

## COMMON TYPES OF RESTITUTION PROGRAMS

There are a number of restitution programs currently available to Holocaust survivors. Some are available to all survivors, while others are country-specific. Some survivors may be eligible for restitution under more than one program. Below is a brief summary of commonly available programs and some recently introduced ones. Please contact the Holocaust Survivor Support Program (HSSP) on **85175938** if you have any further questions about existing restitution programs or would like assistance with applying for restitution.

### **Claims Conference**

Most restitution to Holocaust survivors is currently administered by the Conference of Jewish Material Claims Against Germany (Claims Conference), a New York-based organisation. The funds are provided by the German government. Claims Conference runs the following programs:

#### **Article 2 Fund**

A quarterly pension (320 EUR/ month) for Jewish people who were in ghettos, concentration camps or living in hiding/ under false identity on Nazi-occupied territory for at least 6 months. Clients whose mothers were persecuted as above while pregnant with them can also be eligible. Eligibility criteria include a means (income and assets) test. Widows/ widowers and children of deceased survivors **cannot** receive this payment.

#### **Hardship Fund**

A one-off payment (2,500 EUR) for Jewish people who fled from Nazi persecution, or for those deemed ineligible for Article 2 Fund due to high income or assets. Clients whose mothers were persecuted as above while pregnant with them can also be eligible. **Not** means tested. Heirs (widow/ widower, children) can only get the payment if the survivor applied themselves but passed away before the application was approved.

#### **Child Survivor Fund**

An **additional** one-off payment (2,500 EUR) for Jewish people who were in ghettos, concentration camps or living in hiding/ under false identity on Nazi-occupied territory for at least 6 months, **and** were born after 1 January 1928. This payment is **not** mutually exclusive with any other type of restitution, and is **not** means tested. Heirs (widow/ widower, children) can only get the payment if the survivor applied themselves but passed away before the application was approved. This program was introduced in early 2015.

Unified application forms for applying for any of the above programs is available from HSSP or at <http://www.claimscon.org/what-we-do/compensation/apply-for-compensation/>.

### **BEG (Wiedergutmachung)**

This program is closed, i.e. existing recipients of the BEG pension continue receiving it, but no new clients are taken on. The program was run by the German government, and has been superseded by Claims Conference-run Article 2 Fund and Hardship Fund. Past BEG recipients cannot apply for Article 2 Fund or Hardship Fund, respectively. Heirs of BEG recipients who pass away can apply to have some of the funeral expenses reimbursed.

### **ZRBG Ghetto Pension**

A superannuation-style pension paid to Holocaust survivors who performed “voluntary” or “non-forced” work while imprisoned in a ghetto. The definition of “voluntary” or “unforced” is somewhat ambiguous; it covers working for money or in-kind compensation including additional food rations, whether the compensation was given to the worker or someone else (eg the ghetto’s Jewish Council), but excludes working under threat of death in case of refusal or slave labour. This pension is paid by the German social security agency, the Deutsche Rentenversicherung (DRV), and is subject to different rules than other restitution programs. The amount of the pension is calculated along the same principles as age pension for having worked in Germany. The minimum qualifying period is 60 months. Activities credited towards the qualifying period include: time spent working while in a ghetto within the Nazi sphere of influence, time spent studying and time spent on childrearing for children born before 1950, as well as employment in Germany before or after the war, Nazi persecution before or after the ghetto, residence in Displaced Persons camps and post-war employment in countries which have a Social Security agreement with Germany. This payment is **not** mutually exclusive with any other type of restitution.

Widows/ widowers of survivors who had performed non-forced work in a ghetto can apply for a pension regardless of whether their late spouse applied for ZRBG while alive. The widow/er pension is a maximum of 60% of a deceased spouse’s pension, and may be affected by the widow/er’s other income. Heirs (spouses, children, etc.) of ZRBG recipients who died before August 2014 might qualify for a one-off retroactive payment. However, heirs other than spouses (such as children) **cannot** receive ongoing pension-style payments.

Application forms are available from HSSP or at <http://www.claimscon.org/what-we-do/compensation/germany-payments/zrbg/apply/>.

### **One-time Compensation for German Ghetto Work Payment (GGWP)**

A one-off payment (2,000 EUR) for non-forced work in a ghetto, paid by the Bundesamt für zentrale Dienste und offene Vermögensfragen (“BADV”). The eligibility requirements are similar to those for ZRBG, except there’s no minimum qualifying period. This payment is **not** mutually exclusive with ZRBG or any other type of restitution.

Application forms are available from HSSP or at <http://www.claimscon.org/what-we-do/compensation/germany-payments/ghetto-fund/badv-how-to-apply/>.

### **Polish pension**

A pension of 400 zlotys (approximately \$130) per month for certain categories of veterans or victims of Nazi or Soviet persecution who were Polish citizens at the time of persecution. The pension is paid by Poland’s Office for War Veterans and Victims of Oppression. In 2015, eligibility for the pension was extended to former Polish citizens who currently live outside Poland and do not have a Polish bank account. Holocaust survivors who were Polish citizens at the time of the Holocaust can be eligible for this pension, including those who were interned by the Nazis in ghettos, concentration camps, extermination camps, prisons, etc.; were forcibly deported to the Soviet Union; served in the Polish military, the Polish units of allied militaries, or Polish underground (excluding NKVD formations, other Soviet-run special formations or Soviet-run underground resistance). Polish citizens who fled to the USSR can **only** be eligible if they remained there due to forced deportations or were incarcerated in Soviet labour camps or prisons. People who survived the Holocaust in hiding, as well as children born in the USSR to Polish parents who never had Polish citizenship themselves, are **not** eligible. This payment is **not** mutually exclusive with any other type of restitution. Widows/ widowers of Polish Holocaust survivors may be eligible for a pension of 200 zlotys per month if they have the right to retirement pension in Poland or another

European Union member state. Otherwise, heirs of Polish Holocaust survivors are **not** eligible for any payments under the program.

Application forms are available from HSSP or at <http://polishrestitution.com/pensions/how-to-apply/>. All applications for this pension have to be completed **in Polish**. (However, questions on the forms and other explanatory materials are in both Polish and English.)

### **French restitution programs**

#### **NEW Restitution Fund for Holocaust Survivors Deported from France & Their Heirs**

A restitution fund for Holocaust survivors who were deported from France by the Nazis or their allies, and are not eligible for restitution under the French government's existing programs, and for the heirs of such survivors. The fund has been recently established (in effect from 2 November 2015) under an agreement between the US and French governments. The payments will be administered by the US State Department. At present, it is likely that one-off payments will be made; the amount of the restitution payments is currently unknown.

The categories of claimants who can apply under this agreement are:

1. Individuals who were deported from France during World War II and are alive today.
2. Spouses of those who were deported from France and are alive today.
3. Estates of persons in either of the two categories above who died after the end of World War II. No information is required about the members of an eligible estate.

The claimant does **not** need to have been a French citizen at the time of persecution to be potentially eligible. Holocaust survivors eligible for restitution under the French pension program or orphans of deported parents program **cannot** apply.

A **deadline** for applications is **31 May 2016**.

Information about the new restitution fund and application forms can be found on the website of the US State Department:

<http://www.state.gov/p/eur/rt/hlcst/deportationclaims/248921.htm>.

Completed applications, along with supporting documentation, can be submitted in any of the following ways:

1. Electronically: [DeportationClaims@state.gov](mailto:DeportationClaims@state.gov)
2. By mail to:  
Office of the Legal Adviser  
International Claims and Investment Disputes  
Suite 203, South Building  
2430 E Street, NW  
Washington, DC 20037-2800  
USA
3. By fax: +1-202-776-8389

Other existing French restitution programs include:

#### **Orphans of the Holocaust**

A restitution program for those who lost one or both parents during the Holocaust because the parent(s) died in a camp **in France** or during deportation or were shot. Claimants need to have been no more than 21 years old at the time when the parent(s) were arrested to be

eligible. Claimants do **not** need to have been French citizens at the time of persecution. Restitution can either take the form of a one-off lump sum payment (calculated on a sum equivalent to a 5-year annuity) or a lifetime pension.

**‘Political deportee’ and ‘Political internee’ status and pensions**

Survivors who were deported from France after 16 June 1940 by the Nazis or the French state to concentration camps, prisons, forced labour in Germany, etc., can apply for a title of “political deportees”. Survivors who were interned in France after 16 June 1940 by the Nazis or the French state for at least 3 months (including children’s houses of the U.G.I.F. (Union Générale des Israelites de France) or of the O.S.E. (Œuvre de Secours aux Enfants)) can apply for a title of “political deportees”. Claimants do **not** need to have been French citizens at the time of persecution to be potentially eligible. After obtaining the title, some political deportees or detainees may be eligible to apply for a pension administered by the National Office of Veterans and War Victims (Office National des Anciens Combattants, or ONAC). Political deportees and detainees can **only** apply for a pension if they currently hold a French, Polish, Czech, British or Belgian citizenship.

More details about the existing French restitution programs and the application processes can be found at: [http://holocaust-compensation-france.memorialdelashoah.org/en/index\\_engl.html](http://holocaust-compensation-france.memorialdelashoah.org/en/index_engl.html)