art Heritage, Office for the Environment, Architecture and History.

Letter dated 25 February, 1999 Di.C.A./1921/III.5.4.7.9 the subject of which was "Works of art belonging to Jews sequestered and/or confiscated in Italy between 9 September 1943 and 25 April 1945 in territories directly controlled by the Government Armed Forces of the Third Reich, or rather, the so called Italian Social Republic"

With reference to two circulars dated 1 December, 1943 and 14 April, 1944 published by the Ministry of Education, local education authorities and offices were asked to provide whatever documentation or information they had regarding provisions or forceful behaviour concerning the sequester or confiscation of "works of art belonging to Jews" and what happened to them.

Further correspondence followed.

The following supported and sustained the President's initiatives:

– letter dated 22 January, 1999, No. 3256 from the Central Branch of the Archives Heritage Office, addressed to all Superintendents. The latter were requested to identify the existence of series of documents housed in the protected archives, concerning the areas under investigation, with particular reference to City Councils and banks who had signed contract agreements with the EGELI (Organisation for the Management and liquidation of property) responsible for identifying properties to be expropriated and their subsequent management.

– letter dated 25 January, 1999 No. 418.8901.15 (137) from the Central Branch of the Archives Heritage Office addressed to the Directors of the State Archives.

Collaboration offered by the above office, both with regard to sending documentation and permitting the viewing of film documentation from the “Allied Control Commission Italy 1943-1947” archive, was invaluable. The documentation sent by the Archive Superintendence for Lombardy was also particularly interesting.

Historical Archives of the Autonomous Provinces of Trento and Bolzano

Letter dated 5 March, 1999 Di.C.A./2253/III 5.4.7.6. requesting documents concerning provisions taken by government authorities responsible for directly administering the two Provinces based on the legislation in force in the territories of the Third Reich.

The Treasury

– letter dated 12 February, 1999 Di.C.A./1367/III.5.4.7.1. requesting documents concerning the EGELI (Organisation for the Management and Liquidation of Property);

– letter dated 31 March, 1999 No. 608331 from the Treasury, State General Accounting Department, Inspectorate General for the liquidation of disbanded organisations, that gave initial information concerning records of the EGELI's activities.

– letter dated 7 June, 1999 No. 615407 from the Treasury, State General Account Department, Inspectorate General for the liquidation of disbanded organisations, that included copies of the ministerial decree dated 29 December, 1997 concerning the final liquidation balance, the illustrative report and collation parameters of the profits and losses of the EGELI's liquidation management activities.

– letter dated 5 March, 1999 Di.C.A./2250/III.5.4.7.1. where the President requests information concerning where Italian citizens, particularly those defined as “Jews”, saved and invested their disposable income during the period being investigated by the Commission.

– letter dated 10 May, 1999 No. 3189 from the Treasury Cabinet Office replied, stating that as Government Bonds were Bearer Bonds, it was impossible to trace their rightful owners. Attached to the letter was a report from the Director General for the Public Debt to the supervisory Commission for the financial years 1927 to 1928 and 1948 to 1949, which should have supplied the necessary data for identifying loans issued during the period concerned.

Ministry of Finance

Extensive correspondence ensued with the Financial Administration Department. Particular attention is drawn to the letter dated 21 April 1999 Di.C.A. 4117/III.5.4.7.1. addressed to The Ministry of Finance

(The Cabinet; Revenue Department; Customs and Excise, Customs Services Head Office) and Financial Police Headquarters.

The letter requested information concerning the existence of documentation held by former Revenue and Customs Offices. It referred, in particular to any documentation concerning individuals which the anti-Semitic laws of the time classed as being “of Jewish race and who, at the time of emigrating, or shipping luggage or chattels out of Italy, may have been reported.

Subsequent letters were addressed to the Office for Territorial Affairs for Lazio Abruzzo and Molise; Office for Territorial Affairs dell'Emilia-Romagna, Marche, Toscana, Umbria, Trentino Alto Adige, Friuli-Venezia Giulia, Lombardia, Piemonte, the Valle d'Aosta and

Liguria; the Territorial Office for Viterbo; Office for Territorial Affairs for Lazio, Abruzzo and Molise; the delocated branch of the Territorial Office for Teramo.

The Financial Administration Department was only indirectly involved by the letter dated 15 July 1999 Di.C.A./7344/III.5.4.7.6. addressed to the State Archives of Cuneo, Mantova, Novara, Pavia, Piacenza, Rovigo, Savona, Teramo, Trieste, Varese, Vercelli and Viterbo. The request was made on the basis of documentation received which revealed the involvement of subsidiary branches of the Financial Administration Department (former Revenue Office).

A sequence of letters was sent by the Financial Administration Department itself to its own central and subsidiary branches intended to support and contribute to the initiatives of the President of the Commission.

A series of mainly negative replies were recorded from the following: the Inland Revenue, the Territorial Department, Financial Police Headquarters, and the State Archives.

Given that only bitty, fragmentary information was volunteered, the Commission decided to contact appropriate Ministry offices again, by sending the following letters:

- letter dated 2 June 2000 Di.C.A./664/III.5.4.7.11. addressed to the Territorial Office of the 19 Provinces considered to have been more directly involved in the events, whose documentation was being collected and who probably still had documentation belonging to the Tax and Finance Offices of the time namely: the Land Registry Office who held records concerning confiscated Jewish property, its value and description; the Land Revenue Department (State evidence for confiscated Jewish real estate; the Revenue Office (decrees concerning the restitution of confiscated immovable property filed under “Patrimonio beni sequestrati P.N.F.” and “Sezione IV – Demanio dello Stato”);

- letter dated 19 July, 2000 Di.C.A./8811/III.5.4.7.11 to the heads of all regional Tax Offices requesting specific information concerning indemnities and war damages, under Article 3, paragraph 2 of 27 December, 1953, No. 968.

The replies received did not measure up to expectations.

Ministry of the Interior and Foreign Affairs

With reference to the Ministry of the Interior, there are official records stating that documentation was forwarded. The Ministry itself – and in particular the Minister's office and the General Office for Religious Affairs – were contacted directly with requests for relevant documentation much of which, concerning the war years, had already been deposited in the State Archives.

Correspondence and meetings took place with the Ministry of Foreign Affairs with the intent and purpose of clarifying certain aspects that emerged from the reading of period documentation as well as acquiring documentation conserved in the Ministry's Historical Archive. We were also interested in the Ministry's opinion concerning policies taken out in Eastern Europe, and also required their help in organising Italy's participation at the Vilnius Conference, concerning the removal of works of art (this will be dealt with later in the Report).

Inter-ministerial Commission for the recovery of works of art

- letter dated 7 January, 1999 No. 0027315 with which the Commission forwarded the final document on the Washington Conference on Holocaust-Era Assets, with particular reference to works of art. The more salient parts of the letter are as follows: “As far as the Commission writing this letter is concerned and following detailed research carried out on the “Siviero” archives collection, no works of art belonging to Jews appear to be housed in Italian museums or institutions. Moreover, though much talked about in the press, no Italian antiquarians appear to have been involved in the recycling of works of art belonging to Jews confiscated by the Nazis. The only known case was that of an exchange that took place between General Field Marshal Göring and the

antiques dealer, Ventura of Florence, where some very ancient Italian works of art were swapped for 9 Impressionist paintings seized from their Jewish owners in France. At the end of the war all nine paintings were handed over to the French Embassy to be returned to their rightful owners, while the pieces given to Göring, and subsequently recovered in Germany were appropriated by the State in accordance with the Law of 14 January, 1950, No. 77, following the unsuccessful legal proceedings brought against the Italian State by the Ventura heirs. Nor have any Italian Jewish organisations, despite encouraged to do so by this Commission, made known any wish to put forward a claim”;

– letter dated 5 March 1999 Di.C.A./2289/III.5.4.7.1 requesting confirmation that, based on investigation of the “Siviero” archives collection no works of art belonging to Jews appear to be housed in Italian museums or institutions. We also wanted to know if “the archives contained signed documentation issued by the institutions themselves declaring that they did indeed not possess any such works of art and whether or not Siviero had carried out specific research on the matter.”

– letter dated 18 March 1999, No. 00273/121 where the Inter-ministerial Commission’s answered confirming that “if Siviero had been aware of such acquisitions, this information would still be among his records”. The Commission sent copies of documentation to the Union of Jewish Communities in Italy of material recovered both in Italy and Germany. It also referred to the record of a delivery made to the Jewish Community in Rome, dated 9 March 1966, of four religious objects “ which were part of objects recovered (by the Delegation for the location and restitution of assets) and whose rightful owners are still untraceable”;

– letter dated 13 February, 2000, No. 00273/52 with which the Inter-ministerial Commission included files which were part of the documentation conserved in the “Siviero” archives collection. The letter stated that a circular had been sent to all Jewish communities in Italy that repeated what Siviero himself had sent years before and which had little effect.

Following this correspondence and the meeting between the Anselmi commission and the people responsible for the Inter-ministerial Commission (which will be dealt with later), two Commissioners - authorised by their President – went to the Commission’s offices to better consult fascicles bearing the names of presumed Jewish citizens whose works of art had been confiscated. On that occasion got hold of extremely interesting documents that were conserved in a file entitled “Union of Jewish Communities”. These documents will be referred to in the section dealing with the removal of works belonging to both the artistic and cultural heritage.

Carabinieri High Command – Safeguarding the Artistic Heritage

– letter dated 24 March, 2000 Di.C.A./3697/III.5.4.7.8 addressed to the Chief of Police where the Commission expressed interest in receiving any information which may have been put together during safeguarding duties or the recovery of important works of art.;

– letter dated 19 May, 2000 from the Carabinieri High Command, No. 60/431-23-1997 stating that “the State is working together with the Inter-ministerial Commission for the recovery of works of art, of which there is also a publication titled, “*L’Opera da ritrovare*”. The latter has been inserted in the Command’s database [...]”. In addition, “specific operations had not as yet been able to identify art works seized from Jewish citizens, due to a current lack of data making ownership identification impossible”.

The Carabinieri

As well as other correspondence addressed to some local police headquarters, a letter dated 14 June, 2000 Di.C.A./7408/III.5.4.7.8 requested that the head of the General Command’s Records Office conduct research into the possible existence of documents regarding “records, directives and reports concerning the expropriation, seizure, confiscation, unauthorised removal and destruction of

chattels belonging to people declared to be of “Jewish race”, Jewish to Communities or other such organisations during the period 1938 to 1945”. No reply was received.

National Institute for the history of the liberation movement in Italy

– letters dated 21 July, 1999 Di.C.A./7530/III.5.4.7.1 and 21 September, 1999 Di.C.A. 9097/III.5.4.7.1. requesting documents concerning provisions for seizure or confiscation activities carried out by the Nazi-Fascist authorities, and documents demonstrating that both seized and confiscated goods had been returned to their rightful owners once the anti-Jewish laws had been abrogated.

– letter dated 9 November, 1999 No. A8/2091 in reply to the above, referred to documentation previously sent by the Istituto di Trieste following claims from the Istituto di Grosseto that the EGELI papers were conserved in the Grosseto State Archives. It thus forwarded documents held by the National Committee for the Liberation of the extreme North of Italy and the Committee for the Liberation of Lombardy (including documents and correspondence concerning exemption from the application of war-period laws with regard to German and Austrian Jews; the National Committee for the Liberation of the extreme North of Italy's decree declaring that all discriminatory measures to be taken against Jewish taxpayers were no longer valid; the decree appointing an Extraordinary Commissioner for the Jewish Community in the extreme North of Italy).

It also stated that numerous press cuttings of anti-Semitic articles and Jewish publications were to found in the Carlo records in Prato.

Institute for the resistance in Cuneo and its Province

– letter dated 29 November Di.C.A./11469/III.5.4.7.8. requesting the release of files 686, 687 and 688 conserved in the Cuneo Chamber of Commerce for Industry and Agriculture, concerning Jewish owned businesses.

– letter dated 18 January 2000 No. 76/12B bearing the Institute's reply and enclosing the documentation requested.

State Monopolies

– letter dated October, 1999 Di.C.A./9634/III.5.4.7.8 requesting information concerning the closing down of a tobacconist's due to “the revocation of the licence to trade”. Information was also requested concerning the State Monopolies' position towards their suppliers, retailers and employees classified as being “of Jewish race”;

– letter dated 19, April UDG/1900 RP in which the Independent State Monopolies Offices declared that “with regard to the general head office archives, documents of historical interest had been deposited with the Central State Archives the previous August. Among them were the records housed in the former archive of the Juridical State and Pensions Departments (1980-1960) together with employee files, including those of Jewish employees working in the above-mentioned Independent State Monopolies Offices at the time”.

The Italian Society of Authors and Editors

– letter dated 17 June, 1999 Di.C.A./6549/III.5.4.7.14 requesting information concerning SIAE's position towards citizens declared to be “Jewish”;

- letter dated 6 September, 1999 containing a brief report on SIAE's position.;
- letter dated 13 October, 1999 Di.C.A./9796/III.5.4.7.14 concerning the position of three people;
- letter dated 10 November, 1999 containing the information requested.

The Mondadori Foundation

- letter dated 6 March, 2000 Di.C.A./III.5.4.7.7 where the Foundation referred to the confiscation of three copyrights, and requested general information on the payment of royalties to people of “Jewish race” in the post 1938 period;
- letter dated 17 March, 2000 from the *Mondadori Foundation* textually declared that “the subject is extremely interesting. We will make every effort to find a researcher with the expertise necessary to carry out the investigation requested. I hope the records conserved will shed light on the matter”.

National Association of Insurance Companies

- letter dated 21 April 1999 Di.C.A./4118/III.5.4.7.12 requesting information concerning life insurance policies (including securities that the EGELI declared no longer valid because they had lapsed), as well as requesting clarification of a communication from INA's head office addressed to the Head of Province of La Spezia;
- letter dated 10 May 1999 from INA giving a negative reply to what had been requested. The letter pointed out, that it was INA's policy to liquidate contracts belonging to Holocaust victims on the strength of whatever supporting documentation the beneficiaries were in fact able to produce, which was indeed what had previously happened. Subsequently, further dealings with INA were established and led to the singling out of a policy which would be liquidated, if the rightful beneficiary were to be found.

Italian Post Office plc.

With reference to:

- letter dated 21 April 1999 Di.C.A./4139/III.5.4.7.8. whose subject was “ Commission for the reconstruction of events that characterised the acquisition of assets belonging to Jewish citizens in Italy, by public and private organisations. Archives Act. Research”. Following the supply of information relating to the city of Parma, the letter requested that research be carried out on a number of Post Office Savings Bonds bought by “Jewish citizens”. In particular, it also requested that they should be returned to the rightful owners. Where this was no longer possible, and where there were no rightful heirs, the sums were to be transferred free of charge to the Union of Jewish communities in Italy. The reply to this letter pointed out that, as far as the above-mentioned bonds were concerned, the appropriate office had re-activated the accounts, and added interest right up to 31 December, 1998. The letter also asked the Commission whether such accounts should be closed, as of what date and to whom the relative sums should be destined;
- letter dated 16 October 1999 Di.C.A./9874/III.5.4.7.8 requesting information concerning a number of post office savings books opened at the Vò Euganeo Post Office by citizens declared to be Jewish and who had been interned in the local concentration camp. The reply stated that the Padua branch was dealing with investigations into the matter that lead to research being carried out at Vò Euganeo;
- letter dated 16 December 1999 Di.C.A./12298/III.5.4.7.8. involved the Chairman in a series of activities aimed at further developing investigation into the general problem of Post Office Savings. The reply confirmed that the appropriate Finance Division office had been contacted;

– letter dated 21 February 2000 Di.C.A./2003/III.5.4.7.8. requesting whether Post Office Savings Books had been opened in the following three City Councils, Fossoli di Carpi, Borgo San Dalmazzo, Bolzano-Gries, which had also had concentration camps;

– letter dated 23 March 2000 No. 1254: deciding to break his previous reserve, the Chairman of the Poste Italiane Spa, replied in relation to specific issues related to Post Office Accounts, and pointed out that:

– “Documents in our possession, albeit filed by the Province and in the chronological order in which the Savings Bonds had been issued, are unfortunately devoid of the holders’ personal details which makes an alphabetical search impossible. The databases only date back as far as 1972 and we must also bear in mind that the documents often suffered the ravages of time or, as in some cases, whole files were destroyed because the period for which they should legally have been held, had already expired;

– Early computer records of dated Post Office Savings Books allowed us to trace accounts opened in the period 1938-1945 and those which lapsed from 1972 onwards; data concerning the two phases enabled us to identify the issuing Post Office, the account number, the amount initially deposited and the closing balance, but not the name of the owner;

– The Deposit and Loan fund does not have any documentation which would usefully contribute to this Commission’s investigation, other than the obligatory general statements of account and general amounts payable received from the Post Office Administration Department: the degree of involvement in this matter is therefore held to be minimal”.

– letter dated 25 October, 2000 Di.C.A./11536/III.5.4.7.8 announced the Commission’s intention to “carry out detailed research concerning Post Office savings Books or current accounts [...] opened by Jews when the so called racial laws were at their height”. It also suggested that the investigation “should cover all post offices located in City Councils where internment camps had been set up, and those where Jews had been confined”, it concluded by saying that it wished to receive copies of the accounting entries recorded on postal current accounts, represented by the related passbooks issued by post offices in the City Councils and in the periods indicated on the attached lists”. As stated in another part of the Report, Poste Italiane Spa replied by sending the documentation requested.

Military Advocate

Correspondence began after the publication of an interview in the 20 May, 1999 issue of the Rome “*Il Messaggero*”, released by the Military Advocate in Rome with regard to the filing of case dossiers concerning war crimes. The following correspondence ensued:

– letter dated 26 May, 1999 Di.C.A./5380/III 5.4.7.1, where the Commission requested the Military Advocate General of the Court of Cassation supply useful data and documentation (papers, in their possession or which had already been sent to the Military Judiciary Authorities) concerning “episodes leading to the seizure of moveable assets (cash, jewellery etc.) carried out individually or jointly by German troops and troops of the Italian Social Republic, and in carrying out these criminal acts, to the detriment of citizens declared to be “Jewish” by the racial laws in force at the time, robbed their victims of their chattels before or immediately after having killed them”;

– letter dated 2 June, 1999, No. 2/1099 from the Military Advocate General of the Court of Cassation requesting the Military Advocate of the Military Appeal Court “supply information concerning such events, by giving descriptions and by demonstrating the gravity and the credibility of episodes such as the above, and submit copies of these records where legally possible, without preventing the course of justice”;

– letter dated 11 June No. 906 99-0624/AGO with which the Military Advocate General of the Court of Cassation informed the Commission that it believed that the requests forwarded by the Military Advocate of the Supreme Court should be individually examined by the appropriate, competent military legal authorities concerned. Furthermore, “it is the responsibility of the latter –

public prosecutors and judges – based on the advancement and results of proceedings underway, to evaluate the validity and existence of cases of property seizure to the detriment of Jewish citizens and, above all, to establish case by case whether the specific court dealings call for the release of related documents”;

– letter dated 20 October, 1999 No. P1099-1103/AGO with which the Military Advocate General of the Court of Cassation informed the Commission about documentation received from the Military Tribunals of Rome, Padua, Verona, La Spezia, Naples, Bari and Palermo.

Given that the Military Advocates in Padua, Verona, La Spezia, Naples, Bari and Palermo all claimed they did not possess any useful information, other Advocates presented the following:

a) the Military Advocate in Rome sent extracts of sentence 631 dated 20 July, 1948 with which Lieutenant Colonel Herbert Kappler of the German SS was found guilty of arbitrary requisition for having ordered “members of the Jewish Community in Rome to hand over 50kgs of gold within 36 hours, thus inflicting sizeable, economic damage on the Jewish Community in Rome [...]”;

b) the Military Advocate in Turin revealed information concerning proceedings against Theo Saevecke (the trial ended with the accused being convicted to life imprisonment). It appeared that in a letter dated 22 May, 1944 addressed to “Office IV of the Aussen Kommand” in Milan, Protocol 1535/45 that Saevecke had requested that Piero Parini, the Head of the Province and Prefect of Milan, freeze all assets, chattels and goods belonging to Mr. Reinach, the Jewish owner of the Oleoblitz Company”. The letter is conserved in the State Archives in Milan and filed in the Prefecture Archives under the assets confiscated from Jewish citizens section. A copy is also to be found in *the Centre of Jewish Documentation* in Milan. The letter stated that “on 6 December 1943, I included Reinach on the list of evacuees”. He was deported to Auschwitz by train from Milan on 6 December 1943 and died during the journey. In the course of other proceedings, the Advocate’s Office came into possession of a sentence passed by the Territorial Military Tribunal in Turin dated 6 October 1950, referring to the despoilment of the Jewish Synagogue in Turin in June 1944.

To conclude this review, and although not strictly relevant, we wish to refer to the closure decree concerning proceedings against Titho Karl Friedrich, Commander of the Carpi-Fossoli (Modena) Concentration Camp, Haage Hans the Vice-Commander and other members of the German SS. They were under investigation for the murder of “enemy” individuals, for episodes of violence inflicted on prisoners of war and for having caused the deaths of 67 people who were not involved in military operations, and who were interned as prisoners of war in the Modena concentration Camp. The decree was issued on 10 November 1999 by the Judge conducting preliminary investigations on behalf of the La Spezia Military Tribunal. Opening remarks of the decree state, among other things, that “the copious documentation recorded, actually shed light on heinous crimes committed in the Camp, by German military personnel, against Italian prisoners. It referred in particular, to the shooting of two Jewish interns for trivial motives [...]”.

State Lawyers’ Office

– letter dated 18 March, 1999 Di.C.A./278/III.5.4.7.1. addressed to the State Lawyers’ Office, the subject of which was: “1938 – 1945 anti-Semitic legislation. Events linked to the acquisition by both public and private organisations of so called “Jewish” assets. Opinions of the State Lawyer”. The President, who was already in possession of the opinions published by the State Lawyer dated 29 March 1960 No. 7290/665.60, Treasury’s State General Accounting Department 9 May 1960 prot. 602619/AG, requested that the State Lawyers’ Office “send a copy of all the opinions expressed concerning the current matter, together with all the supporting documentation which determined said opinions concerning the management, liquidation and/or heirs of the so called “Jewish” assets handled by organisations such as the EGELI, the ARAR and others, including Government Offices also involved in the current issue”. The latter “intends to clarify the application and interpretation of the law in question”;

– letter dated 21 July 1999 No. T.t.VI 17/99 with which the Advocate stated that, on the basis of information received from the Commission, “we are unable to do what has been requested [...] also in view of the fact that the rulings are probably of a much earlier date compared with the documents contained in the archives. We require you to send more specific research elements if we are to identify any useful or relevant information”.

– letter dated 11 February 2000 No. 3046 Tit VI 17/99 with which the Advocate states that “following communication with the Lawyer Dario Tedeschi, we regret that further investigations have also brought negative results concerning rulings made by this Advocate General concerning anti-Semitic legislation and, in particular, regarding the question of the acquisition of Jewish assets. However, as previously agreed, we requested immediate copies of any rulings of the district Advocates that may have been filed in the archives of other offices or branches of the Institute”.

5.2. INITIATIVES TAKEN BY ORGANISATIONS OR INDIVIDUALS REPRESENTED WITHIN, OR MEMBERS OF, THE COMMISSION

It is appropriate, here, to recall the initiatives taken by the Italian Banking Association (ABI), the National Association of Insurance Companies (ANIA), and the Ministry for Industry, Commerce and Crafts, and the Union of Jewish Communities in Italy. These sectors are obviously of particular interest and the Commission is aware of their importance.

Only a brief outline of the contribution these organisations made to the advancement of Commission's work will be made here, unless otherwise necessary.

Italian Banking Association (ABI)

The letter dated 1 March 1999 No. LG/OF 001420 signed by the Director General of the ABI and addressed to the Boards of the various banks.

This letter gave rise to genuine research involving 851 Banks.

A very clearly planned document was attached and included: a premise, namely a report listing the conditions and requirements necessary to own a business, for those classified as being of “Jewish race” to possess moveable or immovable assets, or to lay claim to assets appropriated, confiscated or removed following the application of “racial laws”; a list of Banks operating during the period under investigation; an illustrative note regarding “stagnant” accounts; a questionnaire.

192 Banks (roughly 85% of the total) returned a completed questionnaire. 24 of them, who were responsible for having sent in relevant documentation, were invited to a meeting called by the Commission on 16 November 1999 and which will be discussed later on.

Subsequent to the meeting, these Banks responded to the President's request, (letter dated 6 December 1999 Di.C. A./1795/III.5.4.7.10) by presenting a list of the documentation in their possession, and in some cases a sizeable number of photocopies of the material listed.

Fully aware of the particular importance of some of this documentation, the Commission decided, in June 2000, to carry out more extensive research, the findings of which are presented in this Report.

In order to complete these investigations the ABI offered further help by setting up a databank at the Central State Archives relating to confiscation procedures. The Association representative, within the Commission, sent a letter to a considerable number of Banks, together with a list of confiscation decrees issued for moveable assets which had been deposited with them during the period of anti-Jewish persecution; an explanatory note was also attached.

The Banca d'Italia

The Banca d'Italia's representative systematically attended Commission and work group meetings and contributed to the final Report with information concerning the Bank's role during the period under investigation.

National Association of Insurance Companies

Letter dated 18 March 1999 No. 0083, circular 33, signed by the general manager of ANIA and addressed to the 246 member companies. The letter pointed out that the Acts dealing with the obligatory seizure of property belonging to Jews during the period of racial persecution conducted by the Nazi-fascist regime and their allies, has recently become the subject of interest of many Nations. The reason for this being the desire to acquire better historical knowledge concerning what happened in Europe in those tragic years and to guarantee sound initiatives aimed at compensating, and returning assets to, their rightful owners.

These initiatives meant initiatives at an international level and the setting up of an Italian commission. With this in mind, Insurance Companies were invited to complete a questionnaire similar in essence to that produced by ABI.

115 replies were received. 6 of these were particularly interesting. As in the case of the Banks, these companies were invited to attend a meeting, which will be referred to later on in the Report.

Office of the Minister of Industry, Commerce and Crafts

Unofficial letters from the head of the Minister's office for Industry, Commerce and Crafts – whose representative was also a member of the Commission – sent between 18 and 26 March 1999 and addressed to the following: the General Secretary of Confesercenti (Italian Confederation of Trade, Tourism and Services); the Managing Director of the CONFAPI (Italian Confederation of Small and Medium Sized Enterprises); the General Secretary of the Confcommercio (Italian Confederation of entrepreneurs operating in the Trade, Tourism and Services sector); the President of CASA (Independent Confederation of Craft Trade Unions); the General Secretary of the CNA (National Confederation for the Crafts Sector); the General Manager of Confindustria, (Confederation of Italian Industry); the Chambers of Commerce, Industry, Crafts and Agriculture.

A follow-up letter from the High Ministerial Representative systematically and punctually informed the Commission about replies received and copies of documentation despatched. The Report includes the results of the research carried out.

Union of Italian Jewish Communities and Individual Communities

In a letter dated 12 May 1999 No. 1444/350 addressed to the secretary of the Commission, the Union confirmed that it was already investigating its own archives and an expert, they themselves had appointed, was responsible for carrying out the research. The letter states that the considerably detailed research, given the structure of the Historical Archive, was already at a quite advanced stage and that the Union took full responsibility for making known the results achieved.

Despite the Union's initiative, we were also received correspondence from several Jewish Communities. Interesting documentation was presented on their behalf by their representative in the Commission.

Many Commissioners independently gathered information directly from the Union's Historical Archive.

Centre for Contemporary Jewish Documentation (CDEC)

The Foundation's representative in the Commission carried out independent research in the institute's archives.

5.3. CONTACTS AND VISITS MADE BY THE COMMISSIONERS

The Commission's strong determination to leave no stone unturned, motivated some Commissioners to increase the number of personal visits and dealings with ministerial offices (such as the Ministry of the Interior; the Ministry for Foreign affairs; the Treasury – the Inspectorate General for the Liquidation of Dissolved Public Bodies; the Treasury – the Commission for the Victims of Political Persecution; the Ministry for Cultural Heritage and Activities, the Archive Heritage Central Office; the Central State Archives and individual Archive collections; the Inter-ministerial Commission for the recovery of works of art etc.) as well as with the Legal Administration Office, the Advocate General for the State, Credit Institutions (e.g. Banca Agricola Mantovana, Banca Commerciale Italiana, Banca Regionale Europea, Cassa di Risparmio di Trieste, Cassa di Risparmio delle Province Lombarde, Credito Italiano, S. Paolo IMI, Monte dei Paschi di Siena, Banca Nazionale del Lavoro), Insurance Companies (National Association of Insurance Companies, the Assicurazioni Generali and *INA* all mentioned earlier in the Report and with whom there was an exchange of correspondence), not to mention the Communal Historical Archives and the Chambers of Commerce who promised to give their impartial assistance, experts and scholars; some Local administration authorities and Jewish Communities.

Various forms of communication also took place between the Minister for Public Education (the Commission agreed to collaborate in drawing up a new history programme for the 1900s), the President of the national television network, *RAI*, the Swiss Embassy in Italy who gave the Commission a publication titled "*Testimonianze di rifugiati nei campi di lavoro in Svizzera durante la seconda guerra mondiale*" (Accounts of refugees in Swiss labour camps during the Second World War), as well as with various associations including the National Association of Former Deportees, the National Association of Former Interns, the Trieste Association of Deportees and Victims of Political Persecution. The Fiuman Society of Studies and the Pier Amato Perretta Institute of Contemporary History in Como.

The above is simply an illustrative, and by no means exhaustive, list of the dealings the Commissioners have had with various organisations and institutions.

6. Meetings called by the Commission

The Commission attended and called meetings of its own. The following is a chronological, informative summary.

6.1. MEETING WITH AVI BEKER, REPRESENTATIVE OF THE JEWISH WORLD CONGRESS (11 March 1999)

The meeting was opened with a brief introduction given by the President, Tina Anselmi, followed by a substantial address given by Mr. Beker and the closing remarks by the President herself. According to Mr. Beker, the Jewish World Congress was hoping to extend the issue of "racial" persecution beyond a strictly moral plain, to one that would consider the economic and financial implications as well.

Mr. Beker was also of the opinion that the acquisition of property and other assets should bring to light the responsibility of those nations who collaborated with the III Reich in carrying out persecution and property seizure; particularly so because many of those assets now not only belong to private individuals but have also become part of the State's heritage. Mr. Beker did, however, admit that despite the fact that Italy and other nations had enforced anti-Semitic legislation, they had also snatched the lives of many Jews from the Holocaust. Having made some positive points, it was, however, necessary to highlight the negative aspects as well, in the hope of perpetuating the memory of what had happened and ensuring that episodes such as those that occurred from the end of the 1930s up to the mid 1940s should never again be repeated. Mr. Beker once again referred to the difficulties encountered both in setting up and funding other Commissions similar to the Italian one.

6.2 MEETING WITH "THE ASSICURAZIONE GENERALI" (7 JUNE 1999)

The meeting was attended by a delegation of highly qualified members of the Insurance Company comprising the Deputy Chairman and Managing Director, Dr. Guppy, the General Manager, Dr. Perissinotto, the company's Legal Advisor, Mr. Cappuccio, together with Dr. Fanin, a former manager and currently consultant to the firm.

As had previously emerged from a series of informal dealings, and the large quantity of documentation made available, the Company made it clear that it wished to bring to the Commission's attention the issue concerning policies stipulated in Eastern Europe both prior to and following the War and the difficulties the Assicurazioni Generali were facing in the United States at the hands of several influential organisations.

These aspects have already been dealt with in section 3.1. We can confirm that most of the meeting was dedicated to illustrating the issues listed (the nature of the Generali's activities in the East; relationships between the various branches; the nationalization of insurance companies carried out by Communist governments; the lack of judicial obligations regulating the insurance companies; initiatives undertaken by the Generali itself in honouring the memory of deportees and the victims of persecution).

With regard to Western Europe, the Company's Managing Director stated that all outstanding policies had been liquidated and all pending suits had been settled. Many policies were recently brought to light in Italy. With reference to Italy, cross-referencing and other procedures recently helped to identify a large number of policies whose holder details coincided with those of deportees. These lists were subsequently re-examined and partially modified following indications from other members of the Commission, (see 6.5).

As has already been mentioned at point 3.1, the Commission brought the issue to the attention of the Prime Minister, at the same time stating that the international profile of the events illustrated by the Insurer did not strictly fall within its responsibilities.

To be thorough, it must be pointed out that the various opinions concerning the extent of the Commission's competence, and its extraneousness to the questions raised by the Generali, were quite articulate. The fact that the Prime Minister had been informed led to a balance of varying opinions, some of which withheld the objective importance of the issue at hand.

6.3. MEETING WITH THE INTER-MINISTERIAL COMMISSION FOR THE RECOVERY OF WORKS OF ART (27 OCTOBER 1999)

The meeting was attended by the Head of the Inter-ministerial Commission, Minister Bondioli Osio, and Professor Maria L. Vicentini. In her introduction, President Anselmi pointed out that the issue concerning works of art was an important part of the historical research being carried

out by the Commission; the expert knowledge of the members of the Inter-ministerial Commission was therefore particularly interesting and important. Minister Bondioli Osio stated that he had led the Italian delegation at the Washington Conference which had dealt with the recovery of works of art that had belonged to victims of racial persecution. The Conference confirmed the need to compensate the victims and to oblige museums to scrupulously check the origins of their exhibits.

The Minister pointed out that assets seized from Jewish families had been promptly recorded; the authorities that had handled the goods still have documents to support this fact. From the limited documentation available in the Siviero collection, it appears that all such property was returned in the immediate post war period.

Documents examined by the Minister and Professor Vicentini were exclusively those contained in the Siviero archive. Based on the latter, we can ascertain with almost complete certainty that – according to the interlocutors of the Inter-ministerial Commission – Italian museums do not possess works of art seized or confiscated from their Jewish owners during the period of racial law; the same may not be said of some American and Austrian museums.

Professor Vicentini added that the then Minister Siviero had conducted research into the seizure of Jewish Community assets. The only existing detailed list to be found in the archives refers to the Jewish Community in Livorno. When consulted on the issue, she stated that no works of art had in fact been returned.

Furthermore, it would appear that Siviero had wished to carry out more efficient research on behalf of the other communities and contacted the Jewish Documentation Centre and the Chief Rabbi in Rome, but the initiative does not appear to have been followed through.

The intervention of several Commissioners followed this informative presentation. The representative of the Union of Jewish Communities in Italy asked the Minister whether investigations were still being carried out regarding the whereabouts of works of art seized from Italian Jewish and non-Jewish citizens listed in the volume *“L’Opera da ritrovare”*, published jointly by the Ministry of Foreign Affairs and the Ministry for Cultural and Environmental Heritage. He then referred to the plundering of the Jewish Community Library in Rome carried out by the Germans after 8 September 1943 and enquired whether the Siviero Commission, or the current Inter-ministerial Commission, had found traces of any of the extremely valuable books. He also asked the Minister whether other Italian museums housed works of art that had belonged to Jewish Communities and private individuals which were included in the restitution decrees of the time. This was indeed the case concerning religious objects belonging to the Community in Milan that had either been seized or found in an Italian museum and which were returned only following a ruling by the Regional Administrative Court of Law (TAR).

Another Commissioner declared that the Commission was interested in what had happened to goods and works of art that had been looted; and whether they had been found or returned, or if adequate indemnity payments had been made to compensate for war damages or as atonement on Germany's behalf.

Referring to some specific cases, he pointed out that an inventory existed for the Synagogue in Fiume listing all the assets and works of art it possessed; he also stated that the Synagogue had been raised to the ground by the Nazis. What had actually happened with the Synagogue in Alessandria, which was completely destroyed, was unclear. Post-war accounts ledgers, on the other hand, revealed that the rebuilding and refurbishment of the Synagogue in Florence, was partly funded by a State contribution made in reparation for war damages, and partly by funds contributed by the Jewish Community as a whole.

The publication, *“L’opera da ritrovare”* included works of art that the Commission was dealing with, and for which the Commissioner supplied the names, which were quite likely of Jewish origin, of the owners of some of the objects. Basing his considerations on documentation that had emerged, he also raised the question as to whether there may have been obsessive anti-Jewish behaviour with regard to the expropriation or non-restitution of assets.

Minister Bondioli Osio pointed out that the majority of the assets listed in “*L’opera da ritrovare*” have not yet been traced. 150 of these objects have been posted on internet in the hope that they may be found. Many of these assets had been deposited with the EGELI, but later seem to have disappeared. “*L’opera da ritrovare*” cannot realistically deal with all the art material requisitioned between 1938 and 1945: it is evident that Siviero presented a personally compiled list of objects to be found. In reply to a Commissioner’s question, the Ambassador added that the sources that Minister Siviero adopted for his publication were not so much the fruit of research initiatives but rather the result of information that had come to him directly. President Anselmi thanked Minister Bondioli Osio and Professor Vicentini and at the end of their intervention invited them to send her a written report of the information they had presented, referring in particular to works of art that had belonged to citizens who, as one Commissioner had pointed out, were probably of “Jewish race”.

The request was satisfied and has been dealt with in another part of this report (see 5.1)

6.4. MEETING WITH THE BANKS (16 NOVEMBER 1999)

A delegation of one or two representatives from each of the following 24 Banking Institutions was present: Banca Agricola Mantovana, Banca Commerciale Italiana, Banca Nazionale del Lavoro, Banca Popolare di Novara, Banca Regionale Europea, Banca di Roma, Banco Ambrosiano Veneto, Banco di Napoli, Banco di Sicilia, Bi.Pop. Cassa di Risparmio di Reggio Emilia, Cassa di Risparmio delle Province Lombarde, Cassa di Risparmio di Biella e Vercelli, Cassa di Risparmio di Bologna, Cassa di Risparmio di Gorizia, Cassa di risparmio di Parma e Piacenza, Cassa di Risparmio di Torino, Cassa di Risparmio di Trieste, Cassa di Risparmio di Venezia, Cassa di Risparmio di Verona, Credito Italiano, Istituto Italiano di Credito Fondiario, Mediovenezie, Monte dei Paschi di Siena, San Paolo Imi.

Considering the large number of participants, the meeting was both well organised and informative.

Introductory presentations were made by the President of the Commission, the Commissioner representing the Italian Banking Association (ABI), and another Commission member who presented a brief report summarizing the results of the ABI questionnaire. This was followed by the Banca d’Italia representative who referred to dealings between the Banca d’Italia and other Banking Institutions during the research period in question; the Superintendent of the Central State Archives reported on the technical aspects of conservation and archive research. All the participants contributed to the debate by presenting a series of informative elements which were, in the main, new and more exhaustive if compared with the information that had been previously volunteered in the ABI questionnaire.

By referring to what had been presented by the Bank representatives and recalling a series of criteria previously elaborated within the smaller work group, the majority of the Commissioners presented a number of queries, for example; concerning investigations carried out at the time in question regarding the seizure of Jewish assets; the methods used for the identification of clients; the dealings between the EGELI prior to and after 1943; who was responsible for the handling costs and how they were calculated; the criteria applied for the safeguarding of seized or confiscated assets and their restitution; whether there were situations pending.

During the venue, numerous points of interest emerged, such as:

- not all Banks have an historical archive and it is often difficult to reconstruct document inventories useful for the Commission’s activities.
- all the participants declared they were total committed to collaborating and quite a considerable number requested the direct involvement of a Commissioner:
- they unanimously confirmed they would deliver the inventories regarding documents in their possession:

– the Banks confirmed that they were not involved in grievance hearings or other unfinished business, and agreed to investigate unresolved cases, even where identification documentation was minimal.

The President issued a press release following the meeting that declared that the Commission “had met with the representatives of numerous Banks in order to be better informed about the documentation which has currently been found in the Banking Institutions’ archives. Having acknowledged their findings and the Banks’ commitment to analyse said documentation, it was agreed that further research and investigations would be conducted”.

The brief communication aroused the interest of a national newspaper (“*Corriere della Sera*” 18 November 1999) who published the article together with a comment which neither reflected the true spirit of the Commission nor the outcome of the venue. The President of the Commission was thus obliged to point out that “the objective of the venue was exclusively to reconstruct the historical events that affected Jewish citizens during the era of Holocaust persecution. The issue of the restitution of assets on behalf of the Banks was never brought up. Nonetheless, it was confirmed that restitution had already been carried out in accordance with the laws issued after the War; however, should there still be cases where this has not yet happened, it is not the Commission’s responsibility to deal with them, but rather the Government’s once the Commission’s findings have been published. What must again be commended, is the Banks’ complete willingness to offer their full cooperation [...]” (“*Corriere della Sera*”, 21 November 1999).

The clarification was accepted by the journalist who had written the article.

6.5. MEETING WITH THE INSURANCE FIRMS (1 FEBRUARY 2000)

The meeting was organised by ANIA (the *National Association of Insurance Companies*) whose involvement had already been guaranteed by the fact that they had carried out detailed investigations into the documentation held by their associates; just as ABI had done with its own members.

In concordance with ANIA, 6 insurance firms were chosen to participate from those who had supplied useful information concerning the existence of documentation, or who had been involved in the liquidation of policies belonging to Holocaust victims. The following companies were represented: Alleanza Assicurazioni, The Assicurazione Generali, Axa Assicurazioni, GAN Assicurazioni, INA Istituto Nazionale della Assicurazioni, RAS Riunione Adriatica di Sicurtà.

The meeting was introduced by the President and the ANIA representative, who was also a member of the Commission. In his opening address, the latter presented some brief details concerning the questionnaire, which had been completed by 115 of the 246 companies operating in Italy in 1999 (Life and damages sector) for a total of 46%. However, of the 132 Companies that did not complete the questionnaire, 121 had not operated between 1938 and 1945 leaving the number of non-replies at 11.

The ANIA representative stated that the companies that had replied also represented 85% of the premiums cashed in, the largest shares belonging to INA (844,025,000), the Assicurazione Generali (159.372.000), and the Riunione Adriatica di Sicurtà (95.287.000).

All those present at the meeting joined in the debate with the Commissioners. A large amount of time was dedicated to clarifying some issues with the *INA* representative and the Assicurazione Generali. The former confirmed that, despite no longer being in possession of related records, it was company policy to liquidate contracts that had belonged to Holocaust victims on the grounds of the documentation that the beneficiaries themselves managed to produce; while the latter had updated some of the lists previously presented during the meeting of 7 June. The lists had been drawn up following the laborious cross-referencing of lists of names (10,812 deportees, 17,995

names of insurees taken from matured policies or rather claims for damages filed but not liquidated; 25.039 names of insurees with policies matured but not liquidated; 1,352 names taken from records of policyholders with claims filed for damages). The research gave rise to three final lists; one with 10 names where the surnames, names and date of birth coincided; another where the surnames and names matched; a list of 36 contracts made out to individuals of "Jewish faith" and which referred to policies that had expired but had not been liquidated. The lists are undergoing further investigation.

During the meeting, one of the Assicurazioni Generali delegates drew the Commission's attention to the previously mentioned issue of policies taken out in Eastern Europe and the problems Italian insurance companies (the Assicurazione Generali and the Riunione Adriatica di Sicurtà) are also having following the initiatives undertaken by the well-known International Commission. The President stated that she had already informed the Prime Minister on the matter.

7. Dealings with similar Commissions in other Nations

Thanks to the intervention of several Commissioners, the President of the Commission was given and was able to examine the following reports drawn up by similar Commissions set up in other countries:

Bent Reisel e Bjarte Bruland *Confiscation of Jewish Property in Norway during World War II*, June 1997 (Part of the official report 1997:22 – minority report; an Italian translation exists)

Independent Commission of Swiss experts – *The Second World War, Switzerland and Gold Transactions During the Second World War*:

Independent Commission of Swiss experts – *The Second World War, Switzerland and refugees in the Nazi era*, 1999 (the Italian edition does not have an appendix).

Independent Commission of Swiss experts – *The Second World War Le transit ferroviaire de personnes à travers la Suisse pendant la seconde guerre mondiale* (annexe au rapport sur la Suisse et les réfugiés à l'époque du national – socialisme).

The Commission on Jewish Assets in Sweden at the time of the second world war, *Sweden and Jewish Assets. Final Report*, 1999:20.

Commission d'étude sur le sort des biens des membres de la Communauté juive de Belgique spoliés ou délaissés pendant la guerre 1940-1945 :

– *Deuxième Rapport interimaire ou Gouvernement* (October 1999. The following, and probably final report, will be published on 14 July 2001).

– *Lois relative à la Commission d'étude* (June 1999) and *Arrêté royal relatif à la composition et au fonctionnement de la Commission d'étude* (February 1999).

– *Formulaire de demande individuelle*.

Mission d'étude sur la spoliation des Juifs de France :

– *Rapport generale* (2000)

– *Synthèse des travaux de la Mission d'étude sur la spoliation des Juifs de France*

Plunder and restitution: The U.S. and Holocaust Victims' Assets (Findings and Recommendations of the Presidential Advisory Commission on Holocaust Assets in the United States and Staff Report), Washington 2000.

In addition to the documentation mentioned, the Matteoli Mission intervened directly by sending a member of the Commission to Paris, and more specific correspondence was produced

concerning the setting up of a Commission responsible for dealing with the compensation of the victims of looting, following anti-Semitic legislation, during the period of occupation.

8. The Commission's activities and participation in various events

The Commission accounted for its activities as follows:

- by presenting an interim report at the end of the first semester (June 1999);
- by calling a press conference (16 June 1999);
- by giving interviews – held mainly by the President and various Commissioners – and attending study conventions.

With particular reference to this last point, the President and several members of the Commission also attended the following; a public event held in Mantova where the archive collection of the Banca Agricola Mantovana was officially handed over to the Local State Archive (31 May 2000); the convention named “La scuola e la storia del ‘900” promoted by the Ministry of Education and held at the Institute of the Italian Encyclopedia - Istituto dell'Enciclopedia Italiana - (18 September 2000); and the “International Forum on Holocaust-Era Looted Cultural Assets” held in Vilnius (3-5 October 2000). A member of the Commission attended the historical-legal convention held by the Trieste branch of the Italian Federation of Volunteers for Freedom – Association of ex-deportees and anti-Fascist victims of political persecution (Trieste, 11-12 November 2000). Furthermore, it is appropriate to mention that the President had various high powered meetings with the President of the Union of Jewish Communities in Italy and the Head of the Presidential Advisory Commission on Holocaust-Era Assets in the USA. Various members of the Commission, including the President herself, were involved in events organised for “Holocaust Memorial Day” (27 January 2001).

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Methodology and Information for the Reader

At the planning stage of the Report, the Commission considered various possible layout styles, but finally opted for “unitary” report even if it is clearly split into an introduction, a general summary and a more detailed presentation of specific or territorial issues. The Report was completed with a series of attachments of objective importance (legislative appendix and databanks).

The Report is a collection of the work contributed by various Commissioners and is the fruit of their expertise, combined with the institutional roles they held and the responsibilities the Commission conferred on some of them to carry out more in-depth research. It also includes the work done by external researchers previously mentioned in this Summary Report.

All the findings were examined by the Commission as a whole. In some cases corrections and additions were suggested; it was often necessary to add references within the text to other parts of the Report and text and corresponding footnote references to guarantee homogeneity. Despite obvious differences in research techniques, style, and the layout of the contributions, the Report is the result of the Commission's team work and the fruit of communal research, regardless of the number of individuals who actually contributed to the Report as a whole.

At the end of this mammoth editing job, the Commission was convinced that the Report may well strike a very different note with the reader, depending on whether he be an historian, a politician, or a reporter. It was also aware of the fact that the drawing up of the document, and the multitude of issues tackled, do not allow the more salient points that finally emerge at the end of the report to be readily identifiable within the text. For this reason, some final considerations were added at the end of the Report.

The steadfast commitment dedicated to the research issues considered to be objective priorities, limited the opportunity to deal with some of the issues that had initially been included in the research programme, or that had emerged, or proved to be important as the work progressed. Examples of this are the situation in the Dodecanese Islands, Albania, the annexed territories of Slovenia and Dalmatia (1941) and the question of war damage compensation.

The research was conducted by investigating and consulting all possible archive sources available, as is explained in the appropriate chapter. The latter contains an exhaustive description of the state of these archives which, for each specific area of interest, prove to be incomplete for various historical reasons, such as; the fragmentation of the archives; the archive material was disposed of, also because there was no legal obligation for many organisations to conserve the documents; records accidentally destroyed. All these reasons contributed to making research notably complex. We were also disappointed that we could not consult various archive deposits. This was in part due to the late transferral of records to the appropriate historical archives. The documentation continued to accumulate and was basically non consultable because it had not been filed, and because the premises were impracticable, etc. And all this despite the fact that the Ministries and authorities, where these documents are currently housed, had declared their willingness to help. It is likely that further information may arrive from organisations contacted in the final stages of the research and whose contribution will, hopefully, complete the findings already included in the present Report.

All the public and private organisations contacted were mainly forthcoming with their support, which was given and demonstrated, not only by their efficiency in carrying out their work and their institutional responsibilities, but also with a sense of moral duty displayed towards the positive outcome of the issues being investigated.