

OVERVIEW OF IMMOVABLE PROPERTY RESTITUTION/COMPENSATION REGIME – SWEDEN (AS OF 13 DECEMBER 2016)

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A. OVERVIEW

Sweden maintained a policy of uneven neutrality throughout World War II. It allowed Nazi Germany to use its territory and coastal waters for the German war effort. Beginning in 1940, between 2 million and 2.5 million German troops were ferried through Sweden on Swedish trains to and from German-occupied Norway and Denmark. Sweden and Nazi Germany also traded extensively. Sweden sold vast amounts of iron, ball bearings and timber to Nazi Germany. Historians believe that such trade was a major contributor to Germany's ability to continue its war effort.

Beginning in the 1920s, the Swedish government maintained a strict anti-immigrant policy, and this policy continued for the next two decades.

Before the war, the Jewish population of Sweden in 1933 was approximately 6,000. Sweden, however, is responsible for saving Jews from German-occupied parts of Scandinavia. When Swedish authorities learned in 1942 that the Germans sought to deport Jews from Norway and Denmark to Poland, Sweden sought to aid these Scandinavian Jews. This led to the rescue of Jews from occupied Norway to neighboring Sweden in the fall of 1942 and from Denmark in October 1943 on the eve of their roundup and deportation. Of Norway's **2,000** Jews, the Nazis deported approximately 780 to Poland, of which only 32 survived and returned to Norway by the end of the war, and approximately **1000** escaped to Sweden. Of Denmark's **8,000** Jews, **7,200** were rescued by being transported by boats to neighboring Sweden. They were accompanied by approximately **600-700** hundred non-Jewish family members.

In 1944, through the efforts of Swedish diplomat Raoul Wallenberg stationed in Budapest, approximately **20,000** Hungarian Jews were assisted with housing in the "International Ghetto" in Budapest. Approximately **4,500** Swedish Schutz-Pass (Protective Passport) were issued to those refugees by Wallenberg and other Swedish officials stationed in German-occupied Hungary. In 1945, in the waning months of the war, SS Chief Heinrich Himmler sought to curry favor with the Western allies, and permitted the Swedish Red Cross to undertake the so-called "White Busses" expeditions to rescue concentration camp inmates. Overall, the expeditions transported approximately **22,000** individuals, of which approximately **7,000** were Jews, from German concentration camps to Sweden.

Throughout the war, Sweden never cut off diplomatic relations with Nazi Germany. While Sweden was considered a non-participant in World War II, that did not stop Nazi Germany from trying to have its Aryanization policy carried out in Sweden with respect to German-controlled companies operating in Sweden and also Swedish companies with links to Germany. (See [The Swedish Research Council, “Sweden’s Relations with Nazism, Nazi Germany and the Holocaust’: A Research Programme”, \(2006\) \(“2006 Swedish Research Council Report”\)](#) p. 33; [Sven Nordland, “Alcibiades or Achilles’? Aryanization and Reactions to it in Sweden”, *Historisk Tidskrift*, 2005\(4\), pp. 575-608 \(“Nordland, ‘Alcibiades or Achilles’”\) \(in Swedish with an English summary\).](#))

Attempts to influence Sweden into adapting Aryanization measures in the late 1930s were disregarded by the Swedes. But, in the early 1940s, German firms made demands that their Swedish contacts sign an agreement to assist in creating a Europe without Jews by no longer working with Swedish-Jewish firms. Businesses that failed to agree to the terms were threatened with not being able to trade with Germany. (*Nordland, ‘Alcibiades or Achilles’.*) With respect to German firms with Swedish subsidiaries, historian Sven Nordland reported that in some instances (how many is not known), Swedes went ahead and used German Aryanization measures to their own advantage and for personal gain. Yet, Nordland found that Swedish businesses were, in general, not supportive of any Aryanization policy but remained publicly silent about the Nazi racist policy against the Jews. At the same time some Swedes took advantage of business opportunities when Swedish subsidiaries were Aryanized, Swedish courts defended and protected the rights of Jewish refugees who made it to Sweden by endeavoring to protect and track their assets or subsidiaries in Sweden. ([Sven Nordland, “The Germans Make no Secret of it.’ Sweden and the Aryanization of German Companies and Subsidiaries”, *Historisk Tidskrift*, 2005\(4\), pp. 609-643 \(in Swedish with an English summary\).](#))

In the end, Aryanization of Jewish property was not very effective and did not have a major impact on the economic well-being of Swedish Jews. Documentation from 1941 included complaints that Swedes did not understand Nazi Germany’s racial policy and German authorities in Sweden suggested that Berlin postpone Aryanization in Sweden until after they won the war. (*Nordland, ‘Alcibiades or Achilles’*; 2006 Swedish Research Council Report, pp. 33-34.)

The Swedish Ministry of Foreign Affairs stated in its 11 November 2015 response to ESLI’s Immovable Property Questionnaire that Sweden has no specific legislation in relation to the restitution and/or compensation of Jewish immovable property. In the same response, the Ministry stated that Sweden did not enter into any treaties or international agreements addressing restitution and/or compensation for immovable property confiscated or wrongfully taken during the Holocaust. (See Government of Sweden Response to ESLI Immovable Property Questionnaire, 11 November 2015.) Nevertheless, Sweden did enter into a number of lump-sum settlement agreements with other countries, which pertained to claims of Swedish nationals arising from property seized in a foreign state, by a foreign state, during and after WWII. In certain circumstances the agreements covered subsequent nationalization by Communist regimes. These included agreements reached with Czechoslovakia on 22 December 1956,

Federal Republic of Germany on 3 August 1964, Hungary on 31 March 1951 and 12 September 1966, Poland on 12 November 1949 and 19 January 1966, U.S.S.R. on 11 May 1964, and German Democratic Republic on 24 October 1986.

In 1997, the Swedish Government commissioned a special inquiry into Jewish assets in Sweden and Jewish property brought into Sweden before or during the Second World War “with the objective of determining how authorities, banks and other entities before or under WWII had disposed of assets which may have belonged to Jews and had been acquired from Nazi Germany, how ownerless bank accounts of Jews in Sweden had been handled, if property which had belonged to German Jews had been liquidated through the actions of government agencies and if the Bank of Sweden had procured looted gold.” (Government of Sweden Response to ESLI Immovable Property Questionnaire, 11 November 2015, p. 15.)

The Commission’s Final Report “Sweden and Jewish Assets” was published in 1999.

The Final Report found that heirless Jewish property, including some art, ended up in the State Inheritance Fund but the special inquiry did not focus on real property specifically. Notwithstanding the general focus on movable property, the Commission briefly examined whether subsidiaries of Swedish corporations in Nazi-dominated territories may have taken over real estate that Jews had been forced to surrender. The report concluded that “it is possible that one or more of the Swedish subsidiaries in Nazi-dominated territories purchased real estate which Jews or other victims of persecution had been forced to vacate. If such purchases took place, this does not in itself prove that assets were transferred to Sweden, but it is nonetheless of interest for present purposes.” (Government Offices of Sweden, Final Report “Sweden and Jewish Assets,” 1999, p. 47.)

The Final Report also described Sweden’s actions with respect to the 18 July 1946¹ Washington Agreement (between the Allied powers and Sweden) that addressed in part the liquidation of German assets in Sweden after the war. The 1999 Final Report examined whether German-Jewish property was liquidated like any other German property under the Washington Agreement. (Government Offices of Sweden, Final Report “Sweden and Jewish Assets,” 1999, pp. 213-214.) The Commission found that “at no time [. . .] was any statement of principle issued concerning exceptions for property belonging to the victims of Nazi persecution.” (*Id.*, p. 222.) However, there were examples of cases where property belonging to Jews was exempted from liquidation. In those instances, the reasoning from the Foreign Capital Control Office (FCCO) (in charge of liquidation) typically had less to do with the owners being Jewish and more often was “couched in such vague terms of phrase as ‘on account of the special circumstances in the case’”.² (*Id.*, p. 227.) The Commission concluded that:

¹ The Agreement was ratified by the Swedish Parliament on 17 December 1946.

² The Commission did however find one decision from 1951 that specifically exempted property from liquidation because the owners suffered under National Socialism in Germany. The decision from the King in Council – from an appeal of a rejection of

[T]here is reliable evidence of Jewish property having been liquidated by the Foreign Capital Control Office. The number of cases involved is not large. In the Commission's opinion, however, there is reason to suppose that the same thing can have happened in other cases too, for example in the group of about forty persons [] [where liquidation took place without any communication being received and the Commission supposed that no communication was received because the claim-holder could have been a victim of the Holocaust] and in other cases where the available material has been and remains incomplete. Even though the searches of the archives concerned have been made as extensive and systematic as possible, the Commission is bound to assume that some important material may still have been overlooked.

(*Id.*, p. 237.) The Commission found that, in some cases, persons were compensated after their property was wrongfully liquidated (minus the liquidation costs). However, additional investigations by historians have also found that there are probably a number of instances where German-Jewish firms were lost and were denied compensation by the Swedish government after the war.

The Jewish population in Sweden today consists of **18,000 - 20,000** people. In 2000, the Swedish Parliament officially recognized the Jewish community as one of Sweden's five national historic minorities and Yiddish as an official historic minority language. 27 January became National Holocaust Commemoration Day in the year 2000. That year, Sweden was instrumental in creating the International Task Force for Holocaust Education, Remembrance and Research (ITF) when it hosted the Stockholm International Forum on the Holocaust. Subsequently, ITF was renamed into International Holocaust Remembrance Alliance (IHRA) and is now based in Berlin. The Stockholm Forum brought together high-ranking political leaders and officials from more than forty countries to meet with civic and religious leaders, survivors, educators, and historians to promote Holocaust education, commemoration and research. The Stockholm Declaration, drafted by ITF delegates, was signed by participating countries at the closing session of the Forum.

The umbrella Jewish organization in Sweden is the **Council of Swedish Jewish Communities**. It was founded in November 1953. The Council covers the main Jewish communities in Stockholm, Gothenburg, Malmö and Helsingborg, and smaller associations in Norrköping, Uppsala, Västerås, Umeå, Lund, and Borås. The main purpose of the Council is to lobby and influence politicians and other decision makers in regard to Jewish politics and cultural practices, to combat anti-Semitism. In 2000, the Council helped establish Paideia, the European Institute of Jewish Studies. The Institute

exemption of assets by the FCCO – stated “The King in Council sees fit, considering that (Richard A.) was afflicted with persecution and suffering during the rule of national socialism in Germany, to allow the appeals, prescribing that the said property of (Richard A.) ... be exempted from the dispersion prohibition applying to German property in Sweden.” (Government Offices of Sweden, Final Report “Sweden and Jewish Assets,” 1999, pp. 227-228 (quoting 12 January 1951 decision from the King in Council).)

is situated in Stockholm with the purpose of reviving Jewish culture and knowledge in Europe.

Sweden became a founding member of the Council of Europe in 1949 and ratified the European Convention on Human Rights in 1952. As a result, suits against Sweden claiming violations of the Convention are subject to appeal to the European Court of Human Rights (ECHR). Sweden became a member of the European Union in 1995.

The Roma are known to have lived in Sweden since 1512. Today, the exact size of the Roma population in Sweden is unknown, but is roughly estimated to be between 50,000 and 100,000.

Sweden endorsed the Terezin Declaration in 2009 and the Guidelines and Best Practices in 2010.

As part of the European Shoah Legacy Institute's Immoveable Property Restitution Study, a Questionnaire covering past and present restitution regimes for private, communal and heirless property was sent to all 47 Terezin Declaration governments in 2015. Sweden submitted a response in November 2015.

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