

Decree by Reich Minister of Economics for the Execution of the Laws for the Elimination of the German Jews from the Economy, Berlin 1939

The Reich Minister of Economics

Berlin W 8, 6 Febr. 1939

Behrenstrasse 43

Enclosed you will find a copy of my decree for execution of the ordinance concerning the commitment (*Einsatz*) of Jewish property, issued 3rd December 1938 – *Reichsgesetzblatt* I, page 1709 -, which was issued in agreement with the departments concerned and with the consent of the Plenipotentiary for the Four-Year Plan.

Commitment of Jewish Property

First Execution Decree issued by the Reich Minister of Economics, as well as in the name of the Deputy of the Fuhrer, the Reich Minister of the Interior, the Reich Minister of Justice, the Reich Minister of Finance, the Reich Minister for Nutrition and Agriculture, the Reich Forester, and the Reich Commissioner for Price Control.

Dated 6 Febr. 1939 – III Jd. 1\2082\39.

For executing the ordinance concerning the commitment of Jewish property dated 3 Dec. 1938 – *Reichsgesetzblatt* I, page 1709 – the following is decreed:

I. General.

1. By issuing the Second Directive on the basis of the ordinance concerning the declaration of Jewish property dated 24 Nov. 1938 – *Reichsgesetzblatt* I, page 1668 – the Plenipotentiary for the Four-Year Plan empowered the Reich Minister of Economics to take, in agreement with the Reich Minister of the Interior and the other Reich Ministers concerned, all measures necessary to insure the commitment of Jewish property in accordance with the interests of the German economy. The Ordinance regarding the commitment of Jewish property dated 3 Dec. 1938 and the Execution Decree dated 16 Jan. 1939 – *Reichsgesetzblatt* I, p. 37 – were

issued on the basis of this empowerment. The ordinance dated 3 Dec. 1938 completes in a decisive manner the hitherto existing prescriptions regarding the elimination of Jews from the German economy, and creates herefore an extensive judicial basis.

Concerning the execution of the elimination of Jews, it must first be stated on principle, that in accordance with the formal ordinances issued by the Plenipotentiary for the Four-Year Plan, the execution of the entire elimination of the Jews is a matter concerning the competent administrative authorities. The participation of the Party offices is secured, in agreement with the Deputy of the Fuehrer in such a way that Gauleiters of the NSDAP shall be extensively heard as experts. Only the State agencies, however, are charged with the decision and responsibility.

The execution of the laws for the elimination of Jews from the economy is temporarily a great burden for the administrative authorities. But it has to be expected that the authorities entrusted with the execution, will, according to the great political and economic importance of this task, do everything in their power to insure as speedy, as expedient and in every respect as irreproachable as possible an execution of the elimination of the Jews.

2. The ordinance regarding the commitment of Jewish property as compared with hitherto existing legal conditions shows above all the essential innovation namely that the elimination of the Jews can be carried out compulsorily in regard to professional enterprises as well as to Jewish real estate and other important assets. The full powers which the administrative authority were given in this respect by the ordinance, are exhaustive. To what extent and how rapidly they are to be used is subject to the directives to be given by me in accordance with the instruction issued by the Plenipotentiary for the Four Year Plan.

Hereto I order, reserving a special regulation for real estate used either for agriculture or for forestry that the application of compulsory measures, pursuant to articles 1 ff and article 6 of the ordinance dated 3rd Dec. 1938, is for the time being to be confined solely to the elimination of Jews from trade enterprises and real estate appurtenant to them. The Jews having already been generally eliminated from the entire retail trade, the independent crafts and the markets, as a result of the ordinance concerning the elimination of Jews from German economic life dated 12 November 1938 – *Reichsgesetzblatt* I, p. 1580 -, it is now the task of the high administrative

authorities, with the full support given them by the ordinance dated 3 Dec. 1938, in connection with the competent Party services, to see to it that from those enterprises in the wholesale trade and industry which, according to the prescriptions of the 3rd ordinance to the Reich Citizen Law (*Reichsbürgergesetz*), dated 14 June 1938 – *Reichsgesetzblatt I* p. 627 -, are today still regarded as Jewish enterprises because of an important personal or financial Jewish participation, Jews are eliminated in an economically reasonable manner. For the time being a compulsory elimination of Jews from such minority participation, which, according to the prescriptions of the said Third Ordinance to the Reich Citizen Law, do not make the enterprise a Jewish one, is to be refrained from: the same applies especially to a compulsory transfer of Jewish ownership of single shares and other securities.

Likewise the compulsory total elimination of Jews from real estate not used for agriculture or forestry is for the time being not yet to be tackled, according to the express directive issued by the Plenipotentiary for the Four Year Plan. As soon as the elimination of Jews from the trades has reached a certain goal, the execution of this task will be centralized by order. The competence of the higher administrative authorities in the sphere of real estate trade is, therefore, for the time being, on principle confined to the approval of voluntary sales, Exceptions thereto are to be made only in special individual cases where coercive reasons of public interest require action according to ... 6 of the ordinance, for instance to satisfy urgent demand for space of authorities and Party services. My consent for such actions has, however, to be asked in advance.

The elimination of Jews from real estate used for agriculture and forestry is subject to the special directives issued by the Reich Minister for Nutrition and Agriculture and the Reich Forester.

3. The necessity of obtaining a clear decision in the further elimination of Jews from trade enterprises, whether a trade enterprise is Jewish or not according to the Third Ordinance to the Reich Citizen Law (*Reichsbürgergesetz*), requires utmost attention to be given to the establishment of the official lists of Jewish trade enterprises, which lists are

not yet concluded. The lists regarding the completed elimination of Jews are to be kept up to date very carefully. The Jewish trade enterprises which were closed down as a result of the law for the amendment of the Trade Code (*Gewerbeordnung*) dated 6 July 1938 – *Reichsgesetzblatt I*, p. 823 and of the Ordinance concerning the elimination of Jews from German economic life dated 12 Nov. 1938 – *Reichsgesetzblatt I*, p. 1580 – are immediately to be taken off the lists.

4. An elimination of Jews is in principle out of the question as far as Jewish charitable institutions are concerned (hospitals, homes for children and aged people, lunatic asylums, asylums for the blind, etc.) or institutions and enterprises, which exclusively serve the promotion of Jewish emigration (training workshops and institutions for vocational re-education, (*Umschichtungsanstalten*, etc.) As to the charitable institutions, it is to be observed that by the decree concerning public welfare for Jews, dated 19 Nov. 1938 – *Reichsgesetzblatt I*, p. 1649 – the support of Jews requiring help has on principle been left to the free Jewish welfare work. Regarding institutions for the promotion of emigration, it is to be noted that the emigration of Jews from Germany should be the goal of all defense measures of the National Socialist State against Judaism, and any promotion of emigration is, therefore, to be welcomed. For this reason pending procedures are to be concluded most speedily in all cases where a Jewish seller of a trade enterprise or real estate intends to emigrate in the near future.

Source: Yad Vashem Archives TR2N11\1009\NI 1028, PART