

110TH CONGRESS  
1ST SESSION

# **S. RES. 141**

Urging all member countries of the International Commission of the International Tracing Service who have yet to ratify the May 2006 amendments to the 1955 Bonn Accords to expedite the ratification process to allow for open access to the Holocaust archives located at Bad Arolsen, Germany.

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## **IN THE SENATE OF THE UNITED STATES**

APRIL 10, 2007

Mrs. CLINTON (for herself, Mr. BROWN, Mr. LIEBERMAN, Mr. KENNEDY, Mr. LAUTENBERG, Mr. KERRY, Mr. SCHUMER, Mr. DODD, Mrs. MURRAY, Mr. MENENDEZ, Mr. FEINGOLD, Mr. NELSON of Florida, Mr. SMITH, and Mr. BINGAMAN) submitted the following resolution; which was referred to the Committee on Foreign Relations

MAY 1, 2007

Committee discharged; considered and agreed to

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# **RESOLUTION**

Urging all member countries of the International Commission of the International Tracing Service who have yet to ratify the May 2006 amendments to the 1955 Bonn Accords to expedite the ratification process to allow for open access to the Holocaust archives located at Bad Arolsen, Germany.

Whereas the International Tracing Service (ITS) archives located in Bad Arolsen, Germany, which are administered by the International Committee of the Red Cross, contain

an estimated 50,000,000 records on the fates of some 17,500,000 individual victims of Nazi war crimes;

Whereas the ITS archives at Bad Arolsen remain the largest closed Holocaust-era archives in the world;

Whereas, although access to individual records can be requested by Holocaust survivors and their descendants, many who have requested information from the ITS archives have reported facing significant delays and even unresponsiveness;

Whereas the ITS archives remain inaccessible to researchers and research institutions;

Whereas the Agreement Constituting an International Commission for the International Tracing Service, signed at Bonn June 6, 1955 (6 UST 6186) (commonly known as the “Bonn Accords”) established an international commission of 11 member countries (Belgium, France, Germany, Greece, Israel, Italy, Luxembourg, the Netherlands, Poland, the United Kingdom, and the United States) charged with overseeing the administration of the ITS Holocaust archives;

Whereas, following years of delay, in May 2006 in Luxembourg, the International Commission of the ITS agreed upon amendments to the Bonn Accords that would allow researchers to use the archives and would allow each member country of the International Commission to receive digitized copies of archive materials and make the records available to researchers under the respective national laws relating to archives and privacy;

Whereas the May 2006 amendments to the Bonn Accords require each of the 11 member countries of the Inter-

national Commission to ratify the amendments before open access to the Holocaust archives is permitted;

Whereas, although the final signature was affixed to the amendments in October 2006, only 5 out of the 11 member countries of the International Commission, the United States, Israel, Poland, the Netherlands, and the United Kingdom, have ratified the amendments;

Whereas the United States Holocaust Memorial Museum has for years been working tirelessly to provide public access to the materials in the Bad Arolsen archives;

Whereas, on March 8, 2007, representatives from the 11 member countries of the International Commission of the ITS met in the Netherlands and reviewed the current ratification status of each country and the ratification process in its entirety;

Whereas it is a moral and humanitarian imperative to permit public access to the millions of Holocaust records housed at Bad Arolsen;

Whereas it is essential that researchers obtain access while Holocaust survivors are living, so that the researchers can benefit in their scholarly work from the insights of eyewitnesses;

Whereas, in the aftermath of the Holocaust, there have been far too many instances of survivors and heirs of Holocaust victims being refused their moral and legal right to information, for restitution purposes, slave labor compensation, and personal closure;

Whereas opening the historic records is a vital contribution to the world's collective memory and understanding of the Holocaust and efforts to ensure that the anti-Semi-

tism that made such horrors possible is never again permitted to take hold;

Whereas anti-Semitism has seen a resurgence in recent years, and as recently as December 2006, the President of Iran, Mahmoud Ahmadinejad, held the second Holocaust denial conference in Tehran in one year; and

Whereas in light of this conference, the anti-Semitic rhetoric of President Ahmadinejad, and a resurgence of anti-Semitism in part of the world, the opening of the archives at Bad Arolsen could not be more urgent: Now, therefore, be it

1        *Resolved*, That the Senate—

2                (1) commends in the strongest terms all countries that have to date ratified the amendments to the Agreement Constituting an International Commission for the International Tracing Service, signed at Bonn June 6, 1955 (6 UST 6186) (commonly known as the “Bonn Accords”) to allow for open access to the Holocaust archives of the International Tracing Service (ITS) located at Bad Arolsen, Germany;

11                (2) commends the countries that have committed to expedite the process of releasing the archives and expects those countries to abide by their commitments;

15                (3) strongly urges all countries that have to yet to ratify the amendments to abide by the treaty obli-

1 gations made in May 2006 and to expedite the rati-  
2 fication of the amendments;

3 (4) strongly urges all member countries of the  
4 International Commission of the ITS to consider the  
5 short time left to Holocaust survivors and unani-  
6 mously consent to open the ITS archives should all  
7 countries not ratify the amendments by May 2007;

8 (5) expresses the hope that bureaucratic and  
9 diplomatic processes will not further delay this proc-  
10 ess; and

11 (6) refuses to forget the murder of 6,000,000  
12 Jews and more than 5,000,000 other victims during  
13 the Holocaust by Nazi perpetrators and their col-  
14 laborators.

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