Polish parliament demands reparations from Germany

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"Sixty-five years after the start of the Second World War, the wounds of the German-Polish relationship have not been healed; on the contrary, they are deeply scarred." These were the words used by one of Germany's leading newspapers, the *Frankfurter Allgemeinen Zeitung*, to describe the decision by the Polish parliament to demand reparations from Germany for damages suffered during World War II.

On September 10, the Polish government asked the Sejm (parliament) to make official claims against Germany. The resolution was passed without any dissenting votes and just one abstention. It states: "In the name of historical truth and basic justice with regards to the German-Polish relationship, the Sejm has determined that Poland has not yet received adequate financial compensation and war reparations for the destruction and material and immaterial losses suffered due to German aggression, occupation, genocide and loss of the independence of Poland." It continues: "The Sejm...demands the government take appropriate measures in this regard against the government of the Federal Republic of Germany."

The political elite in Germany, including all the major political parties, reacted to the decision with outrage.

Matthias Platzeck, the minister president of Brandenburg (SPD—Social Democratic Party), said that reparation claims "from whatever side" were not appropriate today, and that "intellectual agitation with outdated demands" had to be ended. Another SPD politician, Peter Glotz, an active member in various organisations seeking compensation for Germans expelled from Poland, called on Poland to "repulse national-Catholic fundamentalism."

Erwin Marscheweski, a CDU (Christian Democratic Union) politician and functionary active in the same expulsion associations as Platzeck, said that in 1953 Poland "refused further reparations following the [Soviet] appropriation of the German eastern territories" and that they reconfirmed this position in 1991. The Sejm resolution was therefore legally and politically "absurd."

The German government expressed a similar position. It said that the issue of reparations had been settled in the Potsdam Treaty of 1945. Drawn up by the victorious powers, this treaty determined that the Soviet Union was to hand over 15 percent of the reparations it received from eastern Germany to Poland. In 1953, Poland had explicitly renounced further reparations in an agreement with the Democratic Republic of Germany (East Germany) and again in the Warsaw Treaty of 1970 with the Federal Republic of Germany (West Germany).

In opposition to these agreements, the stance taken by the Polish parliament today is that the Soviet Union had failed to fulfill its obligations in the Potsdam Treaty and that Poland was not a sovereign state between 1953 and 1970. The second argument would not, however, bear scrutiny under international law, as it would call into question numerous other international agreements and treaties signed with Eastern European states in the postwar period.

In an effort not to endanger diplomatic relations with Germany, the Polish government promptly distanced itself from the demands of the Sejm. Prime Minister Marek Belka explained at a press conference: "The question of German-Polish claims is once and for all a closed matter." His foreign minister, Wlodzimierz Cimoszewicz, added that the government rejects any idea of "raising reparation demands against Germany." Nevertheless, the government fraction in the Sejm has stated it has not ruled out reparation demands. This makes clear that the government-sponsored resolution, as a diplomatic medium to apply pressure, is not entirely unwelcome.

Within a historical context, the Polish demands of the German government are more than justified. The destruction inflicted on Poland in the course of its occupation by the German army cannot be underestimated. Approximately one fifth of the entire Polish population, including thousands of Jews, lost their lives. The huge extermination camps, Auschwitz and Treblinka, operated on Polish soil. In general, a systematic campaign of repression, killings and displacement was prosecuted in order to establish "Lebensraum" (living space) for Germany. The extensive destruction of Polish cities was a necessary part of this policy. Hundreds of thousands of forced labourers, insofar as they are still alive today, had to wait more than 50 years to receive measly compensation amounts.

That these questions have again come to the surface has little to do with this history, however, and more with the current political situation.

In Germany, right-wing organisations representing Germans expelled from Eastern Europe at the end of the war have recently sensed a change in the political climate. Since the collapse of the Soviet Union and the integration of Poland into the European Union, they see a new opportunity to renew claims for property in Poland seized from Germans after the war. During the Cold War, these groups were officially supported and financed to the tune of millions. Alongside these million-mark subsidies, the German federal government has given them 74 billion euros as so-called "burden sharing." The beneficiaries included many industrialists and descendants of the nobility who directly profited from, or participated in, Nazi crimes.

Across the border, in Poland, the government and political parties are using the traumatic memories of the war to deflect attention from their domestic policies, which have brought untold hardship and adversity to the population. The government and opposition alike have undertaken a course of privatisation and the radical dismantling of the

social welfare state. Anti-German sentiments are being used to channel growing discontent along nationalist lines as well as strengthen the Polish hand in negotiations with Germany, with whom the Polish government normally works closely.

Up until now, such nationalist campaigns have above all profited right-wing parties. At the last election for the European Parliament earlier this year, the right-wing clerical League of Polish Families (LPR) won 16.4 percent of the vote, double the proportion of votes it received in the last Sejm elections. This party is exerting the most pressure against the government. Even though the Sejm resolution is not binding on the government, the LPR is using it to assert its influence on Belka's cabinet.

The reparation demands of the Sejm are a reaction against potential compensation claims by German displaced persons against the Polish government. This was the position of the Polish ambassador in Berlin, Andrzej Byrt, who explained that the Sejm decision was a reaction to the "actions of the Prussian Trust." The Prussian Trust was founded in December 2000 with the declared aim of "securing and supporting the property claims of individual displaced persons." Leading figures in this commercial enterprise are also leading representatives of the League of the Expropriated (BdV).

The BdV is an ultra-conservative organisation with connections to far-right circles. Since its founding in December 1958 (precursor organisations go back to the year 1948), the group has pursued extreme right-wing policies. Its leading member, Hans Krüger, a former member of the National Socialists (NSDAP), participated in Hitler's attempted putsch in Munich in 1923. Immediately after the invasion of Poland, Krüger became the Nazis' regional commander and judge in occupied Konitz (Chojnice), where thousands of people fell victim to his brand of justice.

There has always existed a powerful wing within the BdV that has demanded the return of the former German eastern territories (today part of Poland). As it became clear at the end of the war that any return to the borders as they existed in 1933 was out of the question, a section of the League sought to fight for the rights of the German minority and for their autonomous administration in Eastern Europe.

After the fall of the Soviet Union, such old revanchist demands have become louder. The chairman of the BdV, Herbert Czaja, at a national meeting of supporters in Upper Silesia in February 1990, declared that the Upper Silesians "are not demanding areas of Poland or 'conquest' "; rather, the real issue is the "quarter of Germany that was taken away from us by the Treaty of Versailles...about old German provinces, regions and tribes, in which Germans have made valuable but unheard of contributions for more than eight centuries."

Ever since its founding, the BdV has enjoyed close connections to official political circles. In 1963, Hans Krüger was even made Minister for Displaced Persons in the cabinet of former German chancellor Ludwig Erhard (CDU). The connections with the CDU are, both on a personal and structural level, very intimate. During the last several years, these connections have extended to the Social Democrats. After the law for displaced persons was passed, associations like the BdV received millions of euros every year, paid out of government tax receipts.

The Prussian Trust has recently lodged complaints against the Polish government with the European Court and the European Court of Human Rights. These complaints have been made legally possible through Poland's inclusion in the EU. The complaints argue that the validity of Germany's renunciation of property claims in Poland, through the so-called "two-plus-four agreement" (the post war treaty struck between East and West Germany with the US, France, the Soviet Union and Great Britain), which was reconfirmed after the reunification of Germany, are no longer valid because the German-Polish border is now an interior border within a large state.

According to the head of the Trust's supervisory body, they are not demanding monetary compensation but rather the return of property. Otherwise, "we would be giving up a part of our right to residency," he argued.

The German government has distanced itself from the demands of the Prussian Trust. In his speech at the 60th anniversary of the Warsaw Uprising, Chancellor Gerhard Schröder declared that there would "be no room for restitution claims by Germany, which seek to turn history upside down." The financial questions arising out the Second World War are no longer a theme for both governments, he said. Schröder assured that neither "the German government, nor any other political movement in Germany supports individual claims, to the extent that they can be validly made.... The German government will even defend this position before international courts."

These remarks are, however, nothing more than lip service. In reality, the German government is encouraging those affected to lodge claims. A recent text by the Finance Ministry rejecting compensation claims against the German government stated: "The government has not ruled out individual claims by Germans. For those affected, the respective national and international institutions provide legal avenues for claims."

In the case of those German citizens who moved from Polish territory to Germany after the war, the ministry is demanding that compensation payments already handed out be repaid, if those concerned cannot clearly prove ownership of their expropriated property. Many cases, however, date back decades, and such proof can only be obtained through a court decision.

By its own actions, the German government is far from reaching an accommodation. On the contrary, it is simply fanning the flames. To establish clear legal relations with Poland, the government would have to pass a national compensation law and finance its payments. Up until now, it has strictly rejected such a course of action.

The outbreak of these conflicts, just a few months after the official entry of Poland into the EU, is further proof that Europe under the control of the EU, in which the tone is set by the most powerful big-business groups, cannot be unified in a peaceful or harmonious fashion. This is only possible through the United Socialist States of Europe, in which the interests and needs of the European peoples have first priority.