

Article 2 Fund Eligibility Guidelines and Instructions

Please read these eligibility guidelines and instructions carefully before completing the application.

There is no fee to obtain or submit this application.

PERSONS CURRENTLY RECEIVING A MONTHLY PENSION UNDER THE GERMAN FEDERAL INDEMNIFICATION LAW (BEG), THE AUSTRIAN LAW REGARDING RELIEF FOR VICTIMS (OFG), PAYMENTS UNDER THE PRV, THE GDR PENSION FOR VICTIMS OF THE NAZI REGIME (VDN), OR A PENSION FROM THE ISRAELI MINISTRY OF FINANCE UNDER THE ISRAELI NAZI PERSECUTIONS DISABLED PERSONS LAW 5717-1957 CANNOT ALSO RECEIVE A PENSION FROM THE ARTICLE 2 FUND.

Applications must be submitted with an original signature, dated and notarized (by a notary public, bank, German consulate or a Jewish social service agency possessing a seal). Please do not send in original supporting documents (proof of persecution, identity cards etc) – only photocopies. We suggest that you keep a copy of your completed application form.

We understand that filling in this form is difficult for those who have suffered so much. This information is required to process the application. We will endeavor to do so as quickly and sensitively as possible.

Please read the conditions for eligibility for payment from the Article 2 Fund (section 1) and the notes regarding each question before completing the application form (section 2). If you have any questions concerning your eligibility please contact your local Claims Conference office or look on our website at www.claimscon.org.

You can help expedite processing your application by typing or printing all answers clearly in block letters and enclosing copies of all relevant documents. The application form must be completed in Latin letters.

Please note: Heirs are not entitled to file an application form. The victim has to be alive at the time of filing the application. If an applicant was ineligible at the time of application but at a later date became eligible due to changes in the criteria, the applicant must be alive as of the date the criteria under which they are eligible took effect in order to receive payment.

Persons who currently reside in any of the former communist-bloc countries of Eastern Europe or the former Soviet Union should apply to the Central and Eastern European Fund (“CEEF”).

Section 1 - Eligibility Guidelines

Eligibility under the Article 2 Fund is limited to Jewish Holocaust survivors who:

- Were incarcerated for at least six months in a concentration camp* as defined in accordance with the German Federal Indemnification Law (BEG) or in a forced labor camp for Jews according to the list of places of imprisonment of the International Tracing Service of the Red Cross; or
- Were incarcerated for at least six months in a camp for Jewish hostages in Austria (known as the Judenlager or “Strasshof complex”); or
- Were incarcerated for at least six months in forced labor camps in the region of the Austro-Hungarian border (known as the “Alpenfestung”) or at the copper mines in Bor (Serbia); or
- Served for at least six months in forced military labor battalions for Hungarian Jews on the Ukrainian front or were incarcerated for at least six months in camps or Hungarian labor units inside Hungary (commencing in March 1944); or
- Were incarcerated for at least six months in the newly recognized camps which were forced labor camps and working battalions in Romania (under restricted criteria), the Czech Republic, Slovakia, the former Yugoslavia, Libya, Somovit in Bulgaria and Ferramonti di Tarsia in Italy. It is important to note that the persecution must have taken place during specific time periods for the survivor to be eligible; or
- Served for at least six months in a recognized labor camp in Bulgaria (under restricted criteria) between March 1943 and November 1943. In addition, incarceration in a recognized labor camp in Bulgaria before or after the above dates is considered to be incarceration in a ghetto for the purposes of determining eligibility; or
- Were incarcerated for at least six months in certain labor camps in Tunisia, Morocco or Algeria; or

Were imprisoned for at least 12 months in a ghetto as defined by the German government; or

- Were in hiding for at least 12 months, under inhumane conditions, without access to the outside world in German Nazi occupied territory and Nazi satellite states (Nazi instigation); or
- Lived illegally under false identity or with false papers for at least 12 months under inhumane conditions in German Nazi occupied territory and Nazi satellite states (Nazi instigation).

**The German government and Claims Conference have agreed that applications from Holocaust survivors who were in a concentration camp, for whatever period of time, and do not receive an ongoing pension from the BEG, Israeli Ministry of Finance, Article 2 Fund or the Central and Eastern European Fund (CEEF), will be submitted by the*

Claims Conference for review by the Ministry of Finance to see whether those cases are cases of special hardship. Such survivors should contact the Claims Conference.

Jewish Holocaust survivors who are age 75 or over and who were incarcerated in a ghetto as defined by the German government for at least three months (but for less than 12 months) and who do not already receive a pension from a German source (Article 2 Fund, CEEF, German Federal Indemnification Law - BEG – Bundesentschädigungsgesetz, Israeli Ministry of Finance under the Israeli Nazi Persecution Disabled Persons Law 5717-1957), may be eligible for a special pension of €240 per month.

In addition to the above-mentioned criteria relating to the duration, place and nature of persecution, the eligibility criteria of the Article 2 Fund include the following geographical and financial limitations established by the German government:

- The applicant does not currently reside in any of the former communist-bloc countries of Eastern Europe and the former Soviet Union. Persons who currently reside in those countries should apply to the Central and Eastern European Fund (CEEFF); **and**
- The annual net income of an applicant may not exceed the local currency equivalent of US \$16,000, after taxes.

¹ The income limit is slightly different for applicants residing permanently in the Federal Republic of Germany. The relevant income limit for residents of Germany and other European countries [can be obtained from the Claims Conference office in Germany](#). The relevant income limit for residents of Israel is available on the [Claims Conference Hebrew website](#).

When calculating whether the income limit has been met, from October 1, 2007 the following criteria apply:

- Only the income of the applicant shall be taken into account (**NOT** the income of his/her spouse). This is a change from the previous rule.
- When determining whether the income limit is met, the following types of pensions will **NOT** be considered as income (i.e. will **NOT** be included in the \$16,000 limit):
 - Old age pensions (including: governmental pension, social security payments, occupational pension or retirement plans); and/or
 - Pensions awarded for reduction in earning capacity, for industrial injury or occupational disease, for loss of life or any comparable payment.

In addition, you may be required to furnish further financial information.

Specific details, including what payments constitute comparable payments and limitations regarding assets of the applicant may be found on the Claims Conference website at <http://www.claimscon.org/index.asp?url=article2/eligibility>

Fetus Cases:

NOTE: Applicants are advised that it has been clarified that the Article 2 Fund, Central and Eastern European Fund and Hardship Fund, will process applications from applicants who were a fetus at the time of their mother's persecution.

Applicants not found eligible will have the right of appeal to the Independent Review Authority of the Claims Conference.

Important Note: All applicants are urged to check the Claims Conference website regularly as amendments to the criteria and clarifications are posted as they become available.

Section 2 – Notes corresponding to questions on the application form.

The notes in this section are numbered to correspond to the questions on the application form.

Question 1. Please write your name, any former names, address and telephone number, and your preferred language of correspondence clearly so that we can contact you at any time. Fax and email address are optional. Please notify us without delay if you change your name or address.

Please give us an alternate contact in case we have a problem contacting you.

Please enter the complete number of your identity card / social security / passport number as it appears in the document and enclose a photocopy. Israeli citizens are required to submit their Israeli ID number.

Question 2. Please give exact details of your last place of residence at the beginning of persecution.

Question 3. Please list all places of detainment in chronological order. If possible give the month (e.g. Jan/43 or 01/43). If you do not remember the details, please state the time of year (e.g. Winter 1943).

Question 4. Please list all countries where you were permanently resident after persecution.

Question 5. Please give a detailed description of persecution mentioning anything you consider important. If necessary please continue on a separate sheet of paper. Please send any documents proving your persecution. If you no longer have any supporting documents please give any details you remember, such as:

- living conditions, description of imprisonment, detainment or ghettoization, details of

persecution at the place of confinement

- what kind of forced labor was carried out and significant events, if any, that occurred in the camp or in conjunction with this labor
- date of any transfer to another camp or ghetto and date of liberation. Please give the details in chronological order
- The dates of any other major events that took place in the camp or ghetto
- If you lived in a hiding place please describe exactly where you hid, who hid you, the living conditions, the daily routine, how you obtained food and so on.

Question 6. These details apply only to compensation payments made under the BEG.

Question 7. Please only answer this section if you were a citizen of one of the following countries at the time of persecution and in the year stated: Austria (only citizenship before 13 March of 1938), Belgium (1960), Denmark (1959), France (1960), Holland (1960), Italy (1961), Luxembourg (1959), Norway (1959), Sweden (1964), Switzerland (1961), United Kingdom (1964).

Question 8. If you receive a pension from the Israel Finance Ministry pursuant to the law for “Invalids of Nazi Persecution,” please give the file number.
If you applied to the Hardship Fund, CEEF, or Program for Former Slave and Forced Laborers, please give the file number.

Question 9. Please list all spouses including those deceased or divorced.

Question 10. Please enclose copies of birth certificates of any children born during or immediately after persecution. This will speed up the processing of your application.

Question 11. It will help us process your application if we have full details of your family.

Question 12. Only your income is taken into account. If you have joint income with your spouse, you should attribute half of this income to yourself. When you insert the total income, please insert the “net” income (i.e., the relevant income after tax).

Section 3: Documents

Please include photocopies of the following documents, if you have them:

- Birth certificate
- Document(s) relating to any change of name (if relevant)
- Marriage certificate
- Identification card (ID card, social security card or passport)
- Document showing your current nationality (passport, naturalization certificate etc)

- Documentary proof of your persecution

Copies of birth certificates and marriage certificates must be authorized by **one** of the following:

- Notary public
- German consulate
- Bank
- Amcha office in Israel
- Governmental office of the State of Israel
- Jewish social service agency possessing a seal.

Copies of other documents do not need to be authorized at this time.

PLEASE READ THE DECLARATION AT THE END OF THE APPLICATION VERY CAREFULLY PRIOR TO SIGNING THE APPLICATION FORM.

Please give any additional details of persecution on a separate sheet of paper and send it with your completed and signed application form to the appropriate address below:

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