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Decisions of the Arbitration Panel issued on 21 June 2016 are online

18 Jul 2016

The decisions of the Arbitration Panel for *In Rem* Restitution issued on 21 June 2016 are online. The links will take you to a detailed view of the decision, which contains the press release and the anonymized decision in full. All decisions can be found in the Arbitration Panel's online database. More information can be found in the procedural statistics of the Arbitration Panel.

Decision No. 1165/2016

Vienna, Inzersdorf-Stadt and Lower Austria, Klein- und Großau

On 21 June 2016, the Arbitration Panel for In Rem Restitution rejected an application for in rem restitution of several properties in Vienna, Inzersdorf-Stadt and in Lower Austria, Klein- und Großau. In 1938, the properties in Vienna were owned by Stephan H. and those in Edlach an der Rax were owned by Helene H. The majority of the properties seized by the Nazis were restituted after 1945; in two cases Helene H. entered into a settlement, waiving restitution of a property in exchange for a compensation payment. In its juridical appraisal the Arbitration Panel reached the conclusion that these settlements had not been extremely unjust and rejected the application.

detail view

Decision No. 1164/2016

Lower Austria, Pernhofen et al.

On 21 June 2016, the Arbitration Panel for In Rem Restitution rejected an application for in rem restitution of several properties in Lower Austria, as the properties – which had been expropriated during the Nazi era for the German Settlement Society – had been restituted to the heirs of the former owner after 1945. One requested area that was owned by the Republic of Austria and had been requisitioned during the course of the regulation of the River Pulkau in 1939. However, this did not constitute a seizure as this transfer of ownership did not occur in conjunction with the Nazi regime.

detail view

Decision No. 1162/2016

Vienna, Favoriten and Landstraße

On 21 June 2016, the Arbitration Panel for In Rem Restitution rejected two applications for in rem restitution of two properties in Vienna, Favoriten and of a one third share of a property in Vienna, Landstraße. The properties in Favoriten were not publicly-owned on the cut off day and the property in Landstraße had already been restituted after 1945.

detail view

Decision No. 1160/2016

Burgenland, Mattersburg

On 21 June 2016, the Arbitration Panel for In Rem Restitution granted an application for in rem restitution of two historical properties in Mattersburg to the extent of the areas that were owned by the Municipality of Mattersburg on 17 January 2001. The Municipality had acknowledged the validity of the claim for in rem restitution. The application for the other areas of properties, some of them owned by the Province of Burgenland on 17 January 2001 were rejected as the settlement concluded in 1961 for the requested properties was not deemed to be "extremely unjust".

detail view

Decision No. 1121b/2016

Vienna, Hietzing

On 21 June 2016, in its decision no. 1121b/2016 re 1121/2015, 1121a/2015 and WA/RO 14/2016, the Arbitration Panel for In Rem Restitution, following consultations with the Federal Ministry for Science, Research and the Economy, recommended the Republic of Austria to award a comparable asset for a 3,620 m² area of allotments owned by the Republic of Austria.

detail view