

# *Henneke and Philip Staal*

## הנדריקה ופיליפ סטאל

International Commission on Holocaust Era Insurance Claims  
Attn: Mr. Eagleburger, Chairman  
1300 L Street NW  
Suite 1150  
Washington DE 20005, USA

fax: +1 202 289 4101

Pardes Hanna, Israel, 22 February 2005

*Archief Philip Staal*

Re. Statute of limitation for looted properties during WW II.

Dear Mr. Eagleburger,

I would like to bring the following to your attention. In short, the story is as follows: Jewish organizations in the Netherlands are trying to evade the restitution of Jewish properties (Jewish orphans) looted during WW II, by arguing to the Dutch court that the statute of limitations should apply and therefore 'case dismissed'.

More details about this subject are in my letter of December 9, 2004 to Mr. Bobby Brown of the WJC (page 2 and 3 of this fax-letter).  
Unfortunately, I did not receive any reply on this letter.

Dutch newspapers are publishing, during the last few months, various articles about this lawsuit.

The hearing by the Dutch High Court about this subject will be on March 24, 2005 in Amsterdam, the Netherlands.

If, by order of the Dutch court upon request by a Jewish organization, the statute of limitation applied to looted properties during WW II, it will be of far reaching consequences to all parties wherever they are and therefore, also to the great work of your commission.

I will appreciate your special attention to this subject.

Yours sincerely,



Philip Staal

CC – Prof. dr. Eric Fischer, fax: +31 70 3338650

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## הנדריקה ופיליפ סטאל

World Jewish Congress  
Attn: Mr. Bobby Brown, Director of International Affairs  
Arlozorov 21  
91042 Jerusalem  
Israel

Pardes Hanna, Israel, 9 december 2004

Dear Mr. Brown,

Further to my telephone conversation with Dr. L Weinbaum on December 6<sup>th</sup>, 2004, I am herewith summarizing the story and the state of affairs concerning JMW (Joods Maatschappelijk Werk = Jewish Social Work in the Netherlands) and their response to the claim.

I would like to bring the following to your attention. In short the story is as follows: Jewish organizations in the Netherlands are trying to evade the restitution of Jewish properties looted during WW II, by arguing to the Dutch court that the statute of limitations should be applied and therefore 'case dismissed'.

### **Background information**

Stichting Platform Israel (SPI) and the Central Jewish Organization of the Netherlands (CJO) negotiated, between the years 1998 and 2001, with the Dutch financial institutions for restitution of Jewish assets looted during World War II.

May 2000, SPI and CJO started a co-operation and co-ordination with the WJC in order to strengthen our mutual efforts for the full restitution of Jewish assets looted in the Netherlands during World War II. This co-operation was based on our common moral values about the rights of the Jewish people and our wish to do justice to the survivors of the Shoah.

In the year 2000, after having signed the agreement with the Dutch financial Institution, it occurred to me that all the WW II related subjects in The Netherlands had been investigated - except the way the properties of the Jewish orphans were treated.

Therefore, I conducted a case study about the way the Dutch Jewish organizations took care about the properties of WW II orphans. The results of this case study are not in favor of the Jewish institution in the Netherlands and I have indications that this applies to all orphans.

In March 2003, I presented my study to JMW for the purpose of discussion. Unfortunately JMW was not open in any way to settle the matter amicably. Therefore, on January 23, 2004, my final rapport together with my claim was send to JMW.

In an interview, published on July 3th 2004 in the Dutch daily newspaper "Trouw", the managing director of JMW, Hans Vuijsje, stated that he prefer that I bring the case to court, he won't use the statute of limitations as a legal argument to get this case dismissed.

To my regret after careful consideration and having tried all other legal possibilities to solve this subject between the Jews, I didn't have any other possibility but bringing this claim to the Dutch court.

During the first court hearing on 29<sup>th</sup> November 2004, JMW argued that the statute of limitations applied and therefore the case should be dismissed. I was shocked and thoroughly ashamed. In our dealing with the Dutch government, the bankers, the stock exchange and the insurance companies we always argued that the statute of limitations does not apply to claims arising from WW II actions and that it was their moral duty to waive the statute of limitations.

How is it possible that from all organizations and institution, all over the world, the only organization trying to evade responsibility by using the statute of limitations, is a Jewish organization in the Netherlands?

I would appreciate if you can spare some time for me in order to talk about this subject and trying to find a way in solving it.

For your information, at the moment I am in the Netherlands on invitation of the Dutch minister of finance. Tomorrow, I will be back in Israel and December 16 – 28 I will be abroad again.

Yours sincerely,



Philip Staal

CC Dr. L Weinbaum, WJC