International Conference
“Nationalization, Confiscation and Restitution: Historical, Legal, Economic and Political Issues”

Book of Abstracts

Edited by
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CONFERENCE PROGRAMME

OPENING CEREMONY

Tuesday 25th February

9:15-9:45 Reception

Agency for Restitution, Conference Hall

OPENING, ADDRESSING AND INTRODUCTORY SPEECHES:

10:10 Strahinja Sekulić (Agency for Restitution, Belgrade) and Nikola Samardžić (NBI New Balkans Institute and University of Belgrade, Faculty of Philosophy)

10:30 HE Michael Kirby (USA) and HE Yossef Levy (Israel)

10:45 Introductory Speech: Douglas Davidson (U.S. State Department’s Special Envoy for Holocaust Issues)

12-12:30 Coffee break

FIRST SESSION

Chair: Stevan Lilć (Faculty of Law, University of Belgrade)

Participants: Nachliel Dison (WJRO, Jerusalem), Ivan Čerešnješ, Evan Hochberg (Conference on Jewish Material Claims Inc./CLAIMS and WJRO, USA), Ruben Fuks (The Federation of Jewish Communities in Serbia), Slobodanka Popović (Attorney, Belgrade), VesnaAleksić (Institute for Economy, Serbia, Belgrade)

Discussion

Break

SECOND SESSION

Chair: Ognjen Radonjić (Faculty of Philosophy, University of Belgrade)
Participants: Strahinja Sekulić (Agency for Restitution, Serbia), Herbert Block (American Jewish Joint Distribution Committee, USA), Photini Tomai-Constantopoulou (Hellenic Ministry of Foreign Affairs, Greece, Athens) and Wesley A. Fisher (Conference on Jewish Material Claims Against Germany and World Jewish Restitution Organization, Israel, Jerusalem)

Wednesday 26th February

9:30-9:45 Reception

Agency for Restitution, Conference Hall

THIRD SESSION

Chair: Ivan Čerešnješ (Hebrew University and World Jewish Restitution Organization, Israel, Jerusalem)

Participants: Hannah Lesing (National Fund of the Republic of Austria for Victims of National Socialism, Austria, Wien), Mirjana Roter-Blagojević, Aleksandra Fulgosi (Bureau for Cultural Heritage Preservation of the City of Belgrade, Serbia), Haris Dajč (Faculty of Philosophy, University of Belgrade) Maja Vasiljević (Faculty of Philosophy, University of Belgrade) and Hornyák Arpád (University of Pecs, Hungary), Nikola Šuica (University of Arts Belgrade, Faculty of Fine Arts)
INTRODUCTORY SPEECH:

Deputy Chief of Mission Gordon Duguid’s Remarks at the Opening of the
“Nationalization, Confiscation, and Restitution: Historical, Legal, Economic, and Political Issues” Conference
(As prepared for delivery)

Thank you, Professor Samardžić, for your kind introduction and the opportunity to speak this morning.

Good morning, Mr. Sekulić and Ambassador Levy.

Thank you for the opportunity to speak at this gathering. I see that you have a full schedule and much work ahead over the next two days. I am pleased to see that so many people were able to come from the United States for this conference. Many of you gathered here today have championed property restitution throughout its complicated history in Serbia. The U.S. Embassy in Belgrade has advocated on behalf of U.S. citizen restitution claimants, while working on wider issues of the rule of law in Serbia.

Restitution is not just an American issue, or a Jewish issue, or a European issue – it is a human issue. For example, the United States is not immune to problems with restitution. For us, the issue lies primarily with moveable property and valuable art works that wound up in the United States after World War 2. Shortly after the war, our government decided that it had both a responsibility and a desire to return looted cultural property to its country of origin. We have encouraged museums and private parties to resolve art disputes through mediation outside of court, but this has not always succeeded.
Resolving these issues will not be easy. This is a difficult process for the U.S. as well as Serbia, and it is impossible to satisfy all parties. It can be an expensive process, and Serbia’s budget is tight. With these difficulties in mind, I would like to commend the Agency for Restitution, and its director Strahinja Sekulić, for the work that they have done over the last two years. The Agency for Restitution has processed thousands of claims and has returned hundreds of properties to their rightful owners. They have tackled boldly a few of the more-difficult cases involving valuable, high-profile properties, for example I congratulate the agency on its decision to return the property that houses the Embassy of Montenegro to its rightful owner.

The hard work, however, is only just beginning. We were disappointed to learn that the Ministry of Finance recently overturned the Agency for Restitution’s decision to return the property where the Hotel Beograd is located. We are following this case closely, as well as a number of other high-profile restitution cases involving American families – the BIP Brewery, the properties taken from industrialist Nikola Stanković in Valjevo, and the Old Mill – to name just a few. Ambassador Kirby spoke to Minister of Finance Lazar Krstić just a few days ago about the Hotel Beograd case and the importance of this conference.

No one can ever right the wrongs of the Holocaust. Restitution, however small it may feel when balancing the scales of justice, is one way to address them. Serbia witnessed two great wrongs in the 1940s, and many families were victimized twice: first, the Nazis and their allies committed the atrocities of the Holocaust. The Communist government then stripped families of their private property, and in many cases, also took their lives. Some properties were taken by their owners’ political opponents, others as a precondition to emigration, and still others as part of the general nationalization of private land. The United States is a land of immigrants, and we welcomed many of the Holocaust survivors and communist exiles who sought freedom and opportunity in America.
Restitution here, therefore, is also a domestic issue for the U.S. administration. When Serbia passed the restitution law in 2011, the government promised a separate law to address restitution of heirless and unclaimed properties. Three years later, the law is yet to be drafted.

Serbia needs this law.

Returning property to its rightful owners is reason enough, but the issue is even greater. Clarifying property ownership is linked intrinsically to the economic development of Serbia. As long as the specter of property restitution hangs over the economy, then issues like the privatization of state-owned industries and streamlining the byzantine construction permitting process cannot be resolved, either. As long as there is no clear title on property, foreign and domestic investors will think twice before investing here.

We speak about these issues regularly with the government. We have discussed them with Prime Minister Dačić, with First Deputy Prime Minister Vučić, with Finance Minister Krstić, and Justice Minister Selaković. As citizens and representatives of civil society, I encourage you to do the same. Citizen participation is crucial to a truly democratic society, and for a democracy to succeed, every voice must be heard. Looking around, I see representatives from the American Jewish community, from the Network for Restitution, academics, and government officials. I urge all of you to participate in the political process in Serbia! Go to public meetings, meet government officials in private; make your voices heard! You must be part of the legislative process – these laws affect your lives and your futures. This is what democracy is about.

Property restitution is a matter of basic justice, and justice has been delayed far too long in Serbia. Restitution should NOT be a question of politics or powerful interests. I will encourage the new government to address this issue head-on. Serbia needs a law to address restitution
for the so-called heirless properties. The restitution law needs to focus on returning properties in kind wherever possible, and to making speedy and fair decisions free of political interference.

I wish you a productive conference.
ABSTRACTS:

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THE FATE OF JEWISH CAPITAL DURING GERMAN
OCCUPATION OF SERBIA 1941–1944

In Serbian historiography still remained insufficiently investigated
the issue of the role and significance of certain German banks in
transferring Jewish capital from Serbian banks during WW II. This
article to, through analysis of relevant historical sources and
literature, point out very clear principles and exceptionally precise
methods used by German occupation authorities, together with most
important German financial institutions, while conducting so called
'racist experiment' in Serbian banking. That experiment included
targeting and takeover of Serbian bank with highest concentration of
Jewish financial capital in Yugoslavia, Aryanization of personnel,
detailed inventory of Jewish financial capital in banks from territory
controlled by German occupation authorities in Serbia, redirection of
that capital to German bank affiliation in Belgrade and, finally, its
transfer to the vaults of Deutsche Bank in Germany.

Keywords: Jewish financial capital, occupation, Nazification,
Bankarsko društvo, Deutsche Bank

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The paper, based on the archival sources of the National Archives of Hungary first of all on fond K 28 department of nationalities and minorities, aims at elaborating the endeavors of the Hungarian Government to change the economic, social and ethnic relations in the areas returned to Hungary after collapse of Yugoslavia. The main legal instrument of this policy was the decree of the prime minister of 15 July 1941 that cancelled all actions of the Yugoslav agrarian reform. In November the same year an office of the Ministry of Agriculture was established in Novi Sad to coordinate and perform the implementation of the above mentioned decree. I will demonstrate by the help of petitions, decrees and reports of the local governments what were the real effects of the legal regulations on the spot, what happened in practice and to what extent Hungarian Government succeed to achieve its objectives.

Keywords: nationalization, confiscation, restitution, Hungary, Batchka, WWII

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WORLD JEWISH RESTITUTION ORGANIZATION: POSITION PAPER ON RESTITUTION IN SERBIA

This World Jewish Restitution Organization (WJRO) position paper reviews the current state of restitution in Serbia. It covers private property, Jewish communal property, heirless formerly-Jewish owned property, and Jewish cultural property that was confiscated or sold under duress during the Holocaust and/or subsequently nationalized under the communist regime in the area of the former Yugoslavia that is now Serbia. There is now an international consensus on the restitution of Holocaust era-property. Serbia and 46 other countries endorsed the Terezin Declaration on Holocaust Era Assets and Related Issues, establishing principles for property restitution. In 2010, 43 countries endorsed guidelines and based practices for restitution of immovable property. Serbia participated with 38 other

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countries in November 2012 in the immoveable property review conference, reaffirming its commitment to the Terezín Declaration and the guidelines and best practices. In this paper, WJRO urges the government of Serbia to take steps to make further progress toward meeting the international consensus on restitution. WJRO urges the Government of Serbia to address the following important issues:

- **Communal property:**
  - Addressing problems with the communal property restitution law that have resulted in few properties being returned to the Jewish communities.
  - Resolve the technicality causing the rejection of claims for properties belonging to pre-war Jewish foundations.
  - Protect and preserve Jewish heritage sites.

- **Private property:**
  - Amend the 2011 restitution law to make clear its application to Holocaust-era confiscations.
  - Extend the filing deadline for private property claims.
  - Amend the 2011 restitution law to expand restitution in kind.
  - Amend the 2011 restitution law to provide prompt and “genuinely fair and adequate compensation.”
  - Ensure that restitution is provided to immigrants to Israel victimized by Tito’s Law.
  - Ensure effective implementation of the 2011 restitution law.
  - Continue to ensure that restitution is not awarded for property obtained as a result of the Holocaust.

- **Heirless property:**
  - Fulfill its commitment, as provided in The Law on Restitution of Property and Compensation, to enact legislation providing restitution and/or compensation to
the Jewish community for heirless Jewish property confiscated during the Holocaust.

- Art, Judaica, and other cultural property:
  - Provide restitution of communal cultural property.
  - Conduct historical research on the expropriation of Jewish cultural property.
  - Make information on communal and private art, Judaica, and other cultural property publicly accessible and establish a non-bureaucratic process for filing claims.
  - WJRO is prepared to offer the assistance of internationally recognized experts in this area.

Keywords: WJRO, restitution, Jews, Holocaust, communal property, private property, Serbia, cultural property, The Law on Restitution of Property and Compensation, Terezin Declaration
During World War II Jewish property in Yugoslavia has been seized by the occupation authorities of Nazi Germany, Hungary and Bulgaria, as well as authorities of the so-called Independent State of Croatia and Serbia. After the end of the war, the Government of Yugoslavia passed a Restitution Law that enabled the Federation of Jewish communities to recover the property. The later general nationalization included all citizens, so that the largest part of such recovered assets came under scrutiny of the new law. Situation of Jewish Communities was somewhat different – the religious and administrative institutions of Jewish Communities, which have renewed work, were partially excluded from the nationalization while the Jewish cultural, educational and charitable institutions were all seized. Two reasons were cited: Jewish Community has not renewed its work after the war (the fact that all or almost all members were killed was not relevant) and the properties of Jewish institutions and societies were seized under the pretext that the Law prohibits the activity of an institution with a national prefix. There were about 130 Jewish Communities in the Kingdom of Yugoslavia; about 50 were revived immediately after the war and a definite number to 1995 was reduced to 25. Such a large number of pre-war Jewish Communities and the extremely large number of cultural, educational, charitable and other institutions (150) indicates a large number of properties which were taken away from Jewish community of Yugoslavia (1500 units). Number of private properties is counted in tens of thousands of units and a research of other categories is underway: moveable property, insurance, business, art, etc.
Keywords: Jews, the Jewish community, property, law, nationalization, restitution
The focus of this research is the process of aryanization of the immovable Jewish property in Belgrade and its fate in the post-war years. The introduction is focused on the life of Belgrade Jews in the prewar years, first Anti-Semitic laws and discrimination of Belgrade Jews. In a course of the few months and years, Jews, once equal citizens of the Kingdom of Yugoslavia, lost their jobs and positions. The worst happened after the German occupation in April 1941. The new authorities made lists of all Belgrade Jews and all of their property. After the Holocaust there were less than 15% of Belgrade Jews left with just scratches of their prewar possessions. The new Yugoslavia did not help much economical situation of its Jewish citizens, the mechanics of keeping as state property the immovable property that was taken as the result of the Holocaust, remained strong and constant in the decades following 1945. The 4 different case studies describe different cases of nationalization of the Jewish property.
property by the Yugoslav state. Outcome in all of the four cases was the same and although the old owners were accepted as the Nazi victims their property was still the property of the old Belgrade bourgeoisie. That is the reason why the Holocaust in Belgrade and its consequences were so devastating and one of the answers why once big and prosperous Jewish community of Belgrade could not escape hard post war years.

Keywords: Jews, Belgrade, World War II, Holocaust, immovable property, aryanzation, nationalization, restitution
RESTITUTION OF ART, JUDAICA, AND OTHER CULTURAL PROPERTY PLUNDERED IN SERBIA DURING WORLD WAR II

So far as is known, there has not been detailed historical research on the expropriation of Jewish cultural property in Serbia – research that is also relevant to the fate of non-Jewish cultural property. Serbia has not compiled a list or database of artworks, libraries, manuscripts and other cultural artifacts removed from the country during World War II. It is nonetheless known where some of the cultural property taken from Serbia is located (e.g., the Serbian archives – including Serbian Jewish archives – that are in the Russian State Military Archive, the books that are in the National Library of Belarus, and the books of the Geca Kon Publishing House that remain in Germany and Austria). As regards plundered cultural property located in Serbia, Serbian museums, libraries, and archives have generally not done provenance research on their collections, even though, for example, as a member of the International Council of Museums (ICOM), Serbia is expected to do so in accordance with the Code of Ethics of ICOM. Concerning art, such provenance research is particularly important for the collections of the National Museum and the Royal Compound and in regard to the Šlomovič and Mimara collections, the latter of which is known to contain art objects plundered by the Nazis from Jews in other countries and improperly brought to Serbia. Given the number of synagogues in Serbia prior to World War II, while taking into account destruction and removal from the country, it seems clear that there must be Torah scrolls, religious books and manuscripts in libraries and archives beyond the very few that are in the possession of the Federation of Jewish Communities. Serbia has proclaimed itself bound by the UNESCO Convention on the Means

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of Prohibiting and Preventing the Illicit Import, Export and Transfer or Ownership of Cultural Property, and it has endorsed the Terezin Declaration. Article 15 of the 2006 Serbian restitution law provided that “moveable items of cultural, historical or artistic significance shall be returned to the ownership of the church or religious community and if they are a constituent part of the collection of a public museum, gallery or similar institution, agreement regarding their continued used between the church or religious community and the holder of the item are defined by contract.” The law established a September 30, 2008, deadline for claims, but because such a deadline for movable objects is problematic, the Federation of Jewish Communities in Serbia was permitted to file a blanket claim for all Jewish communal cultural property by the deadline that was to be valid in regard to items that may be identified in future, but the status of this blanket claim is unclear.

In accordance with the Terezin Declaration, information on art, Judaica, and other cultural property should be made public and accessible, and a non-bureaucratic process for making claims should be established. Efforts should be made to learn where such cultural property that was removed from Serbia is now located, and where appropriate the government should hold negotiations for the return of such property. The results of provenance research by Serbia’s museums, libraries, and archives should be made public over the internet. A law covering the return of private cultural property, applicable to both Serbian and foreign citizens, should be enacted, but without a deadline for such cultural property. In regard to communal religious and other movable property, the validity of the blanket claim filed by the Federation of Jewish Communities in Serbia under the 2006 Serbian restitution law should either be reconfirmed or the matter covered by the proposed new legislation on heirless property.

Keywords: restitution, Serbia, art, Judaica, plundering, cultural property, Terezin Declaration
Ruben FUKS\textsuperscript{11}

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HOLOCAUST FROM THE PERSPECTIVE OF JEWS IN SERBIA

Holocaust from the prospective of Jews in Serbia began through escalation of occurrence and frankness of anti-Semitism in Serbia, worrying news from Europe, witnessing problems of Jewish refugees in s.c. Kladovo transport, being prevented of employment in some State offices, undergo numerous clausus restriction in availability of higher education and university, denied food retailing. Immediately after occupation and establishment of the collaborating government, Jews have been registered, labelled, isolated, outlawed, subsequently and gradually deprived of all the possession, collected and put in the annihilation camps, fusilladed or poisoned in the gas track. May 10th 1942 Germans pronounced Serbia \textit{Judenrein}, August 28th 1942 Serbian collaborating government declared that all the Jewish property belongs to Serbia.

Less than 20 \% of Serbian Jews survived. Some of them got their property back, later on that property was nationalized. “Here less” property was never given back to Jews, rectifying the injustice from Aug 28th 1942. The last injustice was, and is, privatization prior to restitution.

Keywords: \textit{Holocaust, Jews in Serbia, anti-Semitism, Serbia, Judenrein, privatization, restitution}

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Neodgovarajuće vlasništvo i način korišćenja zemljišta i zgrada predstavljaju ozbiljnu pretnju rehabilitaciji ovog spomenika kulture i formiranju Memorijalnog kompleksa Staro sajmište. Svo zemljište obuhvaćeno granicama nekadašnjeg nacističkog logora je do nedavno bilo u državnoj svojini, ali ima primera nedavno izvršene konverzije u privatno vlasništvo. Parcelacija je veoma usitnjena, a različiti su nosioci prava korišćenja i držaoci (od Republike Srbije, Grada Beograda i Gradske opštine Novi Beograd do javnih komunalnih preduzeća, društvenih i privatnih preduzeća, pa čak i fizičkih lica). Slično je i sa vlasnicima i nosiocima prava na objektima koji se nalaze u državnoj, društvenoj, privatnoj, mešovitoj i drugim oblicima svojine. Po podacima iz Katastra nepokretnosti, objekti se mogu razvrstati u: porodične stambene zgrade, zgrade kolektivnog stanovanja, zgrade poslovnih usluga, zgrade industrijskog transporta, pomoćne zgrade, zgrade kulture, zgrade obrazovnih usluga, zgrade zdravstvenih usluga, objekti infrastrukture i objekti za koje nije utvrđena namena. Veliki je i broj objekata upisanih u Katastar nepokretnosti koji su označeni kao „objekti izgrađeni bez odobrenja za izgradnju“. Za očekivati je da su vlasnici ovih objekata pokrenuli postupak legalizacije kod nadležnih službi. Ovakva heterogenost u vrsti vlasništva, oblicima svojine i načinima korišćenja ukazuje na nepostojanje bilo kakve strategije prema ovome prostoru.

Ključne reči: Staro sajmište, nepokretna imovina, holokaust, Srbija
During the last two decades Austria has avowed a shared moral responsibility for the participation in National Socialist atrocities. The process of re-evaluation is still ongoing. The National Fund of the Republic of Austria for victims of National Socialism (est. 1995), the General Settlement Fund for Victims of National Socialism (est. 2001) and the Fund for the Restoration of Jewish Cemeteries in Austria (est. 2011) are responsible for restitution and commemoration. The National Fund is dedicated to the recognition and commemoration of victims of Austrian origin. It supports needy survivors and has disbursed 175 million Euros as compensation for seized tenancy rights. It is sponsoring projects conveying historical awareness and is involved in the restitution of looted art and the renewal of the Austrian exhibition at Auschwitz. The General Settlement Fund awards ex gratia payments in order to close the gaps in previous restitution and compensation measures. It has disbursed 211.5 million US Dollars. An independent Arbitration Panel decides on In Rem Restitution of publicly owned assets. It has so far issued 93 recommendations for restitution. The discussion on historical responsibility started late in Austria, but progress made has shown that an evaluation of the past can start a healing process for society.

Keywords: Austria, restitution, National Fund of the Republic of Austria

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CONSEQUENCES OF NOT RECOGNIZING THE STATUS OF CLIENT IN CONFISCATION OF PROPERTY AND/OR COMPENSATION

The Law on Returning of Confiscated Property and Compensation of the Republic of Serbia (2011) does not precisely stipulate certain cases confiscation to persons which have not been granted the status of client as inheritors of the former property owner who have submitted compensation requests. As the goal of this Law is to render justice to persons whose property has been confiscated by repressive means of the state, the burden of proof on the return of the property should be on the state, and not on the citizen submitting the compensation request. Bearing this in mind, this Law needs to be amended to include precise stipulations stating that the property needs to treated as a total entity following the death of the owner, in the sense that the property should be returned as a total entity, i.e. financially compensated in total to inheritors which have submitted compensation requests and who have been granted status of client.

Keywords: The Law on Returning of Confiscated Property and Compensation RS, restitution, confiscated property, compensation, state, Serbia, Agency for Restitution
German reparation and "forced loan" of 1942 are even today popular topics for discussion in Greek parliament. Severe famine that affected Greek population in general, especially during winter months in 1941–1942, compelled many to sell their chattel and properties for "a piece of bread", and post-war Greek government tried to compensate that through partial restitution of dispossessed property in favour of prior owners and by preventing sales of any property acquired during occupation. Although in 1943 started enforced deportation of Jews to Auschwitz, despite the pressure by occupier Greek government never dispensed "Arian laws"; the Law 205 of 1943 established Office for Jewish property administration (YDIP) to delegate takeover of "abandoned" Jewish property to commissaries. Just before liberation of Athens in 1944, Prime Minister Ioannis Ralis (Ιωάννης Δ. Ράλης) tried to make amends by dispensing the Law 1977 that gave all rights back to legitimate owners. After the liberation, free government of Iorgos Papandreou (Γεώργιος Παπανδρέου) made it its priority to correct huge injustice by dispensing Law 2 of 1944. Directives for such a law came from America, and at the beginning of 1946 the state officially lost right to inherit property with no inheritors. Then in Greece ensued the civil war. The state and justice triumphed on March 29 1949, when the Royal decree on establishing Organization for assistance and rehabilitation of Greek Israelis (OPAIE), and through it all chattel and properties without inheritors was given.
Greek Jews of this organization. That marked an end to national restitution, and Greece is the first European country that waived right to nationalize property with no inheritors.

Keywords: Jewish Greeks, restitution, Greece, law, Holocaust, German occupation, history, politics, memory
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CHASING ITS OWN TAIL FOR SEVEN DECADES: THE SERBIAN QUEST FOR SELF-REFORMATION\textsuperscript{*}

Question of balancing between the principle of fairness and the principle of efficiency is a key issue of any reform and this is where the state emerges as a key civilization instrument for ensuring nation’s progress. Unfortunately, Serbian society has made a strategic failure. Instead of building a state as a foundation for the creation of new national wealth, the state in our scenario has become a key instrument of class, regional, and inter-generational redistribution. There are very few countries like Serbia, where political elite for decades advocates designing of long-term development strategies and creates a large number of institutions for their implementation, and, at the same time, in the real-life, persistently conducts diametrically opposite policies of favouring short-term interests over long-term goals.

Keywords: reform, Serbia, redistribution, consumption, savings, investments, economic growth

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THE IMPACT OF THE RESTITUTION ON THE PRESERVATION OF CULTURAL AND ARCHITECTURAL HERITAGE AND THE URBAN DEVELOPMENT OF MODERN BELGRADE*

The main goal of the paper is to highlight some important issues connected with future protection of cultural and architectural heritage and development of modern Belgrade, encouraged by Restitution, which carrying out today in Serbia with some delay in relation with others post-socialist countries. The significant political, ethical and cultural aspects and questions are connected with this process and its actors – government institutions, developers, citizens, NGOs, etc. These aspects are not connected only with tangible, but more with intangible heritage – memory on the historical figures and events. The new property legislation frame and refund of private property confiscated and nationalized after the WWII have great impact on protection of cultural heritage – monasteries, rural and urban ambiences, public and residential buildings. The preparation of the new modern law in the field of protection of cultural and architectural heritage more based on international convention and recommendations are very important for further development of Serbia within the Europe. The establishment of clear rules, trust and good relation between owners and state institutions will enable better future preservation and maintenance of the listed cultural property.

Keywords: restitution, cultural property, immovable property, heritage, endowment, Belgrade, WWII

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Restitution is not just a return to a previous state. We cannot revive the past, and that is not really a point. Restitution is a new opportunity for our future, for everybody with the exception of corrupt pockets of society and state. Memory and attention are priority in the process, in relation to the pure material satisfaction of the damaged or descendants. Broadly socially based capitalism and transparent ownership structure should be the stronghold of our democratic future, the path that respects the wrongdoing victims in the past, assuming the wartime aggression and the Holocaust. I also suppose that descendants of the victims are not responsible for the actions of their ancestors. A very unique burden for Serbia and Yugoslavia is the Donauschwaben destiny. Such controversies may be oversimplified only with a presumption that a new totalitarian order performed the liberation from Nazism and Fascism, with complex and long-term consequences related to the whole of the Eastern Europe, which Yugoslavia was a special and particularly complicated case. Confiscation and nationalization have drastically altered the structure of ownership and general legal framework. Conflict with the previous political system involved a conflict with the wealthier urban and rural social circles. Already during the last months of enduring war a new ruling class has emerged entering into other's villas, houses, flats, beds and slippers. New ruling class gradually assumed both social function and lifestyle of those

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defeated. Moreover, eventually was established a tacit consensus of winners and losers, as Yugoslavia was approaching Western influences and opening the borders, faced with the disastrous results of post-war transition and economic policy. From the late sixties intellectuals were increasingly challenging Tito's regime and value system, but only from the extreme left or nationalist platforms. Already during the seventies was permanently prevented eventual general Yugoslav consensus on democracy, the rule of law and transition to the capitalism. Confiscation and nationalization were significantly impeding modernization process, devastation of villages and ruralisation of the cities. Yugoslav and Serbian society was deprived of the dynamics, ethics, and driving force of capitalism. Gradual destruction of the private property culture, and state promoted, populist self-management kept the economic activity at the margins of profitability and market logic. Traditional urban classes were pauperized and intimidated. Post-war Sovietization and nationalism have transformed Serbia into failed state and futile economy. Despite all its controversies, restitution can be considered as an important reform process with deep and painful historical and ethical background: socialist revolution and Sovietization, the Holocaust and its relapse in nationalization and official hostility to Israel, on the other side of history the fate of the “Donauschwaben”, and, generally, crushing the backbones of modernization and democratization in both urban and rural development. That is why we decided to establish this permanent conference as the restitution process deserves the public and scientific attention and open, brave and transparent debate. I suppose that the priorities should be the ethic aspects of restitution, including the moral dilemmas, and all the benefits of our future economic, political and cultural development. Mutual rapprochement between the peoples originating from our former homeland should be implied. I am deeply convinced that the restitution should lead to a new moral consensus that will be referred to all aspects and consequences of the Holocaust. Negation of the idea of restitution, regardless of to whom it concerns, meaning individual nationality or national group, is implicit denial of the Holocaust, as post-war confiscation and nationalization concealed
elements of deliberate and organized terror. But we need to discuss the collective reprisals against Donauschwaben. We need to recognize our own, Serbian victims. And we should be even more practical. There is no democracy without the rule of law. And there is no capitalism without legally protected private property. There is no capitalism outside democratic world. Perhaps democracy is the best of all poor political systems. Maybe capitalism is the price we pay to human nature, driven predominantly by market constraints, and just exceptionally by entrepreneurial spirit and work ethic.

Keywords: restitution, post-war Sovietization, confiscation, nationalization, Eastern Europe, Serbia, SFR Yugoslavia, law
The aim of this presentation is to point a selected buildings and locations that were part of Jewish properties of pre WW II Belgrade. Discussed examples throughout a survey belong to a preserved fact and traces of modern development of Kingdom of Serbia and Kingdom of Yugoslavia’s capital city. In remains of such records throughout decades is an imprint of emancipation of Jewish Community as a part of cultural history. Buildings styles and functional survey is demonstrated throughout the layout of urban development and the social sphere of key concepts of regional changes in nationhood, sovereignty and the ethnical mixtures in the first decades of 20th century of Kingdom of Serbia and later Kingdom of Yugoslavia. Present conditions in 21st Century goal into a physical remains and legal doubts that reflect the claims after the Holocaust in the region and an evolving, unresolved aftermath of communist program of nationalizing and confiscation after 1945. Topographic map of the center of the city district is becoming an increasingly ambiguous by the future of its origin, of its heritage and upcoming generation of successors of Jewish owners, their indirect ties with proprietors and to the fate of their overtaken legal estates during Restitution process in Republic of Serbia.

Keywords: Centre of Belgrade, Urban development, Jewish Community, nationalization, restitution