ANNEXES 1—9
THE LAW ON THE CREATION OF A FOUNDATION “REMEMBRANCE, RESPONSIBILITY AND FUTURE”

of August 2, 2000, which entered into force on August 12, 2000 (Federal Law Gazette I 1263), last amended by the Law of 1 September 2008, which came into force on 9 September 2008 (Federal Law Gazette I 1797)

PREAMBLE

Recognizing that the National Socialist State inflicted severe injustice on slave laborers and forced laborers, through deportation, internment, exploitation which in some cases extended to destruction through labor, and through a large number of other human rights violations, that German enterprises which participated in the National Socialist injustice bear a historic responsibility and must accept it,

that the enterprises which have come together in the Foundation Initiative of German Industry have acknowledged this responsibility, that the injustice committed and the human suffering it caused cannot be truly compensated by financial payments,

that the Law comes too late for those who lost their lives as victims of the National Socialist régime or have died in the meantime, the German Bundestag acknowledges political and moral responsibility for the victims of National Socialism. The Bundestag intends to keep alive the memory of the injustice inflicted on the victims for coming generations as well.

The German Bundestag presumes that this Law, the German-U.S. intergovernmental agreement, the accompanying statements of the U.S. Government as well as the Joint Declaration by all parties to the negotiations provide adequate legal security for German enterprises and the Federal Republic of Germany, especially in the United States of America. With the concurrence of the Bundesrat, the Bundestag has passed the following Law:

SECTION 1: ESTABLISHMENT AND HEADQUARTERS

(1) A legally recognized foundation with the name “Remembrance, Responsibility and Future” shall be established under public law. The Foundation comes into being as of the entry into force of this legislation.

(2) The headquarters of the Foundation shall be in Berlin.
SECTION 2: PURPOSE OF THE FOUNDATION

(1) The purpose of the Foundation is to make financial compensation available through partner organizations to former forced laborers and to those affected by other injustices from the National Socialist period.

(2) A “Remembrance and Future” fund will be established within the Foundation. Its continuing task is to use the income primarily produced by the means allocated to it from Foundation monies to foster projects that serve the purposes of better understanding among peoples, the interests of survivors of the National Socialist régime, youth exchange, social justice, remembrance of the threat posed by totalitarian systems and despotism, and international cooperation in humanitarian endeavors. In commemoration and respect of those victims of National Socialist injustice who did not survive, it is also intended to further projects in the interest of their heirs.

SECTION 3: DONORS AND THE FOUNDATION’S CAPITAL ASSETS

(1) Contributors to the Foundation’s capital fund shall be the companies joined together in the Foundation Initiative of German Industry, and the Federal Government.

(2) The Foundation shall be endowed with a capital fund consisting of the following:

1. Five billion deutschmarks that the companies joined together in the Foundation Initiative of German Industry have agreed to make available, including the payments that German insurance companies have provided to the International Commission on Holocaust Era Insurance Claims or will provide in the future.

2. Five billion deutschmarks that the German Federal Government is making available in the year 2000. The contribution of the Federal Government includes the contributions of enterprises of which the Federal Government is sole owner or in which it has a majority interest.

(3) There is no obligation for the donors to make supplementary payments.

(4) The Foundation is authorized to accept contributions from third parties. It shall endeavor to obtain additional contributions. The contributions are exempt from inheritance tax and gift tax.

(5) Income from the Foundation’s capital fund and other income is to be used only for the purposes of the Foundation.
SECTION 4: THE BODIES OF THE FOUNDATION

The bodies of the Foundation are:
1. the Board of Trustees.
2. the Board of Directors.

SECTION 5: THE BOARD OF TRUSTEES

(1) The Board of Trustees is made up of 27 members, namely:
   1. the chairman, to be named by the German Chancellor;
   2. four members to be named by the companies joined together in the Foundation Initiative of German Industry;
   3. five members to be named by the German Bundestag and two by the Bundesrat;
   4. one representative of the Federal Ministry of Finance;
   5. one representative of the Federal Ministry for Foreign Affairs;
   6. one member to be named by the Conference on Jewish Material Claims against Germany;
   7. one member to be named by the Central Council of German Sinti and Roma, the Alliance of German Sinti, and the International Romani Union;
   8. one member to be named by the Government of the State of Israel;
   9. one member to be named by the Government of the United States of America;
   10. one member to be named by the Government of the Republic of Poland;
   11. one member to be named by the Government of the Russian Federation;
   12. one member to be named by the Government of Ukraine;
   13. one member to be named by the Government of the Republic of Belarus;
   14. one member to be named by the Government of the Czech Republic;
   15. one lawyer to be named by the Government of the United States of America;
   16. one member to be named by the United Nations High Commissioner for Refugees;
   17. one member to be named by the International Organization for Migration in accordance with Section 9, Paragraph 2, Number 6; and
   18. one member to be named by the Federal Information and Counseling Association for Victims of National Socialism e. V. [Registered Association].

The sending body may designate a substitute for each member of the Board.
A different composition of the Board of Trustees may be decided by a unanimous decision of the Board of Trustees.

(2) The term of office for members of the Board of Trustees shall be four years. If a member should resign before the end of his term, a successor may be appointed for the remainder of the term. The members of the Board of Trustees can be recalled by the sending body at any time.

(3) The Board of Trustees shall establish its own rules of procedure.
(4) The presence of half the membership of the Board of Trustees plus one shall constitute a quorum. The board shall make decisions on the basis of a simple majority. In case of a tie, the vote of the chairman shall determine the outcome. Decisions can also be made in writing unless one third or more of the members of the Board of Trustees object to such procedure in an individual case. Such a decision requires the accordance of the majority of the members of the Board of Trustees. The sentences 4 and 5 do not apply to the election of the members of the Board of Directors of the Foundation (Para. 6.2).

(5) The Board of Trustees has the right to decide on all fundamental matters that have to do with the tasks of the Foundation, specifically with regard to budgetary plans, the annual report, and the existence of the specific characteristics referred to in Section 12, Paragraph 1. It monitors the performance of the Board of Directors.

(6) The Board of Trustees makes decisions regarding the projects of the “Remembrance and Future” Fund based on proposals by the Board of Directors.

(7) The Board of Trustees establishes guidelines for the use of resources insofar as their use is not already specified in this Law. In this connection, it shall particularly endeavor to see to it that the partner organizations are able to draw in fair shares upon the eligibilities for payment referred to in Section 11, Paragraph 1, Sentence 1, Numbers 1 and 2.

(8) Members of the Board of Trustees serve in a “pro bono” capacity; necessary expenses will be reimbursed.

SECTION 6: THE BOARD OF DIRECTORS OF THE FOUNDATION

(1) The Board of Directors shall consist of the chairman and one additional member. Members of the Board of Trustees may not at the same time belong to the Board of Directors.

(2) The members of the Board of Directors will be named by the Board of Trustees.

(3) The Board of Directors of the Foundation shall direct the day-to-day business of the Foundation and shall implement the decisions of the Board of Trustees. It shall decide, up to a maximum amount determined by the Board of Trustees, on funding measures and oversee the purposeful and prudent expenditure of the Foundation’s funds. The Board of Directors shall represent the Foundation, both in judicial and extrajudicial matters.

(4) If a unanimous decision is not reached by the Board of Directors, the chairman shall decide.

(5) The details shall be determined by the by-laws.
SECTION 7: THE BY-LAWS

The Board of Trustees shall adopt a set of by-laws by a two-thirds majority vote. If a set of by-laws has still not been adopted within three months of the initial meeting of the Board of Trustees, the chairman shall propose a set of by-laws that will be passed by a simple majority. The Board of Trustees may amend the by-laws on the basis of a two-thirds majority.

SECTION 8: OVERSIGHT, BUDGET, AUDITING

(1) The Foundation is subject to legal oversight by the Federal Ministry of Finance.

(2) The Foundation shall prepare a budget in timely fashion before the start of each fiscal year. The budget shall require the approval of the Federal Ministry of Finance.

(3) The Foundation shall be subject to being audited by the Federal Court of Audit. Without prejudice hereto, the Foundation’s accounts and the management of its budget and finances are to be audited by the Federal Office for Central Services and Unresolved Property Issues.

SECTION 9: USE OF FOUNDATION RESOURCES

(1) Resources of the Foundation that serve the purpose of the Foundation referred to in Section 2, Paragraph 1, will be allocated to partner organizations. They are to be used for one-time payments to persons eligible pursuant to Section 11, as well as for covering the personnel and non-personnel expenses of the partner organizations. Persons eligible under Section 11, Paragraph 1, Sentence 1, Number 1 or Sentence 5 can receive up to 15,000 deutschmarks, and persons eligible under Section 11, Paragraph 1, Sentence 1, Number 2, or Sentence 2 can receive up to 5,000 deutschmarks. Receiving a payment under Section 11, Paragraph 1, Sentence 1, Number 1 or 2 does not preclude receiving a payment under Section 11, Paragraph 1, Sentence 1, Number 3 or Sentence 4 or 5.

(2) The partner organizations shall have available 8.1 billion deutschmarks including 50 million deutschmarks in accrued interest for payments to persons who suffered personal damage as referred to in Section 11, Paragraph 1, Sentence 1, Numbers 1 and 2, and Section 11, Paragraph 1, Sentence 2, insofar as [the payments are] intended for compensation for forced labor. The total amounts shall be divided into the following maximum amounts:

1. for the partner organization responsible for the Republic of Poland, 1,812 million deutschmarks;

2. for the partner organization responsible for Ukraine and the Republic of Moldova, 1,724 million deutschmarks;
3. for the partner organization responsible for the Russian Federation and the Republic of Latvia and the Republic of Lithuania, 835 million deutschmarks;

4. for the partner organization responsible for the Republic of Belarus and the Republic of Estonia, 694 million deutschmarks;

5. for the partner organization responsible for the Czech Republic, 423 million deutschmarks;

6. for the partner organization responsible for the non-Jewish claimants outside the states referred to in Numbers 1 through 5 (the International Organization for Migration), 800 million deutschmarks; the partner organization must pay over up to 260 million deutschmarks of this amount to the Conference on Jewish Material Claims against Germany;

7. for the partner organization responsible for the Jewish claimants outside the states referred to in Numbers 1 through 5 (the Conference on Jewish Material Claims against Germany), 1,812 million deutschmarks.

The partner organizations must use these monies to make the stipulated payments for all persons who on February 16, 1999, had their principal domicile in their [the organizations’] individual regional areas of responsibility and on that date belonged to their material sphere of responsibility. The partner organizations referred to in Numbers 2, 3, and 4 are also responsible for those persons who on February 16, 1999, had their principal domicile in other states, which were republics of the former USSR; in each case that partner organization is responsible from whose area the claimant was deported.

(3) 50 million deutschmarks are intended for compensation of other personal injuries in connection with National Socialist injustice. Claims are to be addressed to the partner organizations referred to in Paragraph 2. These organizations shall determine the merits and amount of the damage claimed. The amount of the compensation payments shall be determined by the Commission referred to in Paragraph 6, Sentence 2, in accordance with the ratio between the totality of the damages recognized by the partner organizations and the total amount of the monies referred to in Sentence 1, with due consideration given to Section 11, Paragraph 1, Sentence 5. The partner organizations may request the Commission referred to in Sentence 4 to assign the determinations referred to in Sentence 3 to an independent arbitrator. A partner organization that prefers not to make the determinations referred to in Sentence 3 itself must bear the costs of the arbitrator.

(4) The sum of one billion deutschmarks of the Foundation’s monies is intended for payments to persons who suffered property loss. This amount is divided into the following maximum amounts:
1. 150 million deutschmarks for property losses resulting from persecution within the meaning of Section 11, Paragraph 1, Sentence 1, Number 3;

2. 50 million deutschmarks for other property losses within the meaning of Section 11, Paragraph 1, Sentence 4;

3. 150 million deutschmarks for the International Commission on Holocaust Era Insurance Claims to compensate unpaid or revoked and not otherwise compensated insurance policies of German insurance enterprises, including the costs incurred in this connection;

4. 300 million deutschmarks for social purposes to the benefit of Holocaust survivors through the Conference on Jewish Material Claims against Germany; 24 million deutschmarks of this shall be paid over to the partner organization referred to in Paragraph 2, Number 6, which shall use it for social purposes vis-à-vis the similarly persecuted Sinti and Roma;

5. 350 million deutschmarks for the humanitarian fund of the International Commission on Holocaust Era Insurance Claims.

(5) If additional interest is earned from the monies made available to the Foundation except for the monies intended for the Future Fund, up to 50 million deutschmarks of this shall be made available to the International Commission on Holocaust Era Insurance Claims to compensate insurance losses within the meaning of Paragraph 4, Sentence 2, Number 3, for foreign subsidiaries of German insurance enterprises and for costs incurred in this connection, as soon as the monies are available. Monies referred to in Sentence 1 and Paragraph 4, Sentence 2, Number 3, may also be used for the other purpose in each case.

(6) Claims for payments from the monies envisaged in Paragraph 4, Sentence 2, Numbers 1 and 2, are to be addressed to the partner organization referred to in Paragraph 2, Number 6, regardless of the claimant’s residence. Determinations concerning these payments shall be made by a commission to be formed under this partner organization. The commission shall consist of one member each to be named by the Federal Ministry of Finance and the Department of State of the United States of America and a chairperson to be chosen by those two members. The commission shall establish supplemental principles concerning the content and procedure of its determinations, insofar as these are not already established under this Law or the by laws. The commission shall rule on the submitted applications within a year after expiration of the application deadline. The Property Claims Commission shall rule on appeals against its initial determination subsequent to renewed consultation as the appeals organ within the meaning of Section 19. The costs of the commission, the appeals organ, and the partner organization are to be covered pro rata from the total amount referred to in Paragraph 4, Sentence 2, Numbers 1 and 2. If the amount of damages recognized by the commission exceeds the monies available under Paragraph 4, Sentence 2, Number 1 or 2, the payments to be made are to be reduced in proportion to the available monies.
(7) 700 million deutschmarks including the interest accruing thereto are to be used for projects of the “Remembrance and Future” Fund. Of this amount, 100 million deutschmarks may be made available for other than its intended purpose, if well-founded requests are filed based on insurance claims that could not be met under Paragraph 4, Sentence 2, Number 3, and Paragraph 5.

(8) In concert with the Board of Trustees, the partner organizations may subdivide the category of forced laborers, within its quota, in accordance with Section 11, Paragraph 1, Sentence 1, Number 1, insofar as this involves persons interned in other places of confinement, as well as affected persons within the meaning of Section 11, Paragraph 1, Sentence 1, Number 2, into subcategories depending on the severity of their fate and may set correspondingly gradated maximum amounts. This shall also apply to the eligibility of legal successors.

(9) The maximum amounts under Paragraph 1 may only be paid out for the time being in the amount of 50% for claimants under Section 11, Paragraph 1, Sentence 1, Number 1, and 35% for claimants under Section 11, Paragraph 1, Sentence 1, Number 2 or Sentence 2. Another payment of up to 50% of the amounts mentioned in Paragraph 1 for claimants under Section 11, Paragraph 1, Sentence 1, Number 1 and up to 65% of the amounts mentioned in Paragraph 1 for claimants under Section 11, Paragraph 1, Sentence 1, Number 2 or Sentence 2 shall be paid out after conclusion of the processing of all applications pending before the respective partner organization, to the extent possible within the framework of the available means. The partner organizations may set up a financial reserve for appeals under Section 19, in the amount of up to 5% of the monies allocated. To the extent the reserve has been set up, payment of the second installment under Sentence 2 may be made before the conclusion of the appeal proceedings. The Board of Trustees has the right, at the request of individual partner organizations, to allow an increase in the installment payments laid down under Sentence 1, insofar as it is assured that the monies allocated in Paragraph 2 are not exceeded.

(10) Payments under Section 11, Paragraph 1, Sentence 1, Number 3, with the exception of the payments of the International Commission on Holocaust Era Insurance Claims and payments under Section 11, Paragraph 1, Sentence 4 or 5 can take place only after all applications pending before the competent commission have been processed.

(11) Monies allocated under Paragraph 2 but not completely depleted are to be used for persons entitled to payments under Section 11, Paragraph 1, Sentence 1, Numbers 1 and 2. Should the funds provided under Paragraphs 2 and 3 not be completely depleted in spite of payment of the maximum amounts under Paragraph 1, Sentence 3, the Board of Trustees shall decide how they shall be used. Just as in the case of the use of additional monies, the Board must compensate, in particular, any shortage incurred by individual partner organizations in making payments under Section 11, Paragraph 1, Sentence 1, Numbers 1 and 2. The Board will decide on the other use of monies allocated under Paragraphs 2 and 3, which will be available due to a discontinuation of eligibility under Section 14 Paragraph 4. Sentence 4 shall also refer to monies under Paragraph 2, which can no longer be used for payment procedures by the respective
partner organization following the decision on the allocation of the second installment to be paid to eligible persons. Monies referred to in Paragraph 4, Sentence 2, Numbers 1 and 2, which are not drawn down shall go to the Conference on Jewish Material Claims against Germany; those referred to in Paragraph 4, Sentence 2, Number 3, to the International Commission on Holocaust Era Insurance Claims. The Board of Trustees may allow the maximum amounts under Paragraph 1, Sentence 3 to be exceeded if all partner organizations have been able to make payments in the amounts of these maximum amounts.

(12) Personnel and non-personnel costs shall be paid from the Foundation’s funds, insofar as they are not to be assumed by the partner organizations in accordance with Paragraph 1, Sentence 2. The costs to be borne by the Foundation also include outlays for attorneys and counsel whose activity on behalf of persons entitled to payments under Section 11 contributed to the establishment of the Foundation or otherwise were favorable to its creation, particularly by taking part in the multilateral negotiations that preceded the establishment of the Foundation or by filing suits on behalf of claimants under Section 11 between November 14, 1990, and December 17, 1999. There is no legal claim to payments pursuant to Sentence 2. An arbitrator named by the Foundation will determine the allocation of an amount set by the Board of Trustees, based on guidelines that shall be determined and published by the Board of Trustees. Requests for the payments stipulated in Sentence 2 are to be submitted to the Foundation by the attorneys and counsel themselves and on their own behalf within eight months after publication of the guidelines. They must be accompanied by documentation of the outlays claimed. Every attorney and counsel shall make a declaration in the request proceedings to the effect that he waives any claims against his clients upon receipt of a payment under Sentence 2. He is under obligation to advise his clients that he has waived any claims.

(13) For pending litigation concerning matters covered in this Law, court costs shall not be levied.

SECTION 10: DISTRIBUTION OF RESOURCES THROUGH PARTNER ORGANIZATIONS

(1) The approval and disbursal of one-time payments to those persons eligible under Section 11 will be carried out through partner organizations. The Foundation is neither authorized nor obligated in this regard. The Board of Trustees may decide for another mode of payment. The partner organizations shall cooperate with appropriate associations of persecutees and local organizations.

(2) Within two months after entry into force of the Law, the Foundation and its partner organizations are to publicize the possibility of compensation under this Law in an appropriate manner to all groups of eligible people in their respective countries of residency. These publications shall specifically include information about the Foundation and its partner organizations, the conditions on which compensation can be awarded, and application deadlines.
SECTION 11: ELIGIBLE PERSONS

(1) Eligible under this Law are:

1. persons who were detained in a concentration camp as defined in Section 42, Paragraph 2 of the German Indemnification Act or in another place of confinement outside the territory of what is now the Republic of Austria or a ghetto under comparable conditions and were subjected to forced labor;

2. persons who were deported from their homelands into the territory of the German Reich within the borders of 1937 or to a German-occupied area, subjected to forced labor in a commercial enterprise or for public authorities there, and detained under conditions other than those mentioned in Number 1, or were subjected to conditions resembling detention or similar extremely harsh living conditions; this rule does not apply to persons who because their forced labor was performed primarily in the territory of what is now the Republic of Austria can receive payments from the Austrian Reconciliation Foundation;

3. persons who suffered property loss as a consequence of racial persecution with essential, direct, and harm-causing collaboration of German businesses as defined by the laws on indemnification and who could not receive any payment or could not file their claims for restitution or compensation by the deadline because they either did not meet the residency requirements of the Federal Indemnification Act or had their domicile or permanent residence in an area with whose government the Federal Republic of Germany did not maintain diplomatic relations, or because they could not prove that an asset that had been expropriated due to persecution outside the territory of the German Reich in its 1937 borders and could no longer be located there, had been removed to the Federal Republic of Germany, or the proofs of the validity of their claims under the Federal Restitution Act [Bundesrückerstattungsgesetz] and the Federal Indemnification Act [Bundesentschädigungsgesetz] became known and available only due to German reunification, and the filing of the claims under the Law on the Settlement of Open Property Matters or the Law on Indemnification of Victims of Nazism was not allowed, or to the extent that restitution payments for monetary claims expropriated outside Reich territory were denied for lack of the possibility of assessing them, and no payments could be claimed either under the Currency Conversion Act, the Federal Indemnification Act, the Equalization of Burdens Act, or the Reparation Losses Act; that also applies to other persecutees within the meaning of the Federal Indemnification Act; special arrangements within the framework of the International Commission on Holocaust Era Insurance Claims shall remain unaffected.

The partner organizations may also award compensation from the funds provided to them pursuant to Section 9, Paragraph 2 to those victims of National Socialist crimes who are not members of one of the groups mentioned in Sentence 1, Numbers 1 and 2, particularly forced laborers in agriculture. These awards, with reservation as to Section 9, Paragraph 8, must not
result in any reduction in the payments to persons eligible under Paragraph 1, Sentence 1, Number 1. The funds provided for in Section 9, Paragraph 4, Sentence 2, Number 2 are intended to compensate property damage inflicted during the National Socialist regime with the essential, direct, and harm-causing participation of German enterprises, but not inflicted for reasons of National Socialist persecution. The funds referred to in Section 9, Paragraph 3, shall be awarded in cases of medical experiments or in the event of the death of or severe damage to the health of a child lodged in a home for children of forced laborers; in cases of other personal injuries they may be awarded.

(2) Eligibility shall be demonstrated by the applicant by submission of documentation. The partner organization shall bring in relevant evidence. If no relevant evidence is available, the claimant’s eligibility can be made credible in some other way.

(3) Eligibility cannot be based on prisoner-of-war status.

(4) Payments from the Foundation are exempt from inheritance tax and gift tax.

SECTION 12: DEFINITIONS

(1) Specific characteristics of other places of confinement referred to in Section 11, Paragraph 1, Number 1 are inhumane conditions of detention, insufficient nutrition, and lack of medical care.

(2) German enterprises referred to in Sections 11 and 16 are those that had their headquarters within the 1937 borders of the German Reich or have their headquarters in the Federal Republic of Germany, as well as their parent companies, even when the latter had or have their headquarters abroad. Enterprises situated outside the 1937 borders of the German Reich in which during the period between January 30, 1933, and the entry into force of this Law, German enterprises as described in Sentence 1 had a direct or indirect financial participation of at least 25 percent are also considered German enterprises.

SECTION 13: APPLICATION ELIGIBILITY

(1) Awards under Section 11, Paragraph 1, Sentence 1, Numbers 1 or 2, or Sentence 2 or Sentence 5 are strictly personal and individual and must be applied for in one’s own name. In a case where the eligible person has died after February 15, 1999, or where an award under Section 11, Paragraph 1, Number 3 or Sentence 4 is being applied for, the surviving spouse and children shall be entitled to equal shares of the award. If the eligible person left neither a spouse nor children, awards may be applied for in equal shares by the grandchildren, or if there are no grandchildren living, by the siblings. If no application is filed by these persons, the heirs named in a will are entitled to apply. Special arrangements within the framework of the International Commission on Holocaust Era Insurance Claims shall remain unaffected. The claim to payment cannot be ceded or attached.
(2) Juridical persons shall not be eligible. They can file applications as representatives of their shareholders eligible under this Law if specifically authorized by these shareholders. If a religious community or organization suffered property losses with the essential, direct, and harm-causing participation of German enterprises, Sentence 1 does not apply to them or their legal successors.

SECTION 14: CUT-OFF DATES

(1) Eligibility pursuant to Section 11 can no longer be determined if an application has not been received by a partner organization by the end of 31 December 2001. This shall also apply if upon conclusion of processing by the respective partner organization within the meaning of Section 9, Paragraph 9, Sentence 2 the application forms, documentation and evidence required to take a decision on the application have not been received.

(2) Applications that are received directly by the Foundation or by an inappropriate partner organization shall be forwarded to the appropriate partner organization. Special arrangements within the framework of the International Commission on Holocaust Era Insurance Claims shall remain unaffected.

(3) If an application has been filed within the application period specified in Paragraph 1 and if within six months after the death of the eligible person none of the persons eligible as legal successors pursuant to Section 13, Paragraph 1, Sentences 2 through 4 have notified the partner organization of their legal succession, the eligibility for an award shall expire. Paragraph 2 shall apply to the notification of legal succession mutatis mutandis.

(4) Any eligibility under Section 11 will expire after September 30, 2006. If it is within the responsibility of the partner organization that performance could not be made within the period stated then payment can be made until December 31, 2006 despite the expiration of eligibility under Sentence 1. The partner organizations are obliged to announce the expiration of eligibility in an appropriate way for the first time 12 months prior to this expiration date and repeatedly latest six months prior to this expiration date.

SECTION 15: TREATMENT OF OTHER PAYMENTS

(1) Payments for injustices suffered under National Socialism are supposed to benefit the persons eligible and not lead to a reduction of income received from the social security or health care system.

(2) Payments made earlier by enterprises in compensation for forced labor and other National Socialist injustices, even if made through third parties, shall be counted against payments under Section 9, Paragraph 1. Special arrangements within the framework of the International Commission on Holocaust Era Insurance Claims shall remain unaffected.
SECTION 16: EXCLUSIONS FROM CLAIMS

(1) Payments from public funds, including social security, and from German business enterprises for injustice suffered under National Socialism as defined in Section 11 may be claimed only under the terms of this Law. Any further claims in connection with National Socialist injustices are excluded. This applies also to cases in which claims have been transferred to third persons by operation of law, transition, or a legal transaction.

(2) Each claimant shall provide a statement within the framework of the application procedure irrevocably renouncing, without prejudice to Sentences 3 through 5, after receipt of a payment under this Law any further claim against the authorities for forced labor and property damage, all claims against German enterprises in connection with National Socialist injustice, and forced-labor claims against the Republic of Austria or Austrian enterprises. The renunciation becomes effective upon receipt of a payment under this Law. Accepting payments for personal damage under Section 11, Paragraph 1, Sentence 1, Number 1 or 2, or Sentence 2 or Sentence 5 shall not mean the renunciation of payments for insurance or other property damage in accordance with Section 11, Paragraph 1, Sentence 1, Number 3, or Sentence 4, and vice versa. Sentence 1 does not apply to claims arising from National Socialist injustice committed by foreign parent companies with headquarters outside the 1937 borders of the German Reich without having any connections with their German subsidiaries and the latter’s involvement in National Socialist injustice. Sentence 1 also does not apply to any claims to restitution of artworks, insofar as the applicant undertakes to pursue this claim in Germany or the country from which the artwork was taken. The renunciation also pertains to compensation of legal costs for the prosecution of the claim, insofar as Section 9, Paragraph 12, does not provide otherwise. The details of the procedure shall be determined by the by-laws.

(3) More extensive compensation arrangements and settlements of the consequences of war at the public expense shall not be prejudiced by the above.

SECTION 17: TRANSFER OF FUNDS

(1) The Foundation is to make funds available quarterly to the partner organizations according to their documented need as outlined in Section 9, Paragraphs 2 and 3. The utilization of funds will be appropriately monitored by the Foundation.

(2) The first allocation of funds to the Foundation requires as a precondition the entry into force of the German-American Intergovernmental Agreement Concerning the Foundation “Remembrance, Responsibility and Future,” and the establishment of adequate legal security for German enterprises. The German Bundestag shall determine whether these preconditions exist.
SECTION 18: REQUESTS FOR INFORMATION

(1) The Foundation and its partner organizations are authorized to receive information from agencies and other public bodies that is necessary for the fulfillment of their responsibilities. Information will not be provided if this would be contrary to specific official regulations on the use of the information, or when justifiable protection of the interests of the party concerned outweighs the general interest favoring disclosure.

(2) The information received may be used only for the purpose of carrying out the goals of the Foundation, and an applicant’s personal data may be used only for the grant procedure under Section 11. The use of these data for other purposes is admissible only with the express consent of the applicant.

(3) Applicants under this Law may request information from enterprises in Germany for which or for whose legal predecessors they performed forced labor, insofar as this is requisite for determining their eligibility for awards.

SECTION 19: APPEALS PROCESS

The partner organizations are to create appeals organs that are independent and subject to no outside instruction. The appeals process itself is to be free of charge. However, costs incurred by the applicant are not to be reimbursed.

SECTION 20: ENTRY INTO FORCE

This Law enters into force on the date after its promulgation. Section 14 in the version of the Law of August 4, 2001 shall enter into force at the latest as of August 11, 2001.
ANNEX 2

JOINT STATEMENT ON OCCASION OF THE FINAL PLENARY MEETING CONCLUDING INTERNATIONAL TALKS ON THE PREPARATION OF THE FOUNDATION “REMEMBRANCE, RESPONSIBILITY AND THE FUTURE”

The Governments of the Republic of Belarus, the Czech Republic, the State of Israel, the Republic of Poland, the Russian Federation and Ukraine,

the Governments of the Federal Republic of Germany and the United States of America,

The German companies that founded the initiative to establish a foundation, which have since been joined by thousands of other German companies, and

As further participants, the Conference on Jewish Material Claims Against Germany, Inc. and the undersigned attorneys,

Recalling the proposal presented to the Chancellor of the Federal Republic of Germany by German companies on February 16, 1999, to send, as the century draws to a close, “a conclusive humanitarian signal, out of a sense of moral responsibility, solidarity and self-respect.”

Acknowledging the intention of both the Government of the Federal Republic of Germany and German companies to accept moral and historical responsibility arising from the use of slave and forced laborers, from property damage suffered as a consequence of racial persecution and from other injustices of the National Socialist era and World War II,

Recalling with appreciation the December 17, 1999, statement of the President of the Federal Republic of Germany paying German-American Agreement tribute to those who were subjected to slave and forced labor under German rule, recognizing their suffering and the injustices done to them, and begging forgiveness in the name of the German people,

Affirming the consensus reached by all participants on December 17, 1999, at the 7th plenary meeting in Berlin on the establishment of the Foundation “Remembrance, Responsibility and Future,”

Understanding that the Foundation is a sign of solidarity with the victims living in Central and Eastern European states and also a means of providing funds for victims from Central and Eastern Europe, most of whom benefited little from prior German compensation and restitution programs,
Understanding that insofar as the sum of DM to billion to be made available by the German public sector and the German companies for the Foundation “Remembrance, Responsibility and Future” is concerned, that sum is both a ceiling and the final amount and that all payments made towards former National Socialist slave and forced laborers, for other personal injury, for damage to property and for the Future Fund envisaged as part of the Foundation, as well as other costs incurred in connection with the Foundation, shall be financed from this sum, from any contributions from others, and the interest thereon,

Understanding that additional contributions by others for use by the Foundation are welcomed,

Recognizing that the Foundation will provide dignified payments to hundreds of thousands of survivors and to others who suffered from wrongs during the National Socialist era and World War II,

Accepting the common objective that German companies (including parents and subsidiaries as defined in Annex A) receive all embracing and enduring legal peace,

Recognizing that it would be in the participants’ interests for the Foundation to be the exclusive remedy and forum for the resolution of all claims that have been or may be asserted against German companies arising out of the National Socialist era and World War II,

Recognizing that the establishment of the Foundation does not create a basis for claims against the Federal Republic of Germany or its nationals,

Declare as follows:

1. All participants welcome and support the Foundation “Remembrance, Responsibility and the Future” and declare their agreement with its elements, including the annexed distribution plan (Annex B). The interests of the former forced laborers, other victims and heirs have been duly taken into account. Based on the circumstances, all participants consider the overall result and the distribution of the Foundation funds to be fair to the victims and their heirs. The Foundation opens up the prospect of payment being made, even if, 55 years after the end of the war, the wrongdoer can no longer be traced or is no longer in existence. The Foundation is also a means of providing funds for forced laborers in addition to payments made by Germany so far.

2. Given the advanced age of the victims concerned, the primary humanitarian objective of the Foundation “Remembrance, Responsibility and Future” is to show results as soon as possible. All participants will work together with the Foundation in a cooperative, fair and non-bureaucratic manner to ensure that the payments reach the victims quickly.
3. Payments are to be made to applicants on behalf of the Foundation “Remembrance, Responsibility and Future” irrespective of their race, religion and nationality. Insofar as the participants themselves distribute funds, they will base their decisions on the criteria of eligibility set out in the German law establishing the Foundation and will act justly in this regard.

4. The participating Governments and other participants will proceed as follows:

a) The Government of the Federal Republic of Germany (“Germany”) and the German companies shall each contribute DM 5 billion to the Foundation “Remembrance, Responsibility and Future.”

b) Germany and the Government of the United States of America (“United States”) will sign an Executive Agreement. Such agreement contains the obligation undertaken by the United States to assist in achieving all — embracing and enduring legal peace for German companies.

c) The Governments of the participating Central and Eastern European States and Israel will implement the necessary specific measures within the framework of their national legal systems to achieve all — embracing and enduring legal peace.

d) Assuming the request for a transfer referred to in paragraph (e) is granted, the DM 5 billion contribution of German companies shall be due and payable to the Foundation and payments from the Foundation shall begin once all lawsuits against German companies arising out of the National Socialist era and World War II pending in U.S. courts including those listed in Annex C and D are finally dismissed with prejudice by the courts. The initial portion of the DM 5 billion German Government contribution will be made available to the Foundation by October 31, 2000. The remainder of the German Government contribution will be made available to the Federal Foundation by December 31, 2000. Contributions from the German Government will begin earning interest for the benefit of the Foundation immediately. The German Government may advance some of its contribution to the partner organizations for certain startup costs before the lawsuits are finally dismissed. The German companies will make available reasonable advanced funding to provide appropriate publicity of the upcoming availability of Foundation benefits. German company funds will continue to be collected on a schedule and in a manner that will ensure that the interest earned thereon before and after their delivery to the Foundation will reach at least 100 million DM.

e) Counsel for German company defendants and counsel for plaintiffs (each seeking to assemble at least a substantial majority of defendants’ and plaintiffs’ counsel respectively) have filed requests with the Multidistrict Litigation Panel seeking a transfer under appropriate conditions to a mutually agreeable federal judge of the federal district court cases listed in Annexes C and D, for the purpose of implementing the other steps in this Joint
Statement and in order to facilitate carrying out the objectives of the Executive Agreement by dismissing with prejudice the transferred cases and any later filed cases thereafter to be transferred as “tag-along” cases.

f) Germany will immediately establish a preparatory committee for the Foundation. The preparatory committee, after consulting with victims’ representatives, will provide the publicity envisaged in paragraph (d) prior to the formal establishment of the Foundation, and, in consultation with partner organizations, prepare for the collection of applications for payment by the partner organizations.

g) The counsel for the plaintiffs will file motions or stipulations to dismiss with prejudice all lawsuits they have filed currently pending in U.S. courts against German companies arising out of the National Socialist era and World War II, including those listed in Annex C. They will also cooperate in seeking dismissal with prejudice by the courts of all other such lawsuits, including those listed in Annex D.

h) Germany and the United States will bring into force the Executive Agreement and the United States will thereupon file the Statement of Interest as provided therein.

i) The German Government will encourage German companies to open their archives relating to the National Socialist era and World War II.

Done at Berlin on the seventeenth day of July of the year Two Thousand in a single original, copies of which will be made available to interested parties.

V. N. Gerassimovitch
For the Government of the Republic of Belarus

Jiří Šitler
For the Government of the Czech Republic

Benjamin Shalev
For the Government of the State of Israel

Jerzy Kranz
For the Government of the Republic of Poland

V. A. Kopteltsev
For the Government of the Russian Federation

Oleksandr Maidannyk
For the Government of Ukraine
Stuart E. Eizenstat  
For the Government of the United States of America  

Dr. Otto Graf Lambsdorff  
For the Government of the Federal Republic of Germany  

Dr. Manfred Gentz  
For the Foundation Initiative of German Enterprises  

Israel Miller  
Gideon Taylor  
For the Conference on Jewish Material Claims Against Germany, Inc.  

Lawrence Kill  
Linda Gerstel  
Lawrence Kill  
for Anderson, Kill & Olick, P.C.  

Stephen A. Whinston Edward W. Millstein  
Edward W. Millstein  
Stephen A. Whinston  
for Berger and Montague, P.C.  

Richard E. Shevitz  
Irwin B. Levin  
Richard E. Shevitz  
for Cohen & Malad, P.C.  

Michael D. Hausfeld  
for Cohen, Milstein, Hausfeld & Toll, P.L.L.C.  

Edward Fagan  
for Fagan & Associates  

Carey D'Avino  

Barry Fisher  
for Fleishman & Fisher  

Dennis Sheils  
Robert Swift  
for Kohn, Swift & Graf, P.C.
Morris A. Ratner
for Lieff, Cabraser, Heimann & Bernstein, L.L.P.

Martin Mendelsohn
for Verner, Liipfert, Bernhard, McPherson
and Hand

Deborah M. Sturman
Melvyn I. Weiss
for Milberg, Weiss, Bershad, Hynes & Lerach, L.L.P.

J. Dennis Faucher
for Miller, Faucher, Cafferty & Wexler, L.L.P.

Burt Neuborne
New York University School of Law

Myroslaw Smorodsky

Melvyn Urbach
Stanley M. Chesley
for Waite, Schneider, Bayles & Chesley

Michael Witti
ANNEX A

to the Joint Statement on occasion of the final plenary meeting concluding international talks on the preparation of the Federal Foundation “Remembrance, Responsibility and Future,” done at Berlin, 17 July 2000

Definition of “German companies”

“German companies” are defined as in Sections 12 and 16 of the legislation establishing the Foundation “Remembrance, Responsibility and Future,” as follows:

1. Enterprises that had their headquarters within the 1937 borders of the German Reich or that have their headquarters in the Federal Republic of Germany, as well as their parent companies, even when the latter had or have their headquarters abroad.

2. Enterprises situated outside the 1937 German-American Agreement borders of the German Reich in which during the period between January 30, 1933, and the entry into force of the legislation establishing the Foundation “Remembrance, Responsibility and the Future,” German enterprises as described in Sentence (1) had a direct or indirect financial participation of at least 25 percent.

3. “German companies” does not include foreign parent companies with headquarters outside the 1937 borders of the German Reich in any case in which the sole alleged claim arising from National Socialist injustice or World War II has no connection with the German affiliate and the latter’s involvement in National Socialist injustice, unless there is pending a discovery request by plaintiff(s), of which the United States is provided notice by the defendant with copy to plaintiff(s), seeking discovery from or concerning World War II or National Socialist era actions of the German affiliate.

ANNEX B


[This annex contains a Distribution Plan of the Foundation’s funds (Joint Chairmen’s Proposal) for the proposed partner organizations.]
ANNEX C

to the Joint Statement on occasion of the final plenary meeting concluding international talks on the preparation of the Federal Foundation “Remembrance, Responsibility and Future,”
done at Berlin, 17 July 2000

[This annex contains a list of known World War II and National Socialist era cases against German companies pending in U.S. courts filed by plaintiffs’ counsel participating in the negotiations.]

ANNEX D

To the Joint Statement on occasion of the final plenary meeting concluding international talks on the preparation of the Federal Foundation “Remembrance, Responsibility and Future,”
done at Berlin, 17 July 2000

[This annex contains a list of known World War II and National Socialist era cases against German companies pending in U.S. courts filed by plaintiffs’ counsel not participating in the negotiations.]

For the sake of brevity the full text of Annexes B–D to the Joint Statement are not included here. The complete document is on file with the EVZ Foundation.
ANNEX 3


The Government of the United States of America
and
the Government of the Federal Republic of Germany —

Intending to shape relations between their two States in a spirit of friendship and cooperation for the future and to successfully resolve issues stemming from the past,

Recognizing that the Federal Republic of Germany has, building on Allied legislation and in close consultation with victims’ associations and interested Governments, provided, in an unprecedented manner, comprehensive and extensive restitution and compensation to victims of National Socialist persecution,

Noting the historic announcement on February 16, 1999, made by the Federal Chancellor and German companies, in which the companies stated their intention to establish a foundation to compensate forced laborers and others who suffered at the hands of German companies during the National Socialist era and World War II,

Noting that, by means of the Foundation Initiative, its member companies wish to respond to the moral responsibility of German business arising from the use of forced laborers and from damage to property caused by persecution, and from all other wrongs suffered during the National Socialist era and World War II,

Recognizing as legitimate the interest German companies have in all-embracing and enduring legal peace in this matter, and further recognizing that such interest was fundamental to the establishment of the Foundation Initiative,

Noting that the two Governments announced that they welcomed and support the Foundation Initiative,

Noting that the Federal Republic of Germany and German companies have since agreed on the creation of a single Foundation, “Remembrance, Responsibility and Future” (the “Foundation”), formed under German federal law as an instrumentality of the Federal Republic of Germany and funded by contributions from the Federal Republic of Germany and the German companies,
Recognizing that German business, having contributed substantially to the Foundation, should not be asked or expected to contribute again, in court or elsewhere, for the use of forced laborers or for any wrongs asserted against German companies arising from the National Socialist era and World War II,

Recognizing that it is in the interest of both parties to have a resolution of these issues that is non-adversarial and non-confrontational, outside of litigation,

Recognizing that both parties desire all-embracing and enduring legal peace to advance their foreign policy interests,

Noting in this regard the June 16, 2000, letter of the Assistant to the President of the United States for National Security Affairs and the Counsel to the President of the United States and the July 5, 2000, letter of the Foreign Policy and Security Advisor of the Chancellor of the Federal Republic of Germany, copies of which have been made public,

Having worked as partners, in consultation with other interested parties and governments, to assist German companies to achieve wide support for the total amount of funds and the eligibility criteria of the Foundation and for the establishment of all-embracing and enduring legal peace,

Noting that the Foundation will assure broad coverage of victims and broad participation by companies which would not be possible through judicial proceedings,

Believing that the Foundation will provide as expeditious as possible a mechanism for making fair and speedy payments to now elderly victims,

Having in mind that the Foundation covers, and that it would be in the interests of both parties for the Foundation to be the exclusive remedy and forum for addressing, all claims that have been or may be asserted against German companies arising from the National Socialist era and World War II,

Recalling that for the last 55 years the parties have sought to work to address the consequences of the National Socialist era and World War II through political and governmental acts between the United States and the Federal Republic of Germany,

Noting that this Agreement and the establishment of the Foundation represent a fulfillment of these efforts,

Recognizing that the German Government has tabled a Bill before the German Federal Parliament (“Bundestag”) to establish the Foundation —
Have agreed as follows:

ARTICLE 1

(1) The parties agree that the Foundation “Remembrance, Responsibility and the Future” covers, and that it would be in their interests for the Foundation to be the exclusive remedy and forum for the resolution of, all claims that have been or may be asserted against German companies arising from the National Socialist era and World War II.

(2) The Federal Republic of Germany agrees to ensure that the Foundation shall provide appropriately extensive publicity concerning its existence, its objectives and the availability of funds.

(3) Annex A sets forth the principles that shall govern the operation of the Foundation. The Federal Republic of Germany assures that the Foundation will be subject to legal supervision by a German governmental authority; any person may request that the German governmental authority take measures to ensure compliance with the legal requirements of the Foundation.

(4) The Federal Republic of Germany agrees that insurance claims that come within the scope of the current claims handling procedures adopted by the International Commission of Holocaust Era Insurance Claims (“ICHEIC”) and are made against German insurance companies shall be processed by the companies and the German Insurance Association on the basis of such procedures and on the basis of additional claims handling procedures that may be agreed among the Foundation, ICHEIC, and the German Insurance Association.

ARTICLE 2

(1) The United States shall, in all cases in which the United States is notified that a claim described in article 1 (1) has been asserted in a court in the United States, inform its courts through a Statement of Interest, in accordance with Annex B, and, consistent therewith, as it otherwise considers appropriate, that it would be in the foreign policy interests of the United States for the Foundation to be the exclusive remedy and forum for resolving such claims asserted against German companies as defined in Annex C and that dismissal of such cases would be in its foreign policy interest.

(2) The United States, recognizing the importance of the objectives of this agreement, including all-embracing and enduring legal peace, shall, in a timely manner, use its best efforts, in a manner it considers appropriate, to achieve these objectives with state and local governments.
ARTICLE 3

(1) This agreement is intended to complement the creation of the Foundation and to foster all-embracing and enduring legal peace for German companies with respect to the National Socialist era and World War II.

(2) This agreement shall not affect unilateral decisions or bilateral or multilateral agreements that dealt with the consequences of the National Socialist era and World War II.

(3) The United States will not raise any reparations claims against the Federal Republic of Germany.

(4) The United States shall take appropriate steps to oppose any challenge to the sovereign immunity of the Federal Republic of Germany with respect to any claim that may be asserted against the Federal Republic of Germany concerning the consequences of the National Socialist era and World War II.

ARTICLE 4

Annexes A, B and C shall be an integral part of this Agreement.

ARTICLE 5

This Agreement shall enter into force on the date on which the parties agree by exchange of notes.

DONE at Berlin on the 17th day of July, 2000, in duplicate in the German and English languages, both texts being equally authentic.

For the Government of the
United States of America
John Kornblum

For the Government of the
Federal Republic of Germany
Wolfgang Ischinger
Principles Governing the Operation of the Foundation

Article 1, Paragraph 3 of the Agreement provides that the principles governing the operation of the Foundation will be set forth in Annex A. This Annex reflects key elements of the Foundation that form a basis for the Parties’ mutual commitments in the Agreement.

1. The Foundation legislation will state that the purpose of the Foundation is to make payments through partner organizations to those who suffered as private and public sector forced or slave laborers and those who suffered at the hands of German companies during the National Socialist era and to establish a “Remembrance and Future Fund” within the Foundation. It will state that the permanent task of the “Remembrance and Future Fund” is to support projects that (a) serve to promote understanding between nations, and serve social justice and international cooperation in the humanitarian sector; (b) support youth exchange programs and keep alive the memory of the Holocaust and the threat posed by totalitarian, unlawful regimes and tyranny; and (c) also benefit the heirs of those who have not survived.

2. The Foundation legislation will provide for a Board of Trustees that consists of an equal number of members appointed by the German Government and German companies and by other governments and victims’ representatives, except that the Chairman shall be a person of international stature appointed by the Chancellor of the Federal Republic of Germany. The Board may be reduced in size after four years, but the balance of the membership will continue, to the extent appropriate. The Board will adopt by-laws by a two-thirds majority vote. All Foundation operations will be transparent and by-laws and similar procedures will be made public.

3. The Foundation legislation will provide that the Foundation will be audited by the Federal Accounting Office and that all partner organizations will also be audited.

4. The Foundation legislation will provide that persons who were held in concentration camps as defined under the Federal Compensation Law (“BEG”) or in another place of confinement or ghetto under comparable conditions and were subject to forced labor (“slave laborers”) will be eligible to receive up to DM 15,000 each. The Foundation legislation will also provide that persons who were deported from their homelands into the territory of the 1937 borders of the German Reich or to a German-occupied area, and were held in prison-like or extremely harsh living conditions (“forced laborers”) not covered by the above definition
will be eligible to receive up to DM 5,000 each. In addition, from the allocated funds to make payments to forced laborers, partner organizations will be authorized to make payments to others who were forced to work during the National Socialist era. These other forced laborers will receive up to DM 5,000 each. The eligibility of all laborers covered by the Foundation will be limited to survivors and heirs, as defined under paragraph 8, of those who died after February 15, 1999. In addition, victims of “other non-labor personal injury wrongs,” including, but not limited to, medical experimentation and Kinderheim cases, will be eligible to receive payments, within the limits of the amount allocated for that purpose. Victims of medical experimentation and Kinderheim cases are given priority over other non-labor personal injury wrongs. The eligibility of a victim to receive benefits for all “other non-labor personal injury wrongs” will not be affected by whether or not he or she also receives benefits for forced labor. The funds allocated for “other non-labor personal injury wrongs” will constitute a separate allocation. The partner organizations will receive, review, and process applications for payments from the amount allocated for “other personal injury.” At the request of a partner organization, the property committee referred to in paragraph 11 will appoint an independent arbitrator to review and process applications to the particular partner organization. The amount allocated will be distributed to each partner organization so that each approved applicant is provided a pro-rata amount of the total amount for all approved “other personal injury” applicants. The decisions of the partner organizations and any arbitrator that may be appointed will be based on uniform standards approved by the Board of Trustees. The Foundation legislation will provide that any costs associated with reviewing and processing applications, including those associated with an arbitrator (if selected), will be drawn from the allocations for each partner organization. Excess amounts in the labor category allocated to any partner organization under the distribution plan annexed to the Joint Statement will be reallocated to labor, with the aim of reaching equal levels of payments to former slave and forced laborers wherever they reside. The Board of Trustees will be entitled to authorize payments above per capita ceilings should circumstances warrant.

5. The Foundation legislation will provide that a slave or forced laborer will not be able to receive payments for the same injury or wrong from both the Foundation and the Austrian Foundation for Reconciliation, Peace and Cooperation.

6. The Foundation legislation will provide that persons who suffered loss of or damage to property during the National Socialist era as a result of racial persecution directly caused by German companies are eligible to recover under the payment system set forth in paragraph 11. The eligibility of such persons will be limited to those who could not receive any payment under the BEG or Federal Restitution Law (“BRueckG”) because they did not meet the residency requirement or could not file their claims by the deadline because they lived under a government with which the Federal Republic of Germany did not have diplomatic relations, those whose claims were rejected under the BEG or BRueckG where legal proof became available only after the reunification of the Federal Republic of Germany, provided the claims were not covered by post-reunification restitution or compensation
legislation, and those whose racially-motivated property claims concerning moveable property were denied or would have been denied under the BEG or BRueckG because the claimant, while able to prove a German company was responsible for seizing or confiscating property, was not able to prove that the property was transferred into then-West Germany (as required by law) or, in the case of bank accounts, that compensation was or would have been denied because the sum was no longer identifiable, where either (a) the claimant can now prove the property was transferred into then-West Germany or (b) the location of property is unknown.

7. The Foundation legislation, by making available the amount of 50 million DM, will provide a potential remedy for all non-racially motivated wrongs of German companies directly resulting in loss of or damage to property during the National Socialist era. The Foundation will refer such matters for review and processing to the committee referred to in paragraph 11. All funds allocated to payment for property matters will be distributed within those categories.

8. The Foundation legislation will provide that the heirs eligible to receive payments under paragraphs 6 and 7 consist of the spouse or children. In the absence of the victim, spouse and children, then payments under these paragraphs will be available to grandchildren, if alive; if not, to siblings, if alive; and if there are neither grandchildren nor siblings, to the individual beneficiary named in a will.

9. The Foundation legislation will provide that all eligibility decisions will be based on relaxed standards of proof.

10. The Foundation legislation will provide that legal persons will be allowed to make claims on behalf of individuals when those individuals have given powers of attorney. The Foundation legislation will also provide that where an identifiable religious community has suffered damage to or loss of community property, as distinct from individual property, resulting directly from the wrongs of a German company, a duly authorized legal successor may apply for payment to the committee referred to in paragraph 11.

11. The Foundation legislation will establish a three-member committee for property matters (paragraphs 6 and 7). The United States and the Federal Republic of Germany will each appoint one member; these two members will appoint a Chairman. A secretariat will be largely responsible for the initial review of applications. The Foundation legislation will require the Committee to establish simplified procedures, including simplified and expedited internal appeals. The Committee will not have the authority to reopen any case that has been finally decided by a German court or administrative body, or that could have been decided by application in time, except as specified in paragraph 6. All of the Committee’s expenses will be funded from the amount allocated for property claims and the funds will be subject to audit.
12. The Foundation legislation will provide that the Committee referred to in paragraph 11 will distribute the funds allocated to it on a pro-rata basis.

13. The Foundation legislation will make clear that receipt of payment from Foundation funds will not affect the recipient’s eligibility for social security or other public benefits. There will be offsets for prior compensation payments made by German companies for forced labor and other National Socialist era injustices, even if made through third parties, but there will be no offsets for any prior Government payments.

14. The Foundation legislation will provide that each applicant for a Foundation payment will be required to state that, upon receipt of a payment from the Foundation, he or she will waive any and all alleged National Socialist era claims against German companies and all National Socialist era labor and property damage claims against the German Government. Such a waiver will not preclude applicants from being eligible to receive payments under the Foundation legislation for other wrongs, for example other personal injuries or loss of property, or any combination thereof. Such a waiver also will not preclude an applicant from bringing an action against a specific German entity (i.e., Government agency or company) for the return of a specifically identified piece of art if the action is filed in the Federal Republic of Germany or in the country in which the art was taken, provided that the applicant is precluded from seeking any relief beyond or other than the return of the specifically identified piece of art.

15. The Foundation legislation will provide that each partner organization will create an internal appeals procedure.

16. The Foundation legislation will require that the Foundation provide appropriately extensive publicity concerning the benefits that the Foundation will offer and how to apply. The Board of Trustees, in consultation with the partner organizations, will determine the form and content of such publicity.

17. The Foundation legislation will allow applications to be made to the partner organizations for at least eight months after the enactment of the Foundation law.

18. The Foundation legislation will authorize the Foundation and its partner organizations to receive information from German Government agencies and other public bodies that is necessary for the fulfillment of their responsibilities, in so far as this is not contrary to particular statutes or regulations or the legitimate interests of the persons concerned.

19. The Foundation legislation will enter into force no later than when the funds of the Foundation are made available to it.
ANNEX B


Elements of U.S. Government Statement of Interest

Pursuant to Article 2, Paragraph 1, the United States will timely file a Statement of Interest and accompanying formal foreign policy statement of the Secretary of State and Declaration of Deputy Treasury Secretary Stuart E. Eizenstat in all pending and future cases, regardless of whether the plaintiff(s) consent(s) to dismissal, in which the United States is notified that a claim has been asserted against German companies arising from the National Socialist era and World War II.

The Statement of Interest will make the following points:

1. As indicated by his letter of December 13, 1999, the President of the United States has concluded that it would be in the foreign policy interests of the United States for the Foundation to be the exclusive forum and remedy for the resolution of all asserted claims against German companies arising from their involvement in the National Socialist era and World War II, including without limitation those relating to slave and forced labor, aryanization, medical experimentation, children’s homes/Kinderheim, other cases of personal injury, and damage to or loss of property, including banking assets and insurance policies.

2. Accordingly, the United States believes that all asserted claims should be pursued (or in the event Foundation funds have been exhausted, should timely have been pursued) through the Foundation instead of the courts.

3. As the President said in his letter of December 13, 1999, dismissal of the lawsuit, which touches on the foreign policy interests of the United States, would be in the foreign policy interests of the United States. The United States will recommend dismissal on any valid legal ground (which, under the U.S. system of jurisprudence, will be for the U.S. courts to determine). The United States will explain that, in the context of the Foundation, it is in the enduring and high interest of the United States to support efforts to achieve dismissal of all National Socialist and World War II era cases against German companies. The United States will explain fully its foreign policy interests in achieving dismissal, as set forth below.

4. The United States’ interests include the interest in a fair and prompt resolution of the issues involved in these lawsuits to bring some measure of justice to the victims of the National Socialist era and World War II in their lifetimes; the interest in the furtherance of the close
cooperation this country has with our important European ally and economic partner, Germany; the interest in maintaining good relations with Israel and other Western, Central, and Eastern European nations, from which many of those who suffered during the National Socialist era and World War II come; and the interest in achieving legal peace for asserted claims against German companies arising from their involvement in the National Socialist era and World War II.

5. The Foundation is a fulfillment of a half-century effort to complete the task of bringing justice to victims of the Holocaust and victims of National Socialist persecution. It complements significant prior German compensation, restitution, and pension programs for acts arising out of the National Socialist era and World War II. For the last 55 years, the United States has sought to work with Germany to address the consequences of the National Socialist era and World War II through political and governmental acts between the United States and Germany.

6. The participation in the Foundation not only by the German Government and German companies that existed during the National Socialist era, but also by German companies that did not exist during the National Socialist era, allows comprehensive coverage of slave and forced laborers and other victims.

7. Plaintiffs in these cases face numerous legal hurdles, including, without limitation, justiciability, international comity, statutes of limitation, jurisdictional issues, forum non conveniens, difficulties of proof, and certification of a class of heirs. The United States takes no position here on the merits of the legal claims or arguments advanced by plaintiffs or defendants. The United States does not suggest that its policy interests concerning the Foundation in themselves provide an independent legal basis for dismissal, but will reinforce the point that U.S. policy interests favor dismissal on any valid legal ground.

8. The Foundation is fair and equitable, based on: (a) the advancing age of the plaintiffs, their need for a speedy, non-bureaucratic resolution, and the desirability of expending available funds on victims rather than litigation; (b) the Foundation’s level of funding, allocation of its funds, payment system, and eligibility criteria; (c) the difficult legal hurdles faced by plaintiffs and the uncertainty of their litigation prospects; and (d) in light of the particular difficulties presented by the asserted claims of heirs, the programs to benefit heirs and others in the Future Fund.

9. The structure and operation of the Foundation will assure (or has assured) swift, impartial, dignified, and enforceable payments; appropriately extensive publicity has been given concerning its existence, its objectives, and the availability of funds; and the Foundation’s operation is open and accountable.
ANNEX C


Definition of “German Companies”

“German companies”, as used in Article 1, Paragraph 1 and Article 2, Paragraph 1, are defined as in Sections 12 and 16 of the legislation establishing the Foundation “Remembrance, Responsibility and Future,” as follows:

1. Enterprises that had their headquarters within the 1937 borders of the German Reich or that have their headquarters in the Federal Republic of Germany, as well as their parent companies, even when the latter had or have their headquarters abroad.

2. Enterprises situated outside the 1937 borders of the German Reich in which during the period between January 30, 1933, and the entry into force of the legislation establishing the Foundation “Remembrance, Responsibility and Future,” German enterprises as described in Sentence (1) had a direct or indirect financial participation of at least 25 percent.

3. “German companies” does not include foreign parent companies with head-quarters outside the 1937 borders of the German Reich in any case in which the sole alleged claim arising from National Socialist injustice or World War II has no connection with the German affiliate and the latter’s involvement in National Socialist injustice, unless there is pending a discovery request by plaintiff(s), of which the United States is provided notice by the defendant with copy to plaintiff(s), seeking discovery from or concerning World War II or National Socialist era actions of the German affiliate.
ANNEX 4

STATUTES FOR THE FOUNDATION “REMEMBRANCE, RESPONSIBILITY AND FUTURE”

In accordance with Section 7 of the Law on the Creation of a Foundation, “Remembrance, Responsibility and Future”, German Federal Law Gazette I of 2 August 2000, p. 1263, hereinafter called Foundation Law, the Foundation “Remembrance, Responsibility and Future” draws up for itself the following Statutes (last amended on 28 June 2012):

SECTION 1

Name, legal form, head office

In accordance with Section 1 of the Foundation Law, the Foundation “Remembrance, Responsibility and Future” is a foundation with legal capacity under public law with its head office in Berlin.

SECTION 2

Purpose of the Foundation

The purpose of the Foundation arises from Section 2 of the Foundation Law. In realizing the purpose of the Foundation, the Foundation will work to support the implementation and maintenance of the objectives of the Joint Statement of 17 July 2000 on occasion of the final plenary session of the preparatory committee for the establishment of the Foundation “Remembrance, Responsibility and Future”.

SECTION 3

Foundation assets

The Foundation will receive foundation resources of five billion deutschmarks each from the institutions named in Section 3 (2) of the Foundation Law. The Foundation assets can be increased by contributions from third parties (Section 3 (4) Sentences 1 and 2 of the Foundation Law). Any resources that are not used must be safely and profitably invested by the Foundation. The Foundation must render accounts about this.
The assets of the “Remembrance and Future” Fund must be kept separately from the assets of the Foundation and be invested in accordance with paragraph 1 of this section. Sponsored projects, which serve to fulfil the tasks assigned to the Fund in accordance with Section 2 (2) of the Foundation Law, must only be financed from the income from these resources. Section 9 (7) Sentence 2 of the Foundation Law remains unaffected. The Foundation strives to preserve the real value of its assets (adjustment for inflation). The original capital of the Foundation shall remain untouched in all cases.

SECTION 4

Organs of the Foundation

In accordance with Section 4 of the Foundation Law, organs of the Foundation are:

- the Board of Trustees and
- the Board of Management.

On assuming their office, the members of the Foundation Board of Trustees and Board of Management undertake to fulfil the intention of the donors, as expressed in the Foundation Law and in these Statutes, to the best of their knowledge and belief and to do everything to promote the interests of the Foundation and to omit any action which could damage the Foundation. They watch over the thrifty and economical use of resources. They undertake to maintain the confidentiality of personal data to which they become privy as part of their Foundation work.

SECTION 5

The Board of Trustees

1. Subject to a decision in accordance with Section 5 (1) Sentence 4 of the Foundation Law, the Board of Trustees consists of the 27 members named in Section 5 (1) Nos. 1–18 of the Foundation Law. The Federal Chancellor may name a deputy for the chairman of the Board of Trustees.

2. The period in office of the members of the Board of Trustees is four years. They may be reappointed. If a member retires before the end of his term of office, a successor may be appointed. The members of the Board of Trustees may be recalled by the institution sending them at any time.

3. The Board of Trustees will draw up standing orders for itself.
SECTION 6

Rights, duties and tasks of the Board of Trustees

1. The Board of Trustees decides on all fundamental questions which are part of the responsibilities of the Foundation; in particular, the Board of Trustees is exclusively responsible for the following tasks:

- issuing guidelines on the use of Foundation resources in accordance with Section 5 (7) of the Foundation Law and putting into concrete terms the provisions contained in Section 9 of the Foundation Law. The Board of Trustees may change the guidelines as necessary by a majority of its members;

- deciding on the basis of the legal definition of Section 12 (1) of the Foundation Law on the recognition of “another place of liability” within the meaning of Section 11 (1) No. 1 of the Foundation Law and also the agreement of the sub-categories to be determined by the partner organisations in accordance with Section 9 (8) of the Foundation Law. The Board of Trustees will make a decision after hearing arguments from the partner organisation concerned;

- appointment of the members of the Foundation Board of Management for a period of up to four years each; re-appointment is permitted; the members of the Board of Management may be dismissed by the Board of Trustees at any time for cause.

- monitoring the activities of the Foundation Board of Management. For this purpose the Board of Trustees in the person of its chairman can at any time demand information about the activities of the Foundation Board of Management and access to all business documents. The Board of Trustees can also instruct one or several members to undertake this task;

- approving the budget drawn up by the Board of Management and the annual accounts, as well as discharging the Foundation Board of Management;

- approving the remuneration of the members of the Board of Management on the basis of the remuneration system under public law and conclusion of the corresponding employment contracts.

- the naming of a person as arbitrator in accordance with Section 9 (12) of the Foundation Law.

2. The Board of Trustees shall take decisions concerning focus areas and funding programmes based on proposals submitted by the Board of Directors. A corresponding financing volume shall be approved for each funding programme.
3. Based on proposals submitted by the Board of Directors, the Board of Trustees shall take decisions on project applications for funding of more than EUR 100,000 or applications for projects whose project executing agencies are either members of the Board of Trustees or organisations associated with members of the Board. If a member of the Board of Trustees or his/her delegating institution is participating in the implementation of a project, this member shall not be entitled to vote in the respective decision-making process.

4. On the basis of a majority decision, the Board of Trustees can request the Board of Directors to re-examine applications which the Board of Trustees has rejected and to re-submit these for decision-making.

5. The Foundation reimburses the necessary expenses of the members of the Board of Trustees who exercise their right to vote, acting on an honorary basis.

SECTION 7

Foundation Board of Management

1. In accordance with Section 6 (1) Sentence 1 of the Foundation Law, the Foundation Board of Management consists of one chairman as well as two further board members.

The chairman of the Board of Management issues invitations to attend meetings of the Board of Management. He is obliged to do this if a member of the Board of Management makes such a demand in writing.

The Board of Management is quorate if two board members participate in the vote following proper invitation. The Board of Management adopts its resolutions by a majority of the votes cast.

Resolutions of the Foundation Board of Management may also be adopted in written or telexed procedures if all the members of the Foundation Board of Management agree to this in writing or by telex or if a decision by the Foundation Board of Management cannot be achieved in any other way. In this respect, the members of the Foundation Board of Management must ensure their ability to act through the relevant technical facilities.

2. Minutes must be kept of the resolutions adopted by the Foundation Board of Management, to be signed by the chairman of the meeting and the secretary to be appointed on each occasion, and sent to the chairman of the Board of Trustees who will inform members of the Board of Trustees about important decisions.

3. The Board of Management can draw up standing orders for itself which require approval by the Board of Trustees.
SECTION 8

Rights, duties and tasks of the Foundation Board of Management

1. In accordance with Section 6 (3) Sentence 4 of the Foundation Law, the Foundation Board of Management represents the Foundation in legal and non-legal matters. Two members respectively of the Foundation Board of Management jointly represent the Foundation. Each member of the Foundation Board of Management may be represented by another member, multiple representation is not permitted.

2. The Board of Management administers the Foundation and conducts its business in accordance with the purpose of the Foundation as expressed in the Foundation Law as well as with these Statutes and the resolutions of the Board of Trustees. In this context it is also responsible implementing the resolutions of the Board of Trustees as well as dealing with the tasks transferred to it by the Board of Trustees.

The Foundation Board of Management is responsible in particular for:

- the management of the ongoing business of the Foundation in accordance with Section 6 (3) Sentence 1 of the Foundation Law, in which it is responsible for the preparation and conclusion of all legal transactions binding on the Foundation;

- the preparation of the resolutions of the Board of Trustees;

- conclusion of contracts with the partner organisations

- conclusion and settlement of the contract with ICHEIC with the inclusion of the insurance service

- monitoring the economical use of Foundation resources in accordance with their intended purpose by the partner organisations, particularly adherence to the stipulations of the Foundation Law as well as of contracts concluded with the partner organisations;

- regular reports to the Board of Trustees about control of the implementation of contracts concluded with partner organisations;

- the management and administration of the “Remembrance and Future” Fund set up within the Foundation as well as the use of its resources in accordance with the statutes;

- drawing up the annual budget and the annual accounts (management report) as well as seeking the approval of the Federal Finance Ministry in accordance with Section 8 (2) Sentence 2 of the Foundation Law.
3. For the purpose of strengthening the capital assets of the Foundation and also for cofinancing individual programmes and projects, the Foundation seeks to mobilise further endowments and grants.

4. Within the framework of the statutory Purpose of the Foundation (Section 2, Para. 2 of the Law on the Creation of a Foundation “Remembrance Responsibility and Future”) and the Central Themes adopted by the Board of Trustees on 20 January 2005, the Board of Directors shall develop focus areas and funding programmes and submit these to the Board of Trustees for approval. The objectives, criteria and procedures for the selection and configuration of the individual projects shall be determined within the funding programmes. The funding programmes shall be publicly announced.

5. Board of Directors is authorised to decide on applications for funding of up to EUR 100,000 for projects whose project executing agencies are neither members of the Board of Trustees nor organisations associated with members of the Board. Should the Board of Directors take a decision on its own responsibility outside the funding programmes, a maximum amount of 15% of the annual approvals volume shall not be exceeded. In cases of exception, individual projects may be supported within the framework of the focus areas in addition to the publicly announced funding programmes. This applies in particular to pilot projects implemented in preparation for new funding programmes.

6. The Board of Directors shall report to the Board of Trustees at the meetings of the Board of Trustees, in which it participates in an advisory capacity, and at least every six months on the development of the funding programmes and their evaluation, as well as on the financial situation of the Foundation. The Board of Directors shall inform the Board of Trustees of approved and rejected applications in tabular form.

7. In administering the Foundation, the Board of Management can employ suitable staff for support as it deems fit and as permitted by the budget; it can grant them authorities as part of their respectively allocated tasks.

SECTION 9

Foundation partners

As further institutions in the area of responsibility covered by the Foundation,

1. seven partner organisations and appeal bodies to be set up by them
2. a Commission for economic loss and damage to health
3. the International Commission of Holocaust Era Insurance Claims (ICHEIC)
will assume functions assigned to them by the Foundation Law and relevant contracts. They are not organs of the Foundation, which will work together with them to fulfil the purpose of the Foundation and which will seek to achieve the thrifty and economical use of resources.

SECTION 10

Budget and annual accounts

The Board of Management must draw up a budget at least three months before the start of each financial year and present it to the Board of Trustees for approval. The budget approved by the Board of Trustees requires approval by the Federal Finance Ministry.

The Foundation is subject to audit by the Federal Audit Office (Section 80 ff. in connection with Section 105 Federal Budget Code (Bundeshaushaltsordnung)). Regardless of this, the accounting, budgeting and administration of the Foundation will be audited by the Federal Office for Central Services and Unresolved Property Issues. The auditing authorities are entitled to request and inspect all relevant documents for budgeting and administration. The Board of Trustees will be informed of the findings of the auditing authorities. After notification of the members of the Board of Trustees, the Board of Management can request, in accordance with Sentence 6, to be discharged by the Board of Trustees in respect of its activities for the year ended.

The budgetary year is the calendar year.

SECTION 11

Amendment of the Statutes

The Board of Trustees can amend the Statutes with a two thirds majority in accordance with Section 7 (3) of the Foundation Law.

SECTION 12

Entry into force and publication

The Statutes or amendments thereto enter into force on resolution of the Board of Trustees.

The Statutes or amendments thereto are published in the Federal Gazette.
ANNEX 5
OVERALL FUNDING FOR THE COMPENSATION PROGRAM FOR FORCED LABOR

<table>
<thead>
<tr>
<th>Forced Labor Compensation Program Funds</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Total assets</td>
<td>5,585 million Euros</td>
<td></td>
</tr>
<tr>
<td>of which</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Compensation programs (all program lines)</td>
<td>5,227 million Euros</td>
<td></td>
</tr>
<tr>
<td>“Remembrance and Future Fund”</td>
<td>358 million Euros</td>
<td></td>
</tr>
</tbody>
</table>

Table A-1: Overall funding for the compensation program for forced labor. Note: In addition to the amounts allocated by the Foundation Law, these numbers include additional income from accrued interest and donations received during the course of the program.

ANNEX 6
PAYMENTS BY PARTNER ORGANIZATIONS TO BENEFICIARIES

<table>
<thead>
<tr>
<th>Partner Organization</th>
<th>Number of Recipients</th>
<th>Total Payment (Million Euros)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Belarus</td>
<td></td>
<td></td>
</tr>
<tr>
<td>including – Belarus</td>
<td></td>
<td></td>
</tr>
<tr>
<td>– Estonia</td>
<td>129,485</td>
<td>345</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>75,769</td>
<td>208</td>
</tr>
<tr>
<td>IOM</td>
<td>88,784</td>
<td>376</td>
</tr>
<tr>
<td>JCC</td>
<td>158,097</td>
<td>1,148</td>
</tr>
<tr>
<td>Poland</td>
<td>483,287</td>
<td>974</td>
</tr>
<tr>
<td>Russia</td>
<td>252,543</td>
<td>421</td>
</tr>
<tr>
<td>including – Russia</td>
<td></td>
<td></td>
</tr>
<tr>
<td>– Latvia</td>
<td></td>
<td></td>
</tr>
<tr>
<td>– Lithuania</td>
<td></td>
<td></td>
</tr>
<tr>
<td>– CIS States</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ukraine</td>
<td>471,167</td>
<td>866</td>
</tr>
<tr>
<td>All partner organizations</td>
<td>1,659,132</td>
<td>4,338</td>
</tr>
</tbody>
</table>

Table A-2: Total payments by partner organizations to beneficiaries. Note: Euro amounts are rounded and exclude administration and leftover funds (for total funds of partner organizations see Chapter 3, Table 2).
### ANNEX 7

**NUMBER OF RECIPIENTS OF FORCED LABOR COMPENSATIONS BY COUNTRY (INCLUDING PAYMENTS TO LEGAL SUCCESSORS)**

<table>
<thead>
<tr>
<th>Country or region</th>
<th>Number of recipients</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abkhazia (Georgia)</td>
<td>7</td>
</tr>
<tr>
<td>Adjara (Georgia)</td>
<td>1</td>
</tr>
<tr>
<td>Albania</td>
<td>247</td>
</tr>
<tr>
<td>Algeria</td>
<td>4</td>
</tr>
<tr>
<td>Argentina</td>
<td>814</td>
</tr>
<tr>
<td>Armenia</td>
<td>116</td>
</tr>
<tr>
<td>Aruba (The Netherlands)</td>
<td>2</td>
</tr>
<tr>
<td>Australia</td>
<td>12,044</td>
</tr>
<tr>
<td>Austria</td>
<td>1,050</td>
</tr>
<tr>
<td>Azerbaijan</td>
<td>110</td>
</tr>
<tr>
<td>Bahamas</td>
<td>1</td>
</tr>
<tr>
<td>Belarus</td>
<td>119,699</td>
</tr>
<tr>
<td>Belgium</td>
<td>3,893</td>
</tr>
<tr>
<td>Bolivia</td>
<td>19</td>
</tr>
<tr>
<td>Bosnia and Herzegovina</td>
<td>3,879</td>
</tr>
<tr>
<td>Brazil</td>
<td>1,309</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>426</td>
</tr>
<tr>
<td>Canada</td>
<td>14,481</td>
</tr>
<tr>
<td>Chagos Islands (United Kingdom)</td>
<td>1</td>
</tr>
<tr>
<td>Chile</td>
<td>141</td>
</tr>
<tr>
<td>China</td>
<td>2</td>
</tr>
<tr>
<td>Colombia</td>
<td>32</td>
</tr>
<tr>
<td>Costa Rica</td>
<td>26</td>
</tr>
<tr>
<td>Croatia</td>
<td>2,659</td>
</tr>
<tr>
<td>Cuba</td>
<td>2</td>
</tr>
<tr>
<td>Cyprus</td>
<td>3</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>75,804</td>
</tr>
<tr>
<td>Denmark</td>
<td>986</td>
</tr>
<tr>
<td>Dominican Republic</td>
<td>2</td>
</tr>
<tr>
<td>Ecuador</td>
<td>20</td>
</tr>
<tr>
<td>Estonia</td>
<td>9,295</td>
</tr>
<tr>
<td>Faroe Islands (Denmark)</td>
<td>1</td>
</tr>
<tr>
<td>French Polynesia (France)</td>
<td>1</td>
</tr>
<tr>
<td>Georgia</td>
<td>344</td>
</tr>
<tr>
<td>Germany</td>
<td>9,763</td>
</tr>
<tr>
<td>Greece</td>
<td>1,998</td>
</tr>
<tr>
<td>Guatemala</td>
<td>8</td>
</tr>
<tr>
<td>Hungary</td>
<td>15,040</td>
</tr>
<tr>
<td>India</td>
<td>1</td>
</tr>
<tr>
<td>Iceland</td>
<td>1</td>
</tr>
<tr>
<td>Indonesia</td>
<td>2</td>
</tr>
<tr>
<td>Ireland</td>
<td>9</td>
</tr>
<tr>
<td>Israel</td>
<td>78,744</td>
</tr>
<tr>
<td>Italy</td>
<td>3,395</td>
</tr>
<tr>
<td>Ivory Coast</td>
<td>2</td>
</tr>
<tr>
<td>Japan</td>
<td>3</td>
</tr>
<tr>
<td>Kazakhstan</td>
<td>3,653</td>
</tr>
<tr>
<td>Country or region</td>
<td>Number of recipients</td>
</tr>
<tr>
<td>-----------------------------------</td>
<td>----------------------</td>
</tr>
<tr>
<td>Kyrgyzstan</td>
<td>345</td>
</tr>
<tr>
<td>Latvia</td>
<td>13,340</td>
</tr>
<tr>
<td>Lebanon</td>
<td>1</td>
</tr>
<tr>
<td>Lithuania</td>
<td>13,340</td>
</tr>
<tr>
<td>Luxembourg</td>
<td>149</td>
</tr>
<tr>
<td>Macedonia</td>
<td>37</td>
</tr>
<tr>
<td>Malaysia</td>
<td>1</td>
</tr>
<tr>
<td>Malta</td>
<td>1</td>
</tr>
<tr>
<td>Mexico</td>
<td>70</td>
</tr>
<tr>
<td>Moldavia</td>
<td>1,665</td>
</tr>
<tr>
<td>Monaco</td>
<td>5</td>
</tr>
<tr>
<td>Morocco</td>
<td>5</td>
</tr>
<tr>
<td>Nepal</td>
<td>1</td>
</tr>
<tr>
<td>The Netherlands</td>
<td>4,500</td>
</tr>
<tr>
<td>Netherlands Antilles (The Netherlands)</td>
<td>1</td>
</tr>
<tr>
<td>New Caledonia (France)</td>
<td>1</td>
</tr>
<tr>
<td>New Zealand</td>
<td>171</td>
</tr>
<tr>
<td>Norway</td>
<td>1,366</td>
</tr>
<tr>
<td>Pakistan</td>
<td>1</td>
</tr>
<tr>
<td>Panama</td>
<td>3</td>
</tr>
<tr>
<td>Paraguay</td>
<td>10</td>
</tr>
<tr>
<td>Peru</td>
<td>32</td>
</tr>
<tr>
<td>Philippines</td>
<td>2</td>
</tr>
<tr>
<td>Poland</td>
<td>484,025</td>
</tr>
<tr>
<td>Portugal</td>
<td>7</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Country or region</th>
<th>Number of recipients</th>
</tr>
</thead>
<tbody>
<tr>
<td>Puerto Rico (United States of America)</td>
<td>1</td>
</tr>
<tr>
<td>Romania</td>
<td>6,299</td>
</tr>
<tr>
<td>Russia</td>
<td>227,685</td>
</tr>
<tr>
<td>Serbia and Montenegro</td>
<td>8,604</td>
</tr>
<tr>
<td>Slovakia</td>
<td>1,557</td>
</tr>
<tr>
<td>Slovenia</td>
<td>10,852</td>
</tr>
<tr>
<td>South Africa</td>
<td>130</td>
</tr>
<tr>
<td>Spain</td>
<td>147</td>
</tr>
<tr>
<td>Sweden</td>
<td>1,993</td>
</tr>
<tr>
<td>Switzerland</td>
<td>384</td>
</tr>
<tr>
<td>Tajikistan</td>
<td>40</td>
</tr>
<tr>
<td>Thailand</td>
<td>1</td>
</tr>
<tr>
<td>Tunisia</td>
<td>12</td>
</tr>
<tr>
<td>Turkey</td>
<td>19</td>
</tr>
<tr>
<td>Turkmenistan</td>
<td>64</td>
</tr>
<tr>
<td>Ukraine</td>
<td>465,672</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>3,633</td>
</tr>
<tr>
<td>United States of America</td>
<td>48,804</td>
</tr>
<tr>
<td>Uruguay</td>
<td>149</td>
</tr>
<tr>
<td>Uzbekistan</td>
<td>658</td>
</tr>
<tr>
<td>Venezuela</td>
<td>240</td>
</tr>
<tr>
<td>Vietnam</td>
<td>1</td>
</tr>
<tr>
<td>Zambia</td>
<td>2</td>
</tr>
<tr>
<td>Zimbabwe</td>
<td>4</td>
</tr>
<tr>
<td>Information not available</td>
<td>615</td>
</tr>
</tbody>
</table>

Total 1,665,690

Table A-3: Number of recipients by country. Note: The data for this table is based on information available on 31 December 2006. The official number of recipients of the program is 1,659,132.
ANNEX 8

EXAMPLE OF CLAIM FORM AND GUIDELINES FOR CLAIMANTS, PROVIDED BY IOM.

<table>
<thead>
<tr>
<th>INTERNATIONAL ORGANIZATION FOR MIGRATION (IOM)</th>
</tr>
</thead>
<tbody>
<tr>
<td>CLAIM FORM FOR SLAVE LABOUR, FORCED LABOUR, PERSONAL INJURY OR DEATH OF A CHILD</td>
</tr>
<tr>
<td>Please read the attached guidelines carefully before you begin. This IOM claim form is for claimants who are not Jewish and who do not live in one of the following countries: the Czech Republic, Poland, the Russian Federation or a country that was a republic of the former Soviet Union. Type or neatly print all requested information in black or blue ink. Attach photocopies, not originals, of any requested documents. Please submit to the IOM one original and one copy of the claim form and two copies of all attached documents.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CLAIMANT'S PERSONAL INFORMATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Claimant's Last Name</td>
</tr>
<tr>
<td>3. Claimant's Maiden Name, if applicable</td>
</tr>
</tbody>
</table>

Other names used by claimant during the Nazi era, if applicable

<table>
<thead>
<tr>
<th>6. Last Name</th>
<th>9. First Names</th>
</tr>
</thead>
</table>

10. Date(s) of birth Enter any birth date used during the Nazi era

| Year | Month | Day |

11. City of birth as known at that time

12. Country of birth as known at that time

Permanent Residence

<table>
<thead>
<tr>
<th>13. Street name and number, apartment number</th>
<th>14. City, Town or Village</th>
</tr>
</thead>
</table>

15. Province or State


18. Telephone-home

19. E-mail

20. State your Country of permanent residence on 16 February 1999, if different from Country at number 16 |

Mailing Address, if different from Permanent Residence

<table>
<thead>
<tr>
<th>21. Street name and number, apartment number</th>
<th>22. City, Town or Village</th>
</tr>
</thead>
</table>

23. Province or State


26. Telephone-home

27. E-mail

28. Are you claiming for a former slave labourer, forced labourer, personal injury victim or parent of a deceased child who died on or after 16 February 1999? Yes ☐ No ☐

29. If "Yes", what is your relationship to the deceased? ☐ spouse ☐ child ☐ grandchild ☐ sibling ☐ heir under a will

30. If "Yes", have you attached proof of relationship to deceased by submitting a copy of a marriage certificate, birth certificate, family registration booklet, will, etc.? Yes ☐ No ☐

31. Were you (or the deceased) a prisoner of war (POW) at any time from 1939–45? Yes ☐ No ☐

32. If "Yes", you may file a claim only if you (or the deceased) were sent to a concentration camp or were discharged as a POW |

<table>
<thead>
<tr>
<th>POW Date of Discharge</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year</td>
</tr>
</tbody>
</table>
**INFORMATION ABOUT DECEASED PERSON**

You need to fill in this page only if you are claiming for a deceased person who died on or after 16 February 1999. If you are claiming on your own behalf, please go to next page.

33. Last Name of deceased

35. Maiden Name of deceased, if applicable

36. Sex of deceased
   Male ☐  Female ☐

37. Citizenship of deceased at birth

38. Ethnic Origin

Other names used by deceased during the Nazi era

39. Last Name of deceased

40. First Names of deceased

---

41. Date(s) of birth of deceased
   Enter any birth date used during the Nazi era

<table>
<thead>
<tr>
<th>Year</th>
<th>Month</th>
<th>Day</th>
</tr>
</thead>
</table>

43. City of birth of deceased as known at that time

44. Country of birth of deceased as known at that time

42. Date of death

<table>
<thead>
<tr>
<th>Year</th>
<th>Month</th>
<th>Day</th>
</tr>
</thead>
</table>

45. Country where deceased died

46. You must attach a copy of the death certificate.

| Is a copy attached? | Yes ☐ | No ☐ |

For official TOM use

Please leave blank

Y ☐  N ☐

---

**INFORMATION ABOUT PERSONS OTHER THAN CLAIMANT WHO ARE CLAIMING FOR DECEASED**

Each person claiming must submit proof of relationship to the deceased by submitting a copy of a marriage certificate, birth certificate, family registration booklet, will, etc. If more space is required, please attach additional sheets.

<table>
<thead>
<tr>
<th>47. Last Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>48. First Name</td>
</tr>
<tr>
<td>49. Street name and number, apartment number</td>
</tr>
<tr>
<td>50. City, Town or Village</td>
</tr>
<tr>
<td>51. Province or State</td>
</tr>
<tr>
<td>52. Country</td>
</tr>
<tr>
<td>53. Postal Code</td>
</tr>
<tr>
<td>54. Relationship to deceased</td>
</tr>
<tr>
<td>☐ spouse</td>
</tr>
<tr>
<td>☐ child</td>
</tr>
<tr>
<td>☐ grandchild</td>
</tr>
<tr>
<td>☐ sibling</td>
</tr>
<tr>
<td>☐ heir under will</td>
</tr>
</tbody>
</table>

| 55. Is proof of relationship to deceased attached? | Yes ☐ | No ☐ |

| 56. Second Person Claiming (other than claimant) |
| 57. Third Person Claiming (other than claimant) |
| 58. Fourth Person Claiming (other than claimant) |
| ☐ spouse |
| ☐ child |
| ☐ grandchild |
| ☐ sibling |
| ☐ heir under will |

| ☐ spouse |
| ☐ child |
| ☐ grandchild |
| ☐ sibling |
| ☐ heir under will |
SLAVE Labour

You need to fill in this page only if you, or the deceased for whom you are claiming, were held in a concentration camp, ghetto or another place of confinement under comparable conditions and were subjected to slave labour. Comparable conditions include inhumane prison conditions, insufficient nutrition and lack of medical care. Otherwise please go to next page.

56. Indicate the types of place(s) where you (or the deceased) were held

<table>
<thead>
<tr>
<th></th>
<th>Concentration camp</th>
<th>Ghetto</th>
<th>Other place of confinement</th>
</tr>
</thead>
</table>

Name the place(s) where you (or the deceased) were held and indicate for which time periods

57. Concentration Camp
58. From | 59. To
<table>
<thead>
<tr>
<th>Year</th>
<th>Month</th>
<th>Year</th>
<th>Month</th>
</tr>
</thead>
</table>
a.    |       |      |       |
b.    |       |      |       |

60. Ghetto
61. From | 62. To
<table>
<thead>
<tr>
<th>Year</th>
<th>Month</th>
<th>Year</th>
<th>Month</th>
</tr>
</thead>
</table>
a.    |       |      |       |
b.    |       |      |       |

63. Other place of confinement
64. From | 65. To
<table>
<thead>
<tr>
<th>Year</th>
<th>Month</th>
<th>Year</th>
<th>Month</th>
</tr>
</thead>
</table>
a.    |       |      |       |
b.    |       |      |       |

66. Name the company(ies) for which you (or the deceased) performed slave labour, if known

<table>
<thead>
<tr>
<th></th>
<th>a.</th>
<th>c.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>b.</td>
<td>d.</td>
</tr>
</tbody>
</table>

Indicate which documents you have provided in support of your claim

<table>
<thead>
<tr>
<th>For official IOM use Please leave blank</th>
<th>67. Document (photocopies only)</th>
<th>68. Number on document</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. □</td>
<td>□ Liberation certificate</td>
<td></td>
</tr>
<tr>
<td>b. □</td>
<td>□ Repatriation document</td>
<td></td>
</tr>
<tr>
<td>c. □</td>
<td>□ Displaced persons card</td>
<td></td>
</tr>
<tr>
<td>d. □</td>
<td>□ Prison record (Personalakte)</td>
<td></td>
</tr>
<tr>
<td>e. □</td>
<td>□ Search result from the International Tracing Service (Internationaler Suchdienst, Bad Arolsen)</td>
<td></td>
</tr>
<tr>
<td>f. □</td>
<td>□ Other (please specify)</td>
<td></td>
</tr>
</tbody>
</table>
Claimant's name .................................................................

FORCED LABOUR

You need to fill in this page only if you, or the deceased for whom you are claiming, were deported to Germany or a German-occupied area and were subjected to forced labour and were held in extremely harsh living conditions. Otherwise please go to next page.

| Where were you (or the Deceased) deported from | 69. Town/City deported from | 70. Country deported from |
| Where were you (or the Deceased) deported to  | 71. Town/City deported to   | 72. Country deported to   |
| 73. Date deported                            | Year | Month | 74. Date released | Year | Month |

75. Did you perform forced labour for a company or public authority? ☐ Yes ☐ No

76. Did you perform forced labour in agriculture? ☐ Yes ☐ No

77. Were you held at anytime in a Work Reform Camp (Arbeitserziehungslager)? ☐ Yes ☐ No

78. Were you occasionally (for example on Sundays) allowed to move in the village or town or city where you were held? ☐ Yes ☐ No

79. Were you held under guard and subjected to constant searches and controls by guards or police both during and outside working hours? ☐ Yes ☐ No

Fill in numbers 80-81, if you performed forced labour for a company or public authority

80. Name the company(ies) or public authority(ies) for which you (or the deceased) performed forced labour
   a. ____________________________
   b. ____________________________

81. Name the Work Reform Camp (Arbeitserziehungslager) or forced labour camp(s) or other place(s) where you (or the deceased) were held
   a. ____________________________
   b. ____________________________

Fill in number 82, if you performed forced labour in agriculture

82. Name the person or entity for whom you (or the deceased) performed forced labour in agriculture, if known
   a. ____________________________
   b. ____________________________

Indicate which documents you have provided in support of your claim

<table>
<thead>
<tr>
<th>For official RDM use Please leave blank</th>
<th>83. Document (photocopies only)</th>
<th>84. Number on document</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. ☐</td>
<td>Work book for foreigners (Arbeitsbuch für Ausländer)</td>
<td></td>
</tr>
<tr>
<td>b. ☐</td>
<td>Work card (Arbeitskarte)</td>
<td></td>
</tr>
<tr>
<td>c. ☐</td>
<td>Company work record (Arbeitsbescheinigung)</td>
<td></td>
</tr>
<tr>
<td>d. ☐</td>
<td>Work requisition labour office (Arbeitsamt)</td>
<td></td>
</tr>
<tr>
<td>e. ☐</td>
<td>Deportation card or attestation</td>
<td></td>
</tr>
<tr>
<td>f. ☐</td>
<td>Prison record (Personalaakte)</td>
<td></td>
</tr>
<tr>
<td>g. ☐</td>
<td>Discharge certificate (Eintassungsschein)</td>
<td></td>
</tr>
<tr>
<td>h. ☐</td>
<td>Repatriation document</td>
<td></td>
</tr>
<tr>
<td>i. ☐</td>
<td>Displaced persons card</td>
<td></td>
</tr>
<tr>
<td>j. ☐</td>
<td>Search result from the International Tracing Service (Internationaler Suchdienst, Bad Arolsen)</td>
<td></td>
</tr>
<tr>
<td>k. ☐</td>
<td>Passport for foreigners (Fremdenpass)</td>
<td></td>
</tr>
<tr>
<td>l. ☐</td>
<td>Other (please specify)</td>
<td></td>
</tr>
</tbody>
</table>
Claimant's name

You need to fill in this page only if you are claiming for a personal injury or death of a child. Otherwise please go to next page.

**PERSONAL INJURY – Medical Experiments**

85. Were you (or the deceased) subjected to medical experiments under the Nazi regime?  
   Yes □  No □  
   If No, go to number 88.

86. Name the camp where the medical experiments were conducted

Indicate which documents you have provided in support of your claim  
For official IDM use  Please leave blank  
87. Document (photocopies only)
   □   □ Medical certificate
   □   □ Other (please specify)

**PERSONAL INJURY – Child Lodged in Home for Children of Slave or Forced Labourers**

88. Were you (or the deceased) lodged in a home for children of slave or forced labourers and was your (or the deceased's) health, either mental or physical, severely damaged? If No, go to number 94.

   Yes □  No □

89. Date placed in home for children
   Year  Month

90. Name the camp where children's home was situated

91. Date released from home for children
   Year  Month

92. Name the home for children, if known

Indicate which documents you have provided in support of your claim  
For official IDM use  Please leave blank  
93. Documents (photocopies only)
   □   □ Medical certificate
   □   □ Other (please specify)

**DEATH OF CHILD – Child Lodged in Home for Children of Slave or Forced Labourers**

94. Are you (or was the deceased) the parent of a child who died while lodged in a home for children of slave or forced labourers?  
   Yes □  No □

95. Child's Last Name

96. Child's First Names

97. Name the camp where children's home was situated

98. Name the home for children, if known

99. Date of birth of child
   Year  Month  Day

100. Date of death of child
    Year  Month  Day

101. Date placed in home for children
    Year  Month

Indicate which document you have provided in support of your claim  
For official IDM use  Please leave blank  
102. Document (photocopies only)
   □  Please specify

**OTHER PERSONAL INJURY**

103. Did you suffer other personal injury in connection with National Socialist wrongs?  
   Yes □  No □

Indicate which document you have provided in support of your claim  
For official IDM use  Please leave blank  
104. Document (photocopies only)
   □   □ Medical certificate
   □   □ Other (please specify)
PARTICIPATION IN ANOTHER GOVERNMENT PROGRAMME

Please indicate below whether you (or the deceased) participated in another Government programme. Information about whether you (or the deceased) participated in another programme may help IOM process your claim faster. Any money previously received from such a programme will not be deducted from any payment made by IOM.

<table>
<thead>
<tr>
<th>105. Government Programme</th>
<th>106. Your (or deceased's) Programme Identification Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. ☐ Germany, Federal Indemnification Law – Bundesentschädigungsgesetz/BEG</td>
<td></td>
</tr>
<tr>
<td>b. ☐ Germany, Hardship Fund – HNG-Fonds</td>
<td></td>
</tr>
<tr>
<td>c. ☐ Germany, Hardship Fund – Wiedergutmachungs-Dispositions-Fonds</td>
<td></td>
</tr>
<tr>
<td>d. ☐ Germany, Hardship payments for medical experiments</td>
<td></td>
</tr>
<tr>
<td>e. ☐ Belgium, granted status of Prisonnier Politique</td>
<td></td>
</tr>
<tr>
<td>f. ☐ Belgium, granted status of Déporté pour le Travail Obligatoire</td>
<td></td>
</tr>
<tr>
<td>g. ☐ France, granted status of Déporté Résistant or Déporté Politique</td>
<td></td>
</tr>
<tr>
<td>h. ☐ France, granted status of detainee in Work Reform Camp (Arbeitszweihungslager/AEL)</td>
<td></td>
</tr>
<tr>
<td>i. ☐ France, granted status of Personne Contraente au Travail (PCT)</td>
<td></td>
</tr>
<tr>
<td>j. ☐ Italy, granted status under Law 79</td>
<td></td>
</tr>
<tr>
<td>k. ☐ Italy, confirmed as Internato Militare Italiano (IMI)</td>
<td></td>
</tr>
<tr>
<td>l. ☐ Slovenia, granted status under the Law on Victims of War – ZZVN</td>
<td></td>
</tr>
<tr>
<td>m. ☐ Other (please specify)</td>
<td></td>
</tr>
</tbody>
</table>

POTENTIAL ENTITLEMENT UNDER THE HOLOCAUST VICTIM ASSETS LITIGATION (SWISS BANKS)

You may be entitled to further payment pursuant to a settlement under the Holocaust Victim Assets Litigation (Swiss Banks) that was brought before the United States District Court, Eastern District of New York. Please answer the questions below so that IOM may send you the necessary information when it becomes available.

| 107. Were you (or the deceased) a Jehovah’s Witness, Roma, homosexual or disabled and were you (or the deceased) held in a concentration camp, ghetto, another place of confinement, forced labour camp, prison, SS brigade, or a similar place and forced to work? | Yes ☐ No ☐ |
| 108. Were you (or the deceased) forced to work for a Swiss company, or a German company owned by a Swiss company, during the Nazi era? | Yes ☐ No ☐ |
| 109. If “Yes”, name the company for which you worked | |
| 110. Were you (or the deceased) a Jehovah’s Witness, Roma, homosexual or disabled and were you (or the deceased) either i) denied entry into or expelled from Switzerland by the Swiss authorities or ii) admitted into Switzerland as a refugee and detained, mistreated or abused by the Swiss authorities? | Yes ☐ No ☐ |

PAYMENT INFORMATION

111. If your claim is approved by the IOM, indicate how you would like to receive payment. Please note that heirs awarded compensation for the deceased will only be sent cheques in their own name for equal shares of the award.
☐ Cash (distributed by IOM offices only) ☐ Cheque ☐ Bank transfer (If bank transfer, provide banking information below)

Banking Information and Address

| 112. Bank | 113. Account holder's name | 114. Bank account number |
| 115. Bank street name and number | | |
| 116. Town or City | | |
| 117. Province or State | 118. Country | 119. Postal Code |
| 120. Bank telephone number | 121. Bank routing number | |
Claimant's name ...........................................................................................

PERSONAL STATEMENT

Please provide a brief description below of what happened to you, or the deceased for whom you are claiming, during the period that you (or the deceased) were a slave labourer or forced labourer. Describe the conditions in which you (or the deceased) were held.

If you are claiming for medical experiments, describe the nature and impact of the experiments on your health (or that of the deceased). If you are claiming for severe damage to health while lodged in a home for children of slave or forced labourers, describe your (or the deceased's) injuries. If you are claiming for the death of a child while lodged in a home for children of Slave or forced labourers, describe the circumstances of the child's death. If you are claiming for other personal injury, describe the specific National Socialist wrong that caused the other personal injury.
ANNEX 8

SIGNATURE, CONSENT AND WAIVER

Please sign where indicated. You must sign the official IOM claim form before a notary public or other official authorized to attest to the authenticity of signatures and documents. If you are homebound, you may sign the IOM claim form before an attending physician.

a) If you received compensation after 1945 from a German company for Nazi injustice, please indicate the name of the company and the amount below. This previously received compensation will be deducted from any payment that may be awarded to you by IOM. However, the information you provide here may help IOM process your claim faster.

Name of Company 122........................................ Amount
Currency 123........... Received 124..............................

b) I understand that my entitlement to receive payment under the German Forced Labour Compensation Programme is dependent on the conditions specified in the German Law.

c) I (or the deceased) have not applied for or received any payments under this Programme for the same Nazi injustice for which I claim on this claim form.

d) I (or the deceased) have not applied for or received a payment from the Austrian Reconciliation Fund for the same Nazi injustice for which I claim on this claim form.

e) I agree that in connection with the processing and checking of this claim my data and that of the deceased will be kept in a central database and a check will be made for claims that may have been filed by me with the other partner organizations.

f) I authorize the IOM to inspect all relevant third party files and databases to verify my claim, for example, German Government archives, Red Cross International Tracing Service archives, etc.

g) I waive irrevocably on receipt of a payment under the German Forced Labour Compensation Programme the assertion of any of the following claims outside the German Law:

i. Against the Federal Republic of Germany, German Federal States and other German public institutions in respect of slave labour, forced labour or property losses.

ii. Against German companies with regard to all claims connected with National Socialist injustice.

iii. Against the Republic of Austria and Austrian companies in respect of slave labour or forced labour.

This waiver does not apply to claims and payments to be made under German laws on the consequences of war or Indemnification measures or to any claims relating to the return of works of art. The latter may only be asserted, however, in Germany or in the country from which the work of art was taken.

h) I attest that the information provided in support of this claim is true and made to the best of my knowledge. I am aware that false information may lead to action for the return of any payment made and further legal action.

Signature of claimant

Type of current Identification document 125. Identification document 126.
Number of current

I have verified the claimant's identification card or passport and documentation of the claimant's permanent residence as of 16 February 1999. Where applicable, I have verified the relationship of the claimant to the deceased.

Stamp and signature of notary public/other official/attending physician

Date ........................................ City ............................................................

Printed name of notary public/other official/attending physician

Last Name ................................ First Name

Address of notary public/other official/attending physician

Telephone number of notary public/other official/attending physician
INTERNATIONAL ORGANIZATION FOR MIGRATION (IOM)

GUIDELINES FOR CLAIM FORM FOR
SLAVE LABOUR, FORCED LABOUR,
PERSONAL INJURY OR DEATH OF A CHILD

On 12 August 2000, a German Law came into force designating seven organizations, including the International Organization for Migration (IOM), to make payments to former slave and forced labourers and certain other victims of National Socialist (Nazi) injustice. The German Government and German companies are providing the funds in equal parts. The German Law recognizes that the injustice committed and the human suffering caused cannot be truly compensated by financial payments and that the Law comes too late for those who lost their lives as victims of the Nazi regime or have died in the meantime.

IOM HELPLINE
If you have any questions after reading these Guidelines, please contact the IOM at one of the IOM telephone numbers on page 4.

WHO MAY FILE ON THIS IOM CLAIM FORM

Slave Labourers
Persons who were held inside or outside their own country in a concentration camp, ghetto, or another place of confinement under comparable conditions and were subjected to slave labour. Comparable conditions include inhumane prison conditions, insufficient nutrition and lack of medical care. Slave labourers may receive up to DEM15,000.

Forced Labourers for a Company or Public Authority
Persons who were deported from their own country into Germany or a German-occupied area and were subjected to forced labour for a company or public authority and were held in extremely harsh living conditions. Persons who were forced to work within their own country, even if occupied by Germany, are not entitled to receive payment.

Not every person who was deported to Germany or a German-occupied area and forced to work there is entitled to compensation under the German Law. Only those who were held in prison-like or similar extremely harsh living conditions may receive compensation. Such conditions generally existed in Work Reform Camps ("Camps de rééducation par le travail") or "Arbeitserziehungslager/AEL") and in other camps where persons were held under guard and were subjected to constant searches and controls by guards or police and where they were not allowed to leave the camp except for transfer to the work site.

Forced labourers may receive up to DEM 5,000.

Please note:

Persons who were deported from France and who were subjected to "Service du Travail Obligatoire en Allemagne (STO)" during the Nazi era and who were subsequently granted the status of "Personne Contrainte au Travail en Pays Ennemi (PCT)" under French legislation, are not entitled to receive payment under the German Forced Labour Compensation Programme unless they were held in prison-like or similar extremely harsh living conditions as described above.

Persons who were deported from Belgium and forced to work in Germany or a German-occupied area during the Nazi era and who were subsequently granted the status of "Déporté pour le Travail Obligatoire" under Belgian legislation, are not entitled to receive payment under the German Forced Labour Compensation Programme unless they were held in prison-like or similar extremely harsh living conditions as described above.

Forced Labourers in Agriculture
Persons who were deported from their own country into Germany or a German-occupied area and were subjected to forced labour in agriculture. Persons who were forced to work in agriculture within their own country, even if occupied by Germany, are not entitled to receive payment. Forced labourers in agriculture may receive up to DEM2,000.

Personal Injury Victims
Persons who were subjected to medical experiments may receive up to DEM15,000.

Persons who were, as a child, lodged in a home for children of slave or forced labourers and whose health, either mental or physical, was severely damaged may receive up to DEM15,000.

Persons who suffered other personal injury in connection with National Socialist wrongs may receive up to DEM15,000.
INTERNATIONAL ORGANIZATION FOR MIGRATION (IOM)

Parents of a Deceased Child
Parents of a child who died while lodged in a home for children of slave or forced labourers. The parents together (or one parent if the other is deceased) may receive up to DEM15,000.

Heirs
A surviving spouse and children may file a claim for equal shares of any potential payment that would have been awarded to a victim as described above who died on or after 16 February 1999. Under the German Law, heirs of a victim who died before 16 February 1999 are not entitled to receive payment.

If the deceased left neither a spouse nor children, a claim may be filed by the grandchildren. If there are no grandchildren, the brothers and sisters of the deceased may claim. If the deceased left neither spouse, children, grandchildren, brothers or sisters, then the heirs named in a will may claim. Each person claiming must provide proof of his/her relationship to the deceased by submitting a copy of a marriage certificate, birth certificate, family registration booklet, will or other relevant document.

Only one claim form should be filed on behalf of all persons claiming for a deceased person. The claim form should be filed with the organization that would have been responsible for the deceased’s claim had he/she lived. See the section on "Where to File a Claim for Slave Labour, Forced Labour, Personal Injury or a Death of a Child" below.

Prisoners of War (POWs) are not entitled to receive payment
You are not entitled to receive payment if you, or the deceased for whom you are claiming, were a POW. However, if you (or the deceased) were subsequently sent or transferred to a concentration camp, or if you were no longer a POW when you were subjected to forced labour, you may file a claim.

WHERE TO FILE A CLAIM FOR SLAVE LABOUR, FORCED LABOUR, PERSONAL INJURY OR DEATH OF A CHILD
The German Law determines which organization should process which claims based principally on where the claimant lives and whether the claimant is Jewish or not. IOM accepts a person’s self-description of himself/herself as either Jewish or not.

This IOM claim form is for claimants who are not Jewish and who do not live in one of the following countries: The Czech Republic, Poland, the Russian Federation, or a country that was a republic of the former Soviet Union.

Jewish claimants who do not live in one of the countries listed above should obtain and file a claim form with the Conference on Jewish Material Claims Against Germany at the addresses on page 4.

Both Jewish and non-Jewish claimants who live in one of the countries listed above should obtain and file a claim form with the relevant organization at the addresses on page 4.

Both Jewish and non-Jewish claimants who were held in Austria should obtain further information from the Austrian Reconciliation Fund at the address on page 4. However, claimants who were held in Mauthausen and its subcamps or the subcamps of Dachau in Austria are covered by the German Law. Therefore, non-Jewish claimants who were held in these camps should file a claim form with IOM. Jewish claimants who were held in these camps should obtain and file a claim form with the Conference on Jewish Material Claims Against Germany at the addresses on page 4.

COMPLETING THIS IOM CLAIM FORM
Each victim should fill in a separate IOM claim form and should complete only those claim form pages that are applicable to him/her. Each victim should submit to the IOM one original and one copy of the claim form and two copies of all accompanying documents.

Example A: If you were deported, forced to work and held in a forced labour camp and were then transferred to a concentration camp where you performed slave labour, you should fill in the claim form pages for both Slave Labour as well as Forced Labour. If your claim is approved, you would only receive once the highest amount to which you would be entitled, which in this case would be up to DEM15,000.

Example B: If a wife and husband were each subjected to slave labour in a concentration camp, the wife and husband should each fill in a separate IOM claim form. If they were also each subjected to medical experiments, they should each complete the claim form pages relating to Slave Labour as well as Personal Injury. If the wife’s and husband’s claims are both approved, they would each receive the amounts for both of the two situations, which in this case would be up to DEM30,000.
INTERNATIONAL ORGANIZATION FOR MIGRATION (IOM)

State your name on every attached document and in the space provided for it on the top of the every page of the IOM claim form. This is to help IOM locate documents in the event that they should become detached from one another.

If you are represented by a lawyer or another person, your representative must submit to IOM a written authorization from you. Payment cannot be made to a representative but only to you. IOM will not reimburse lawyers' or any other fees.

All persons, whether represented or not, must sign the IOM claim form themselves before a notary public or other official authorized to attest to the authenticity of signatures and documents. If you are homebound, you may sign the IOM claim form before an attending physician.

Together with the IOM claim form, you should submit photocopies of any documentation you have to support your claim such as a Work card (Arbeitkartei), Work book (Arbeitsbuch), medical records or other relevant document.

If you have no documentary evidence, you should still submit an IOM claim form. IOM has arranged with the Red Cross International Tracing Service, German Government, and other relevant institutions to try and verify your claim by searching their archives and databases on the condition that you sign the consent page in the IOM claim form.

Please provide a brief description of what happened to you in the space provided on page 7 of the IOM claim form.

DEADLINE FOR FILING IOM CLAIM FORMS

For your claim to be considered, you must complete an official IOM claim form. IOM provides its claim form free of charge. Send the IOM claim form to the address on the pre-addressed envelope that came with your claim form package. If you did not receive a pre-addressed envelope, send your claim form to the IOM office nearest you at the address on page 4. The envelope should be post-marked no later than 11 August 2001.

PROCESSING OF THE CLAIMS AND PAYMENT

IOM will send you a confirmation of receipt after having received the IOM claim form. The IOM office in Geneva, Switzerland will take a decision on your claim. IOM will advise you in writing whether your claim has been approved or rejected. If your claim is approved, the German Law provides for payments to be made in two instalments. If your claim is rejected, the German Law allows for a right of appeal to an Appeals Body that will be established at the IOM office in Geneva.

PROPERTY LOSSES

Please note that IOM is also responsible for payment of property losses suffered under the Nazi regime as a result of direct participation of German businesses. Both Jewish and non-Jewish persons, no matter where the person is resident, may claim for property losses with IOM. Heirs of a person who died at any time prior to filing an official IOM claim form for property losses may also claim. To obtain an official IOM claim form for property losses, contact the IOM at the addresses on page 4.
INTERNATIONAL ORGANIZATION FOR MIGRATION (IOM)

CONTACT INFORMATION - IOM

International Organization for Migration
Completed Claim Forms should be returned to the IOM/GFLCP Office responsible for the country in which you reside
Web site: www.compensation-for-forced-labour.org

International Organization for Migration – IOM Geneva
German Forced Labour Compensation Programme
17 route des Morillons, P.O.B. 71, CH-1211 Geneva 19, Switzerland
Tel.: + 41 22 717 9230
e-mail: compensation@iom.int
Web site: www.compensation-for-forced-labour.org

CONTACT INFORMATION – OTHER PARTNER ORGANIZATIONS

Conference on Jewish Material Claims Against Germany
15 East 26th Street
New York, NY 10010, USA
Web site: www.claimsscon.org

German – Czech Foundation “Fund of the Future”
P.O.B. 47, Legerova 22
120 21 Prague 2, Czech Republic
Tel.: + 420 2 24 25 20 40

German – Polish Foundation “German-Polish Reconciliation”
Ul. Krakza 36
00-921 Warsaw, Poland
Tel.: + 48 22 629 73 35

Belarus Foundation
“Understanding and Reconciliation” (also responsible for Estonia)
Ul. Jakuba Kolasa 39a
220013 Minsk, Belarus
Tel.: + 375 17 23 27 096

Ukrainian National Foundation
“Understanding and Reconciliation” (also responsible for Moldova)
Wulza Frunse 15
01080 Kiev, Ukraine
Tel/Fax: + 380 44 462 50 06

Russian Foundation “Understanding and Reconciliation” (also responsible for countries that were republics of the former Soviet Union except for Belarus, Estonia, Moldova and the Ukraine)
Sotowy pereulok 6
121069 Moscow, Russian Federation
Tel/Fax: + 7 095 291 10 48

CONTACT INFORMATION – AUSTRIAN RECONCILIATION FUND

Office of the Special Representative of the Austrian Federal Government
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This is an excerpt from a document that IOM developed and maintained throughout the processing and verification of the claims. It shows the large variety of different documents that were submitted in support of the claims. In order to ensure consistency in the classification of the documents and in the assessment of their evidentiary value, IOM developed these “Evidentiary Guidelines” which were distributed to all its claims reviewers to be used in the verification of the claims.

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Sufficient documents stating person was held in an officially recognized slave labour camp in accordance with BEG and German Foundation lists of camps.

Document type ii. 33
Concentration camp number tattooed on person’s arm or as stated in documents or personal statement.

Document type iii. 33
Official document stating person was a POW or held in a Stalag or Oflag (camp for POWs).

Document type iv. 35
Victims’ Association membership card stating person was held in a camp, forced to work or deported.

Document type v. 35
Witness Statement stating person was held in a camp, forced to work or deported.

Document type vi. 35
Books or newspaper articles stating person was held in a camp, forced to work or deported.

Document type vii. 35
Letters sent to and from person held in a camp from 1933–1945

Document type viii. 36
Photos showing person was held in a camp, forced to work or deported.

Document type ix. 36
General travel documents issued after Liberation (7 May 1945)

Document type x. 36
Certificate/Card issued under Belgian law stating person was Déporté pour le Travail Obligatoire.

Document type xi. 36
Certificate/Card issued under Belgian law stating person was Prisonnier Politique

Document type xii. 37
Certificate issued under French law stating person was Personne Contrainte au Travail or Patriote transféré en Allemagne.

Document type xiii. 38
Certificate/Card issued under French law stating person was Déporté Politique

Document type xiv. 38
Certificate/Card issued under French law stating person was Déporté Résistant

Document type xv. 39
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Foglio Matricolare
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Certificate issued by Arbejdsskadestyrelsen
(Danish National Board of Industrial Injuries)
Document type xxvi. 45

Certificate issued by Kansallisarkisto (Finnish National Archives).
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Decision issued under Slovenian Law ZZVN stating person held in concentration camp
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Decision issued under Slovenian Law ZZVN stating person was exiled.
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Decision issued under Slovenian Law ZZVN stating child held in camp
Document type xxxii. 47

Certificate issued under Slovak Law 255/1946

III. Consolidated List of Codes of Documents to be selected
in Drop Down Boxes in Claims Registration System

General
AEL-not on Found. nor LRC lists 49
Affidavit-personal 49
Affidavit from witness 49
AUTOBIO 49
BADGE 49
BRÜG 50
CAMPDOC 50
COURTDOC-PERSECUTEE 50
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HIRSCH 51
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KGB Archive — Slave Labour 52
KGB Archive — Prison Record 52
KGB Archive — Forced Labour 52
Labour Reform Camp document 52
MAID 53
MISSING 53
NOT DEPORTED 54
PARENTDOC 54
Polish Archives — Slave Labour 54
Polish Archives — Prison Record 54
Polish Archives — Forced Labour 54
Polish Home Army — 4 Oct. 1944 54
POW 55
POW — Post May 1945 55
Reichsarbeitsdienst (RAD) 55
Russian Archives — Slave Labour 55
Russian Archives — Prison Record 56
Russian Archives — Forced Labour 56
STAYDOC 56
Ukrainian Archives — Slave Labour 56
Ukrainian Archives — Prison Record 56
Ukrainian Archives — Forced Labour 56
Ukrainian Help Committee 56
Umsiedler 57
UNHCR 57
Volunteer 57
WS-common knowledge 57
Belgium
Prisonnier politique - Prison

Finland
KAK Klooga before 9/43
KAK Klooga after 9/43
KAK presence in Germany

France
Déporté Politique - Prison
Déporté Résistant - Prison
Interné Politique/Résistant

Germany
VDN

Greece
GPA
Greece-Law n°4178/1961 — Slave Labour Camp
Greece-Law n°4178/1961 — Deported & forced labour

Hungary
HCKZ
HCD
HCF
HCG
Hungary — SOLDIER
LEVE

Italy
CDI-Prison
Italy — Gazzetta Ufficiale 1968 — Slave Labour Camp
Italy — Happacher’s list of Bolzano’s
Detainees
MOD69
SBANDATO
SUSPECT
Tibaldi Lists — Slave Labour

Jehovah’s Witnesses
Watchtower — Slave Labour
Watchtower — Prison
Watchtower — Forced Labour
Luxembourg
Lux — Certificate from CNR/Grand Duc- Slave Labour Camp
Lux — Livre d’or des camps- Slave Labour Camp
Lux — Livre d’or des prisons- Prisons
Lux — Livre d’or des prisons- Slave Labour Camp
LSTAAAT

Norway
KIP

Romania
Romania — Iron Guard

Slovenia
Slovenia-Law ZPIZ — Slave Labour Camp
Slovenia-Law ZPIZ — deported and forced to work
Slovenia-Law ZPIZ — partisan

Sweden
Swedish Police report — SL
Swedish Police report — Prison Record
Swedish Police report — FL

United Kingdom
UK Administration — SL
UK Administration — FL

Former Republic of Yugoslavia
LPDKZ
LPDDDP
LPDFW
LPDPA

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