

**Summary of Property Restitution in  
Central and Eastern Europe  
July 16, 2002**

**Bulgaria**

- **Numerous properties have been returned.**
- **Important communal properties remain under litigation.**

Bulgaria was one of the first Eastern European countries to pass property restitution legislation. The current law stipulates that both Bulgarian citizens and non-Bulgarian citizens are eligible to receive property confiscated during the fascist and communist periods. A successful non-citizen of Bulgaria must, however, sell the property. Only Bulgarian citizens can receive restituted forest and farmland.

NGO's and certain denominations claimed that a number of properties confiscated under the communist government were not returned. For example, the Muslim community claims prior ownership of at least 17 properties around the country. The Catholic Church claims three monasteries, six buildings in Sofia, three in Plovdiv and several buildings in other towns. In addition, the Government reportedly retains properties of several Protestant groups.

Most property that belonged to the Bulgarian Jewish Community has been restituted, although two cases remain unresolved: the Rila Hotel and the property at 9 Suborna Street in Sofia. In the pre-war period, the Suborna Street property and approximately half of the land on which the Rila Hotel was later built belonged to the Jewish Consistory. A recent court decision held that the Bulgarian Jewish organization "Shalom" is the successor to the Jewish Consistory. An additional complication arose when the Bulgarian government, which owned the other half of the Rila Hotel, privatized its share of the company that operates the hotel. Since the privatization there has been little movement on either property, although government officials and Jewish community leaders have stated that they hope to settle these issues soon.

A central problem facing all claimants is the need to demonstrate that the organization seeking restitution is the organization, or legitimate successor, that owned the property prior to September 9, 1944. This is difficult because communist hostility to religion led some groups to hide assets or ownership, and because documents have been destroyed or lost over the years.

**Croatia**

- **Coalition parties agree to eliminate citizenship requirement.**
- **Several communal properties remain unrestituted.**

Due to Croatia's turbulent past, there is a large amount of disputed property throughout the country. In an attempt to resolve property title disputes and to reconstitute property seized during the communist period, Croatia passed its first property restitution law in 1990, and subsequently amended the law in 1991 and 1993. Since the passage of the law, the restitution process has proceeded very slowly.

The early 1990s restitution law and amendments mandated the return of property seized during the communist-era. Although the Croatian government has insisted that this law covers property restituted after the war but then again seized soon afterward by the communists, others have agitated for a new law specifically covering the pre-communist years.

The 1996 Law on Restitution/Compensation of Property Taken During the Time of the Yugoslav Communist Government prohibited non-Croatian citizens from making claims. But in 1999, the Constitutional Court struck down six clauses of the law deemed to be discriminatory against foreigners. After a long delay, on July 5, 2002, the Croatian parliament amended the discriminatory clauses to extend to foreigners the right to claim expropriated property or receive compensation in accordance with existing bilateral agreements. The amended law pertains to the communist era only, and not to the years from 1941 to 1945 or to the civil unrest after the breakup of Yugoslavia.

A number of persons of Croatian descent, who were not U.S. citizens when their claims against Croatia arose but have become American citizens, currently have outstanding property claims. United States citizens also have claims arising from the early 1990s war following the break-up of Yugoslavia.

There are two complicating factors in Croatia's current restitution program. The first is the practice of local governments issuing permits for construction on land with disputed titles. This practice was especially prevalent in the years immediately following the collapse of communism. Another factor is heirless property, which under the current law devolves to the state, instead of being transferred to an organization representing the community to which the former owner of the property belonged.

In 1998, the Government signed a concordat with the Vatican that provided for the return of all Catholic Church property confiscated by the Communist regime after 1945. This agreement stipulates that the Government would return seized properties or compensate the Church where return is impossible. Some progress has been made with some returnable properties being restituted, but there has been no compensation to date for non-returnable properties.

The Orthodox community filed several requests for the return of seized properties, and some cases have been resolved successfully, particularly cases involving buildings in urban centers. However, several buildings in downtown Zagreb have not been returned, nor have properties that belonged to monasteries, such as arable land and forest.

Jewish groups in Croatia have received some of their claimed property in Zagreb, but no properties have been returned to the Jewish Community since March 2000. An estimated 20 additional Jewish property claims are still pending throughout the country. The Jewish Community identifies property return as one of its top priorities.

### **Czech Republic**

- **Rychetsky Commission resolved several issues including transfer of some 200 Jewish properties, return of 7,500 art works, and creation of a \$7.5 million Holocaust Fund.**
- **Catholic property claims remain outstanding.**

The Czech Republic passed and implemented property restitution laws shortly after the fall of the communist government. The first laws covered confiscations during the period 1948-1989 and were primarily concerned with private property, farmland, artworks and property of religious orders and sports associations. A 1994 amendment provided for the restitution of property taken by the Nazis from Holocaust victims between 1938 and 1945. The amended law still required that private property claimants be Czech citizens.

Beginning in November 1998, a national commission headed by Deputy Prime Minister Rychetsky reviewed property restitution claims arising from the Holocaust. Following the commission's recommendations, in June 2000, parliament enacted legislation that authorized the government to transfer approximately 200 additional properties to the Jewish Community and

allowed individual claims for formerly Jewish agricultural property. The law also restituted 70 works of art housed in the National Gallery to the Jewish Community and provided for the return of an estimated 7,500 works of art in Czech government museums and galleries to Holocaust victims and their heirs. Unlike previous Czech restitution laws, the claimants of looted art held by state institutions are not subject to a citizenship requirement. The Czech Government has created an internet site with information and photographs of the works. In 2002, Parliament extended the deadline for filing artwork from the end of 2002 to the end of 2006.

In 2001, the Rychetsky Commission also helped to establish a Holocaust fund with approximately \$7.5 million in state money. A third of the fund will be dedicated to providing compensation to non-citizens and others previously unable to regain real property seized by the Nazis. The rest of the fund will be dedicated to the restoration of Jewish sacred sites and to Jewish Community life in the Czech Republic.

Progress in resolving outstanding communal property restitution claims by churches remains slow. In addition, verifying the title of hundreds of claimed properties further complicates the process. Since 1998, the Social Democratic government created two national commissions to address church-state related issues and to develop legislation on the return of income-generating property claimed by the Catholic Church and other property claimed by Protestant churches. The Catholic Church seeks around 700 buildings and 175,000 hectares of land, most of which are held by local authorities. These claims are currently unresolved.

The Czech Republic's decentralized property restitution system does not require municipalities to return communal property in accordance with national policies. Thus the Jewish Community has received most of the communal property once held by the Czech national government and the city of Prague, but properties held by local authorities remain unrestituted.

### **Estonia**

- **Communal property returned.**
- **Private property claims resolved.**

The restitution of property in Estonia has been exemplary and there are no pending property claims or disputes. Estonia has returned communal property to religious communities. Private property owners who filed their claims before the appropriate deadline have also been able to reclaim their property, irrespective of present citizenship. Title to heirless property passes to the local municipal administration of the area in which the property is located. The administration is free to sell the property or retain it for its own use.

### **Hungary**

- **Private and communal property laws being implemented.**
- **No law governing heirless property.**

Hungary was an early leader in private and communal property restitution. The restitution process began in 1991 with the enactment of a law enabling religious organizations to apply for compensation for real estate nationalized after January 1, 1946. Since 1991, twelve major religious groups have submitted 8026 property restitution claims. Out of the total claims submitted: 1383 claims received property, 2670 were denied, 1731 received cash payments (totaling \$ 271.3 million or Huf 67.843 billion) and 968 cases were settled without government intervention. As of December 31, 2001, there were 1274 claims, valued at \$ 187 million (Huf 46.770 billion), awaiting adjudication. The final adjudication deadline is in 2011.

The 1991 law also allowed for partial compensation for private property. Successful claimants could receive a voucher for up to \$21,000 as compensation for their confiscated property. The vouchers, which were issued in lieu of cash payments, could be used to buy shares in privatized companies or to buy land at state land auctions.

In 1997, the Hungarian property restitution law was amended to allow churches to apply for a government-funded annuity as compensation for unrestituted properties. Between 1997 and 1998, the Hungarian government signed compensation agreements with several religious organizations (Catholic, Jewish, Protestant and Orthodox) in order to fully implement the 1991 law and the 1997 amendment. The compensation agreements determined the monetary amount of unrestituted properties and specified the amount of the government-funded annuity to be given to each organization. The specific amounts are in the chart below.

Organization	Amount of Annuity		Properties Waived	Amount of Waived Properties	
	US \$	Hungarian HUF		US \$	Hungarian HUF
Catholic Church	9.2 million	2.3 billion	1150	168 million	42 billion
Jewish Community	2.4 million	608 million	152	54 million	13.5 billion
Calvinist Church	5.2 million	1.3 billion	392	26.6 million	6.65 billion
Lutheran Church	2.8 million	700 million	74	17 million	4.27 billion
Budai Serb Orthodox Church	179,000	44.9 million	2	3.4 million	848 million
Hungarian Baptist Church	80,000	20 million	2	484,000	121 million

A major problem for Hungary's restitution program is the lack of a law covering the property of Holocaust victims without heirs. Under the current law, heirless properties devolve to the state. Another problem plaguing Hungary's restitution efforts is the legally mandated strict data protection and limited archival access. These laws effectively block access to Holocaust-related records and documents, making further national and international claims difficult.

#### Latvia

- **Both private and communal property restitution nearing completion.**
- **Restitution of communal property unresolved pending agreement among Jewish representatives.**

Latvian law provides for the restitution of confiscated property, both private and communal, to former owners or heirs. The law does not discriminate on the basis of citizenship or residency. In most cases, municipal authorities make the final decision on property restitution; if they deem a property non-returnable, they may offer alternative property or compensation in the form of vouchers. Claimants, however, may be reluctant to accept alternative property because of the difficulty in establishing comparative values.

Claims for private property occupied by economically productive facilities have been particularly difficult to resolve. A World Bank program is assisting Latvia in the development of a comprehensive land title registration and verification system to support the development of a real estate market based on improved market valuation.

The current property restitution arrangement provides for the return of communal religious properties to the observant Jewish community, but does not cover the return of communal property to the significantly larger non-observant community. Thus religious property in Riga, Daugavpils, Liepaja and other cities has been restituted to the observant Jewish community, but approximately 200 communal properties remain to be restituted to the non-

observant community. The government of Latvia is prepared to proceed with the remaining restitutions pending an agreement between the Jewish observant and non-observant communities, which we expect to be concluded soon.

With this notable exception, most Jewish and Christian property cases have been resolved and the restitution process is nearing completion. Since the beginning of the restitution process, the Latvian observant Jewish Community has received 16 properties and compensation for two others.

### Lithuania

- **Government developing communal property law.**
- **Lack of alternative property delays private property restitution.**

The government has restituted to private claimants most of the property that can be returned. Resolution of the remaining private property claims will require the identification of alternative property or the payment of compensation, estimated at approximately \$500 million. No official timetable for settling private property restitution claims has been established, except for paying out compensation by 2009 for land, forest, and bodies of water, and by 2011 for dwelling houses and flats.

Under the current program the Lithuanian Finance Ministry may pay compensation only to Lithuanian citizens, but citizens qualify regardless of their place of domicile. The deadline to submit applications for property restitution passed in December 2001; the deadline to prove kinship to the original owner is December 31, 2002.

From 1991 to 1996, the observant and non-observant Jewish communities claimed and received 28 buildings, mostly synagogues (three in Vilnius, five in Kaunas and the balance in small towns.) A 1995 law permits only the observant part of a religious group (as opposed to the non-observant) to apply for the restitution of communal property. The practical effect of this has been that only the orthodox Jewish community, comprising five percent of Lithuania's current Jewish population of approximately 4,000, is able to apply for property owned and used by Lithuania's pre-war Jewish population of over 200,000. The non-observant community has not been able to obtain additional property, whereas the observant community has received a number of properties.

In June 2002, a government commission, comprised of cabinet ministers, commenced a review of Jewish communal property issues. The commission is expected to study a list of approximately 1100 unrestituted Jewish communal properties prepared by a committee made up of representatives of the American Jewish Committee, the World Jewish Restitution Organization, B'nai B'rith and the Lithuanian Jewish Community. These organizations plan to form a foundation to assist in pursuing claims and managing restituted property. The Government has proposed to amend the existing property restitution legislation to open the way for restitution of communal property to the new foundation. The Parliament is expected to vote on the amendment in the autumn.

### Macedonia

- **Almost all property used for religious purposes has been restituted.**
- **Communal religious property faces legislative hurdles.**

The Macedonian government, preoccupied with the Kosovo crisis and the 2001 insurgency, has not had the political will or finances to implement fully its property restitution

program. The government passed property restitution legislation in 1998, but implementation of the program has been slow and many property claims by religious communities have yet to be resolved under ongoing negotiations.

After the 1998 property de-nationalization law was passed, the government failed to enact implementation legislation. The law was challenged before the Macedonian Supreme Court in 1999, which ruled that a number of the law's provisions must be altered.

The Jewish community has regained some communal and religious property. In late 1997, the Jewish community proposed a settlement under which the community would receive facilities in Skopje as compensation for unrestituted communal property. In late 2001, the Macedonian government accepted the proposal in principle but it has not yet been implemented.

In May 2000, the Macedonian Parliament passed a law mandating that heirless property of Jewish Holocaust victims be given to a special-purpose fund for the construction of a Holocaust memorial museum. The government established a four-person steering committee, comprised of two government and two Jewish community representatives, for the project. The steering committee recently began its work, identifying some heirless properties eligible for this program.

A major success of Macedonia's restitution program is that virtually all churches and mosques have been returned to the appropriate religious community. Most non-religious properties have yet to be adjudicated. Claims for unrestituted properties are complicated by the fact that the seized properties have changed hands many times and have been developed since the time of their seizure. Due to limited government resources, it is unlikely that the religious communities will regain most of these additional claimed properties.

### Poland

- **Communal property restitution well-advanced and religious groups will have new opportunity to file additional claims.**
- **Government drafting private property legislation.**

During the 1990's, Poland passed legislation to provide for the restitution of property held before the war by Poland's major religious organizations. The legislation established five separate commissions, comprised of representatives of the government and the affected communities, to process the restitution claims. The Catholic Church acquired approximately 2000 properties, the Lutheran Church 210 and the Orthodox Church eight. In some instances, the churches received compensation instead of the actual property.

Thousands of Jewish communal properties served Poland's 3.5 million Jews before the Holocaust. The law governing the restitution of Jewish communal property went into effect in May 1997 and provided a May 2002 deadline for restitution applications. Because of the large number of properties and the small size of the current Polish Jewish community, the Community sought the assistance of the World Jewish Restitution Organization (WJRO). A joint foundation between the Polish Jewish Community and the WJRO was established in late 2001. The joint foundation, known as the Foundation for the Preservation of Jewish Heritage in Poland (FPJHP), was registered in early 2002. The founding agreement provided that the Polish Jewish Community would file claims in certain geographic areas, and the FPJHP would do so in areas not reserved for the Polish Community. The Polish Community filed nearly 2000 applications by the deadline, and the FPJHP filed nearly 3,500 claims.

The Government of Poland has indicated that it is drafting and will soon introduce legislation to enable all religious communities to file additional applications. This would enable

the Polish Jewish Community to claim remaining properties identified as having been held by the Jewish Community before the Nazi invasion not already claimed prior to the May, 2002 deadline.

Many of the properties to be restituted are "heritage properties," primarily cemeteries. The maintenance of these properties represents a potential cost of considerable magnitude. The Foundation and the Community may sell properties not needed by the Community in order to meet these expenses.

There is no legislation governing the restitution of private property. Parliament has made several attempts to enact such legislation and did pass a law in early 2001, but President Kwasniewski vetoed it because of its budgetary implications. The legislation imposed a citizenship requirement that would have prevented most American citizens from filing a claim. The government has said that it is preparing new draft legislation for submission to the Parliament in 2003, presumably without citizenship restrictions. Some claimants for the restitution of private properties have successfully acquired their property in Polish courts.

In June 2002, a federal district court judge ruled that the Government of Poland could not be sued in the U.S. to recover property seized by the communist Polish government following World War II. The suit alleged that the Polish Government had profited by refusing to return property. Plaintiffs are considering an appeal.

### Romania

- **Communal property law completed.**
- **Implementation of Law 10 continues. Greek Catholic Church claims largely unresolved.**

Romania was the last of the former communist countries to pass formal property restitution legislation. For the first decade following the fall of the Ceausescu regime, a series of court decisions, laws and decrees governed the return of property seized during the war and under communist rule. These decisions, laws and decrees were frequently contradictory and led to considerable confusion.

In February 2001, Romania enacted Law 10 to govern private property restitution. While this law provides a systematic approach to private property restitution, it is complex and places a considerable burden on claimants. Initially, the law provided an application period of just six months. There was no notification program outside of Romania so that potential claimants had no way of learning about the possibility of filing applications. At the suggestion of the United States, the Romanian Government extended the deadline, first to November 2001 and then to February 2002. But the overseas notification program was not implemented until late 2001, making it difficult for claimants to meet the deadline. Law 10 does not cover agricultural or communal property.

Law 10 required that applicants submit claims to municipal authorities through a court having jurisdiction over the property in question. This made it difficult for applicants who left Romania at an early age or for heirs to know where to submit applications. Despite these difficulties, several thousand claimants filed applications. How long it will take to adjudicate claims, and how transparent that process will be, is not clear.

In late June, Parliament approved legislation governing the restitution of non-religious communal property. The law covers schools and hospitals but not houses of worship. The law will replace the ordinances under which communal property has been returned to religious organizations. A June 1999 ordinance restored 36 buildings to ethnic communities (12 to the Jewish community, 15 to the Hungarian, four to the German, two to the Greek, one to the Slovak and one each to the Ukrainian and Serbian communities.) An earlier ordinance returned six properties to the Jewish community.

Romanian officials have also discussed a prospective additional law on ethnic community properties under which not only Hungarian, German and Slovak communities might benefit but also the Jewish community.

Jewish property claims include approximately 800 hospitals, schools, retirement homes and other properties confiscated by the communist government. A foundation established by the Federation of Jewish communities in Romania and the World Jewish Restitution Organization has received approximately 40 of these properties. Documenting ownership has been difficult for the foundation because of the lack of access to archives. Finding new premises for current occupants has slowed the restitution of both private and communal property in Romania.

In a development that may have far reaching consequences for Romanian property restitution, the European Court of Human Rights ruled in May 2002, on three Romanian property restitution cases (Vasilii v. Romania; Hodos and others v. Romania; and Surpaceanu v. Romania). The cases considered the right of the state (under law 92/1950) to confiscate civil servants' property, the confiscation of émigrés' property and jurisdictional issues. In two of the cases the Court ordered Romania to pay substantial damages to the petitioners unless the property was returned within three months. In the third case, the court also restituted the property, but the monetary award was for a smaller sum. The Court noted that two of the applicants were deprived of their property for 50 years and that, even if the deprivation served a public interest, the balance between community interest and fundamental individual rights had been upset.

## Russia

- **4000 communal property buildings returned.**

Despite considerable progress made in this area since 1991, a number of religious communities remain concerned about unrestituted religious property confiscated during the Soviet era. According to the Presidential Administration, the Russian Government's Restitution Commission returned approximately 4,000 buildings between the time the decree on communal property restitution went into effect in 1993 and March 15, 2001 when Prime Minister Kasyanov ordered the commission to cease its activities.

Approximately 3,500 of the restituted buildings were returned to the Russian Orthodox Church. Smaller numbers of buildings and houses of worship were returned to non-Orthodox Christian, Jewish, and Muslim communities. One example of the latter is the synagogue in Omsk, the largest in Siberia, which was rededicated in May 1996. Even with this modest success, the Jewish Community faces the same obstacles as other religious communities in restituting properties seized during the Communist regime. Some Jewish communities assert that they have recovered only a small portion of the total properties confiscated under Soviet rule, and are seeking additional restitution.

The Russian Government has returned approximately 15,000 religious articles, including icons, torahs and other items, to religious groups. For example, in May 2000, the government turned over 61 Torah scrolls to the Jewish community. However, many other religious artifacts remain in state museum collections.



## Slovakia

- **Majority of religious property returned.**
- **High-level Commission making recommendations on heirless and communal Jewish property.**

Slovakia, as a part of Czechoslovakia, was an early leader in property restitution, passing laws in 1990 and 1991 for the restitution of Jewish and non-Jewish properties confiscated by the communist regime. A 1993 law covered communal religious property, so that both private and communal property became eligible for restitution. The implementation of these laws led to the restitution of a majority of eligible property throughout Slovakia, with a few important exceptions.

The Orthodox Church received 6 of its 7 claimed properties. The Catholic Church received about 60% of its claimed properties, the remaining claims were denied since the properties were undeveloped at the time of their confiscation but have since been developed. The major obstacles facing Slovakia's outstanding restitution claims are the government's lack of financial resources to pay compensation, current tenants living in restituted property and bureaucratic resistance to specific claims.

One unresolved problem in Slovakia's program is the property of heirless Jewish Holocaust victims. In April 2000, the government and the Slovak Jewish Community established a Joint Commission to discuss heirless property, among other restitution issues. The commission convened in December 2001. It consists of Slovak government representatives and ten Jewish representatives: seven from the Slovak Jewish Community, including the Union of Jewish Religious Communities in the Slovak Republic (UZZNO), and three representing the American Jewish Committee(AJC), B'nai B'rith International, the World Jewish Congress and the World Jewish Restitution Organization.

Following an agreement reached in the December 2001 inaugural meeting, experts reported that heirless Jewish moveable property and real estate, excluding agricultural lands, was valued at approximately 8.5 billion Slovak Crowns (\$185 million). The Slovak Jewish Community agreed to accept ten percent of this amount, equal to 850 Slovak crowns (\$18.5 million), as payment for the unrestituted property. The representatives of international Jewish groups have not accepted this figure as a fair settlement. Negotiations continue on completion of an acceptable outcome even as Slovakia moves towards parliamentary elections in September 2002.

A previously outstanding restitution issue, which has now been resolved, was the reimbursement to the Slovak Jewish Community of the Slovak Jewish deposit, the forced deposit of Slovak Jewish money and gold into the national bank in 1940. In 1998, UZZNO won a ruling for the reimbursement of the deposit (\$600,000). The money is being used for a retirement home in Bratislava and a day care center in Kosice, both of which serve Holocaust survivors.

A remaining matter of concern is the lawsuit filed by the Slovak Jewish Community in Germany in relation to the money paid by the Slovak government for each Slovak Jew deported during the war. During the wartime occupation, the Slovak government was forced to pay 500 Reichsmarks to the Nazis for the deportation of each Jew in 1942. The Slovak government paid this amount through the looted assets of the Jewish Community. The lawsuit calls for a payment to the Slovak Jewish Community of an amount equal to the total money paid for the deportations. The German courts dismissed the case in March 2001, and a ruling on the February 2002 appeal hearing has not yet been released.

## Slovenia

- **Bulk of communal property returned.**
- **Heirless property remains an issue.**

Slovenia passed and began implementing a law on the restitution of property (the Denationalization Act) in 1991, soon after independence. As of June 2002, 66 percent of the 35,858 property restitution claims filed had been resolved (approximately one-fourth of the resolutions were for only partial restitution or were completely denied). Unresolved cases include both those in which no final decision has been reached and those in which court decisions are being appealed. Over the past decade, settlement of claims has been slowed by such factors as court backlogs, insufficient numbers of trained judicial and administrative personnel, amendments to the Denationalization Act, and inadequate records of land ownership. There have been complaints from some claimants of a general lack of transparency and administrative compliance with the law. Heirless property currently devolves to the state, although no group has registered any grievance with this law.

Almost all Jewish private property claims are resolved and Jewish communal property claims are complete. Other claims which remain to be adjudicated include claims by private Slovene citizens, claims by non-citizens, and substantial claims by the Catholic Church. The Government of Slovenia has stated that it is working to accelerate the restitution process. The goal of finalizing restitution cases has been extended from the end of 2002 to the end of 2004.

The unresolved communal property claims of the Catholic Church are currently being litigated in the Slovenian courts. Under current regulations, Church claims are treated the same as individual claims, with the same rights to appeal and compensation. In July 2001, the Ministry of Agriculture returned over 8,000 hectares of land in the Triglav forest to the Catholic Church. The Ljubljana Administrative Court annulled this decree in May 2002, ruling that roads built on the land were public goods and therefore cannot be restituted. Following the annulment, the Minister of Agriculture stated that he still expects to return to the Church all but about one percent of the land in question.

In addition to the Catholic Church claims, other outstanding claims involve the property of private individuals and property without a clear title sold after the breakup of the former SFR Yugoslavia. Out of the 469 property restitution claims filed by American citizens (all of whom were Yugoslav citizens at the time their property was seized and who naturalized subsequently), around 220 cases remain unresolved.

The Jewish community in Slovenia has never been very numerous and remains small today, numbering around 150. The limited population led to only a small number of Jewish private and communal property restitution claims. Restitution of Jewish communal property in Slovenia has been completed. Neither the Slovene government nor the Jewish Community has defined any approach to dealing with heirless property of Holocaust victims, which could provide a source of income for the Jewish Community.

## Ukraine

- **The majority of places of worship have been restituted.**
- **No legislation governing the restitution of private property.**

Ukraine has no state religion, although the Ukrainian Orthodox Church and the Ukrainian Greek Catholic Church predominate in the east and the west, respectively. These churches can exert significant political influence at both the local and regional levels and many smaller religious groups allege governmental discrimination in favor of these churches with regard to restitution issues.

A 1992 decree commenced Ukraine's restitution program for religious buildings. Registered religious organizations are the only entities permitted to seek restitution of property confiscated by the Soviet regime, and these organizations are limited to receiving only those buildings and objects necessary for religious worship.

The State Committee for Religious Affairs has stated that the transfer of the majority of places of worship to their original owners is nearing completion. As of July 2002, 8,589 buildings and over 10,000 religious objects have been returned to Ukraine's religious communities. Although the program has made progress, restitution is not complete, and all of the major religions have outstanding claims. An estimated 268 former houses of worship which are currently being used for non-religious purposes have not been returned; however, 215 of these are not claimed by any religious group. Many other outstanding claims are for properties identified as historical landmarks or for occupied buildings, with the relocation of current residents of claimed property being prohibitively expensive.

Ukraine has no laws or decrees governing the restitution of private property, nor has the government made any proposals in this regard. The government has attempted other proposals, for example, in May 2001, three amendments were offered to the current "Law of Religion and Freedoms of Conscience", but failed to pass the Rada (Parliament). Following the failure, the Cabinet of Ministers revised and resubmitted the amendments, although voting has been delayed due to the March 2002 parliamentary elections. The amendments would change the registration procedures, codify presidential decrees on property restitution and expand the types of religious property eligible for restitution to include religious schools and administrative buildings.

On March 21, 2002, Ukrainian President Kuchma signed a decree calling for the creation of an inter-departmental commission, organized by the State Committee for Religious Affairs, to resolve outstanding restitution issues. The decree called for the commission's plan to be in place by September 1, 2002. Although most religious groups support the decree, others warn that there should be measures to guard against corruption and procedures to determine ownership of property claimed by multiple groups.

Throughout the country and across religious groups, there have been claims of discrimination and of deliberate delays in the restitution process at the local level. For example, the Kiev Patriarchate of the Orthodox Church and the Greek Catholic Church have complained of harassment by local authorities in the predominantly Russian-speaking eastern region, while the Moscow Patriarchate of the Orthodox Church complained that local governments ignored the appropriation of its churches by Greek Catholics in the western region. In addition to the disagreement among the Orthodox churches, the Roman Catholic Church has unrealized restitution claims in various cities including Kiev and has claimed that local authorities have blocked a land claim in Chernihiv. According to Jewish community representatives, some progress has been made, although restitution goes slowly and there are occasionally competing claims by different Jewish groups over who is entitled to receive the property.

The US Embassy in Kiev actively monitors restitution of religious property, and regularly meets with representatives of Ukraine's religious communities in Kiev. These representatives also frequently visit Washington for discussion.