

Report on « Restitution and Compensation of immovable property confiscated or otherwise wrongfully seized by the Nazis and their collaborators during the Shoa (1940-1944 period of occupation of Luxembourg by German forces).

With reference to the 2009 report¹ on Jewish assets confiscated during the German occupation of Luxembourg, we would like to give a short overview on the steps taken by the Luxembourg governments since 1941 to the present day in order to return or compensate to the rightful owners or their heirs real property wrongfully seized by the occupational power i.e. Germany and collaborators in Luxembourg.

Already in spring 1941, the Luxembourg government in exile took a first step against measures taken by the German occupational administration in the field of dispossession.² Article 2 of this decree stated clearly *“sont nuls et non avenues tous les actes de disposition ou de nantissement de biens meubles ou immeubles ayant fait, de la part de l’ennemi, depuis le 10 mai 1940, l’objet de confiscations, saisies, ventes forcées ou de toutes mesures portant atteinte à la propriété privée.”*

After the liberation of Luxembourg in September 1944 and the return of the government from exile, this decree was widely published in the press.³ A second decree taken in July 1944 imposed on all buyers of such assets to make a declaration to the police.⁴

A decree of August, 17th, 1944 instituted a “Office des Séquestres” that should not only confiscate all enemy property, but should also put under government protection the assets of all people that had been deported, evacuated and dispossessed by the enemy. This was meant to facilitate the restitution of confiscated assets to their rightful owners or their heirs. One of the tasks of the “Office des Séquestres” was to identify the owners of confiscated assets. This was rather easy with regard to immovable property, but was very difficult and sometimes impossible with regard to movable property. Lists of movable goods were established by members of the Union of Resistance movements under the supervision of the “Office des Séquestres”.

According to the research done by a commission of historians 1019 transactions of real estate were made from 1940 to 1944. 97,5 % of these transactions were returned to their rightful owners in 1945 and 1946. 2,5 % of the transactions were not considered as a dispossession. 16 out of 25 plots had been sold by the Jewish owner

¹ http://www.gouvernement.lu/salle_presse/communiqués/2009/07-juillet/06-biens-juifs/rapport_final.pdf

² Arrêté grand-ducal du 22 avril 1941 relatif aux mesures de dépossession effectuées par l’ennemi.

³ Luxemburger Wort, 20 October 1944.

⁴ Arrêté grand-ducal du 7 juillet 1944 modifiant l’arrêté grand-ducal du 22 avril 1941 relatif aux mesures de dépossession effectuées par l’ennemi.

to his/her non-Jewish consort in order to avoid the confiscation by the Germans. After the liberation both partners accepted these changes of owner as lawful. The 9 remaining plots that were not returned to the previous owners were either part of a condominium and where an arrangement with the former owners could be found. 5 plots were sold by their Jewish owners and the sale had been accepted by the Germans.

The two synagogues in Luxembourg City and Esch city that had been destroyed by the Germans were reconstructed after the war and the Jewish communities were compensated for the loss of these buildings. The Jewish cemeteries were not destroyed. The Luxembourg government compensated the forcefully removed metal ornaments from these cemeteries as war damage.