

US protests Germany's rejection of survivors' pension claims

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NEW YORK – The US government has reaffirmed its commitment to ensuring that Holocaust survivors who worked in the Third Reich's ghettos receive the benefits for which many of them qualify under German law.

The Ghetto Pension Law was passed in 1997 and expanded in 2002 to allow Holocaust survivors who were paid for working while interned in Nazi ghettos to receive old-age pensions from the German government.

However, approximately 61,000 out of 70,000 applications for such compensation have been rejected.

At meetings of the Claims Conference board of directors on Tuesday and Wednesday, the conference noted with concern the high rejection rate and the disparate treatment of applicants.

Inconsistency in deciding whose claims are recognized has been of particular concern to survivors. In some cases, one sibling has been deemed eligible, and another not, although they suffered the

same persecution.

To be eligible for compensation, a survivor must hold status as a persecuted person under the BEG German Federal Indemnification Laws; have been forced to reside in a ghetto in a territory occupied or incorporated into the German Reich; and have worked "voluntarily" (i.e. with a degree of free choice) and for some form of remuneration or equivalent exchange.

According to the conference, many applicants have been rejected due to overstrict interpretation of these preconditions.

"Part of it is the bureaucratic approach taken to the entire issue," said Gideon Taylor, executive vice president of the Claims Conference. "We were seeking [an] open, liberal approach, and instead the lower-level bureaucracy that implements [the claims process] has taken a restrictive, narrow approach."

Late last month, conference representatives met with German officials, including Heinrich Tiemann, state secretary of the Federal Ministry of Health and Social Security, and German Federal Minister of Justice

Brigitte Zypries, and were told they were committed to finding a solution. "But what the final solution will be is hard to judge," said Taylor. "It's caused tremendous upset in the survivor community."

On a positive note, the conference was "very encouraged" by the public stance on the issue taken by the US State Department's special envoy for Holocaust issues, Ambassador Christian Kennedy. "The issue has to be resolved quickly, as does anything involving survivors, because we all know that time is not something they have on their side," Kennedy told the Claims Conference.

Kennedy said his meetings with the German government focused on two possible solutions. One would involve a new law designed to include ghetto pensions within existing pension mechanisms. But more recently, he said, German officials have favored an independently-operated fund.

Meanwhile, a 20-strong bipartisan Congressional delegation has also called on the German government to remove obstacles to granting ghetto survivors their pensions.