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CHAPTER 4: ORGANIZATIONAL STRUCTURE

This chapter contains:

- The “foundation model”: a public-law foundation for compensation payments
- The EVZ Foundation as the central coordinator of the program
- The responsibilities and structure of the partner organizations
- Coordination between the EVZ Foundation and partner organizations

INTRODUCTION: BUILDING THE HOUSE

Generally, the organizational structure of reparations programs must cover the following functions:

- Policy-making, i.e. the overall decision making process and oversight
- Claims processing
- Administration

Which organizational type is most suitable to administer a reparations program? Which organizational organ should cover which functions? What are the relations between the different departments and responsible managers, and how should they operate in practice? These and others are questions guiding the establishment of any organization tasked with the implementation of a reparations program.

All of these aspects were also considered when setting up the forced labor compensation program, but the particular situation of having the program negotiated in an international arena, as well as the sheer scope of it, led to many particularities. Already during the negotiations, it was decided there should be one overarching body — the EVZ Foundation — that should be responsible for shaping and overseeing the program’s implementation, as well as for the overall coordination of the partner organizations and for the administrative and financial management. The Foundation was thus established to fulfill these tasks. The actual claims processing was performed in a de-centralized manner by the partner organizations, some of which already existed and had been active in similar processes before.

This chapter outlines the organizational structure of the EVZ Foundation and of two exemplary partner organizations and explains how cooperation worked between the different organizations. The particular structure of the forced labor compensation program was largely due to the international negotiators’ desire to have continued influence in the program. In this way, the successful implementation of the program should also be measured against its ability to anticipate and deal with the conflicts that arise from such a setting.

THE “FOUNDATION MODEL”

The overall organizational structure of the forced labor compensation program was quite unique. Its Board of Trustees, wherein the main participants of the negotiations were represented, was the key organ for policy-making. As introduced earlier, the EVZ Foundation, based in Berlin, took on the main coordination of the program. The bulk of the implementation, however, was done by the Foundation’s partner organizations that processed the claims, decided their eligibility and carried out the actual payments all over the world.

The EVZ Foundation as the central organization of the program was a non-profit foundation regulated by German public law. As such, it was an independent entity with dedicated assets for a particular purpose and not limited in the timeframe of its operation. To establish such a public law foundation was decided early on in the negotiations process since it had clear advantages over a foundation governed by private law.¹

By establishing a public-law institution, the German State could express the shared responsibility it held together with the German companies for the crimes that took place during the Second World War. The public law status guaranteed an authority and reputation necessary for implementing the compensation program beyond the German borders, which did have a notable effect during the implementation of the program. Yet, the credibility of a public institution is only given when the involvement of the government itself is perceived as integer, both on the national and international level, and when the intention to deal with historical injustice seems earnest. In the case of the German compensation program, this was manifested by the Foundation Law in which the tasks of the EVZ Foundation were essentially declared as the duties of the state.

A foundation under German law was also in the interest of the German negotiators. Only a setup that included guarantees of the German State for the compensation program could justify the demand for legal closure sought by German companies. Establishing an institution under public law was a prerequisite for the US Government during the negotiations, which would otherwise not have agreed to support the withdrawal of the class actions pending before US courts. Furthermore, the Foundation Law contained a clause that this program would be the only forum for settling any claims for forced labor compensation. For the German side, this ensured that future claims for compensation in German courts would be excluded.²

However, since all functions and bodies of its organization were established by a law, the EVZ Foundation was, in special dimensions, also relatively inflexible. Changes in the organizational structure or of the basic claims process could in a lot of cases only be carried out by changing first the law, which was a rather lengthy and complicated process. The possibility to make certain smaller amendments was reserved in the law for the respective bodies.

Being a public-law institution, the EVZ Foundation had to adhere to the requirements of the German Federal Budget Law and was controlled by the German Federal Court of Audit. These control mechanisms were a significant aspect for the negotiators and were already included in the US-German Agreement (see Annex 3).

1 The “foundation model” had already been used in Germany in 1971, when a public-law foundation was established to eliminate the possibility of future claims for compensation for damages by the Contergan medication. The sleeping pill was sold in the late 1950s and early 1960s by the Chemie Grünenthal GmbH company and contained the component Thalidomid, which caused deformations and disabilities in unborn children. In the law that established a foundation to pay compensation to the affected families, any future claims against the company were excluded. This was declared as constitutional by the German Federal Constitutional Court (BverfGE 42, 263) on 8 July 1976.

2 See Chapter 10 for information on legal closure.

The German Ministry of Finance was responsible for the legal supervision of the EVZ Foundation, which meant that it supervised whether the Foundation acted according to the respective applicable laws (see Chapter 8). While the EVZ Foundation was otherwise an independent organization that took its decisions autonomously, the Ministry of Finance used its supervisory power on occasion quite broadly, and the EVZ Foundation felt at times that it had to comply with the Ministry's instructions even when it held a different view.

THE EVZ FOUNDATION AS THE CENTRAL COORDINATOR

As the main coordinating body of the compensation program, the EVZ Foundation was responsible for a wide range of tasks:

- Coordination and supervision of the implementation of the program by partner organizations;
- Decision on common guidelines regarding the compensation payments;
- Decision on the inclusion of so-called 'other places of confinement,' i.e. inclusion of more places of confinement in eligibility categories;
- Administration and financial management of the overall compensation fund;
- Distribution of accrued interest and additional donations;
- Decision about how to use leftover funds.

The following tasks were not part of the Foundation Law but evolved during the implementation of the compensation program:

- Coordination and financing of archive research and search for evidence (in cooperation with professional archives);
- Archiving of the waivers to secure legal closure.

The EVZ Foundation's organizational structure consisted of several components: the Board of Trustees, the Board of Directors, and the Foundation office run by the Board of Directors that will be described in the following.

Board of Trustees — policy and oversight

As the law establishing the EVZ Foundation did not specify all aspects of the compensation program, establishing an overarching policy organ was of fundamental importance. The main responsibility of this Board of Trustees was to decide on basic policies and to oversee the work of the EVZ Foundation and its partner organizations. The importance and the tasks of the Board of Trustees can thus be seen in a political and in a functional way, both of which could not always be carried out in a tension-free manner.

The main *political goal* for establishing the Board of Trustees was to ensure the continued influence of the negotiating partners on the implementation of the negotiated agreements. The Board of Trustees had 27 seats, the majority of which were reserved for participants in the negotiations. The distribution of these seats — like all other fundamental aspects of the program — were discussed during the negotiations and were then included in the Foundation Law (Section 5 (1)). The distribution insured a balancing of interests between the ‘victim’ and the ‘perpetrator’ side.

Since the EVZ Foundation was a German public-law institution, it was deemed necessary that Germany should be adequately represented in the Board of Trustees. Eventually, it was agreed that the German State and companies hold 14 of the 27 seats of the Board of Trustees. Also, the German Chancellor chose the Chairman of the Board of Trustees who had to be a person of “international reputation,”³ underlining the political weight of the board.

The main *function* of the Board of Trustees in the compensation program was to provide guidance and control:

- It selected the members of the Board of Directors and supervised their work;
- It decided on the annual budget of the foundation and its annual accounts;
- It took decisions concerning a number of important substantive issues as laid down in the Foundation Law; and
- It issued basic guidelines for the claims process.

The Board of Trustees drew up its own rules of procedure; its members did not receive compensation for their work.

Despite the many advantages of a Board of Trustees that represented the many stakeholders involved in a program, there were also practical challenges. The designation of representatives proved difficult, for instance, there were some seats that had to be filled by representatives jointly appointed by several organizations. In the case of a seat allocated to representative organizations of the Sinti and Roma, for example, the organizations were not able to find a common representative, which led to the seat being vacant for 14 years. It was also questionable whether the large number of (interested) members was still needed after the compensation program was completed in 2007, as some stakeholders’ interests no longer related to the remaining tasks of the “Remembrance and Future” Fund. The founding documents foresaw the possibility of a reduction in the membership of the Board of Trustees. This was discussed in the Board of Trustees when the completion of the compensation program came closer, but in the absence of any guidance in the founding documents, no agreement could be found on such a reduction. The result was that possibilities of influence for all board members as well

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3 See Annex 3: US-German Agreement, Annex A (2).

as international acceptance were prioritized over an advisory function to the program activities. Finally, it turned out that unclear boundaries between executive and controlling function of the Board of Trustees was not practical and, in fact, contradicts the German Corporate Governance Codex.

The size and multilingual setup of the Board of Trustees allowed a broad participation of all stakeholders but was also a permanent and significant cost factor for the EVZ Foundation. In response to the international character of the Board of Trustees, it was decided to establish three working languages: German, English, and Russian. All documents were translated into the three languages and all meetings were simultaneously interpreted. The costs for the Board of Trustees amounted to almost 15 percent of the Foundation's non-staff administrative costs.

Board of Directors — management of the program

The day-to-day management of the EVZ Foundation was the responsibility of the Board of Directors. This body — in contrast to the Board of Trustees — worked full-time and was therefore capable of acting on short notice. The Board of Directors consisted of three members; after the completion of the compensation program its membership was reduced to two members.

The main tasks of the Board of Directors in relation to the compensation program were:

- Day-to-day management of the EVZ Foundation;
- Preparation of Board of Trustees meetings and decisions;
- Preparation of the annual budget and the yearly accounts;
- Planning of the allocation of funds; and
- Conclusion of the agreements with the partner organizations and supervision of the partner organizations (during the compensation program only).

The decisions taken by the Board of Directors were recorded and forwarded to the Chairman of the Board of Trustees who kept all members of the latter informed about important decisions. This way, the supervisory function of the Board of Trustees was secured.

The Board of Trustees elected the members of the Board of Directors with a simple majority. Until 2006, candidates were suggested freely, but after that year, a process based on public advertisements was established. The composition of the first Board of Directors thus highlighted the political interests in this function and it was considered whether a particular candidate had enough political 'weight' and integrity to carry out the EVZ Foundation's work and enforce the process in a way that would be acceptable to all stakeholders.⁴

4 Henning Borggräfe, *Zwangsarbeiterentschädigung: Vom Streit um „vergessene Opfer“ zur Selbstaussöhnung der Deutschen* (Göttingen: WallsteinVerlag, 2014), 385–387.

The term of office of each member of the Board of Directors was four years. Directors could be appointed for more than one term, which happened in some cases. Over the years, the board's management tasks shifted according to the changing nature of the work of the EVZ Foundation. After the end of the compensation program in 2007, the board was reduced from three to two members by changing the respective passages in the law. In the event of a tied vote, the chairman of the Board of Directors casts the deciding vote. From that time onwards the work of the EVZ Foundation focused mainly on implementing the "Remembrance and Future" Fund (see Chapter 12).

The EVZ Foundation Office under the Board of Directors

For the duration of the compensation program, the EVZ Foundation had to apply both political and practical principles that were not always easy to combine. Politically, the work of the Foundation was met with the high expectations that it would carry out the program by designing a process that was fast and flexible and could satisfy the interests of both the victims and the donors. This required the ability to react quickly and work with a minimum amount of bureaucracy, while at the same time showing empathy towards the claimants. On the other hand, as a foundation under German public law it had to comply with a number of administrative law provisions.

Moreover, the departments of the EVZ Foundation had to be established under great time pressure. In the public perception, the EVZ Foundation existed from the moment when the media reported widely on the negotiations, and when the Board of Trustees met shortly after the enactment of the Foundation Law in August 2000. At that time, however, the actual office of the Foundation only existed on paper.

Almost immediately, there was a multitude of tasks that required a functioning office, first and foremost the financial management of the large fund and the negotiation of the agreements with the partner organizations. Also, the EVZ Foundation already received many inquiries, applications, and other correspondence from all over the world. Also the administrative, legal, historical, and public relations tasks had to start. For this, only a few departments were formed, such as a financial and IT department, while other legal or historical issues, among others, were responded to in a collaborative way by members of different teams.

Some of the tasks of the EVZ Foundation also required creating very specific departments. A typical task with regard to the databases that were used to record the claims was that their content had to be managed. While there was an IT department that dealt with the technical aspects of the databases, and a financial department that used the databases for paying out funds to partner organizations, the actual content was managed by staff who were familiar with the claims processing. For example, each beneficiary had to be allocated the correct payments, while double payments had to be avoided. This task could be allocated in either the IT or the

financial department; within the EVZ Foundation, however, a separate “compensation payments team” developed. Also, to ensure controls of the claims decisions by partner organizations, so-called ‘control teams’ were formed later on (see Chapter 8).

During the height of the compensation program, the EVZ employed approximately 40 professionals.

The various responsibilities of the EVZ Foundation office required different priorities with regard to the profile of employees. The departments directly concerned with the compensation program needed to establish a quick and flexible procedure to oversee a victim-friendly implementation of the Foundation Law. Many of the professionals were familiar with the historical situation and could start working directly. Thus, in the respective decisions, priority was given to those persons who had relevant historical or legal expertise, who possessed intercultural competencies, and spoke relevant languages, as practice showed that difficulties arose when there was a lack of intercultural competences. However, in the beginning, the importance of understanding administrative procedures was underestimated.

For the administrative department, the EVZ Foundation oriented itself on typical federal administrative structures. Importantly, the EVZ Foundation received support from several federal authorities and ministries. These were mainly experts of administrative matters who knew the federal regulations well and who could help build capacities of EVZ employees.

In general, the different working styles and purpose of these two types of approaches led to tensions within the EVZ Foundation. The departments dealing directly with the compensation program worked rather flexibly and unconventionally, and, in the beginning, did not have a consistent approach to basic administrative principles. This repeatedly led to internal tensions with the administrative department.

After the completion of the compensation program, most of the main activities of the EVZ Foundation were no longer applied. The respective departments were reduced in size and, where possible, dissolved. Some of the employees could transfer to the “Remembrance and Future” Fund, the only activity that would be continued by the EVZ Foundation. Finally, even though the compensation program was officially concluded in 2007, the Foundation still had to supply capacities to respond to the many inquiries concerning the compensations.

PARTNER ORGANIZATIONS

The main procedures of the compensation program were carried out by the partner organizations. As described in earlier chapters, some of the partner organizations already existed at the time of the negotiations and had already been involved with earlier compensation programs. The following partner organizations were part of the compensation program:

National organizations:

- Belarus: National Foundation “Understanding and Reconciliation,” also responsible for Estonia;
- Czech Republic: “German-Czech Future Fund”;
- Poland: Foundation “Polish-German Reconciliation” (FPNP);
- Russia: National Foundation “Understanding and Reconciliation,” also responsible for Latvia, Lithuania, and so-called CIS states;⁵
- Ukraine: National Foundation “Understanding and Reconciliation,” also responsible for Moldavia.

International organizations

- Conference on Jewish Material Claims Against Germany (JCC) for Jewish claimants worldwide, except those living in the countries named above;
- International Organization for Migration (IOM) for non-Jewish claimants worldwide, except for those living in the countries named above.

The Foundation Law names only the two international organizations directly, while the national partner organizations were expected to be nominated by their respective governments, which indicated that they were at least expected to cooperate. There was no option in the Law for the case of a partner organization unwilling to implement the program, neither were there any provisions in the case of a cancellation of an established partnership after the start of the program. This illustrates that the cooperation of the partner organizations was already expected during the negotiations, just as the coordinating role of the EVZ Foundation. However, since partner organizations were not directly bound to the Foundation Law, the EVZ Foundation also had to negotiate partner agreements detailing the process.

Generally, the partner organizations were responsible for outreach, processing of the claims (including the search for supporting evidence), appeals process, payment, as well as coordination with victims’ associations, as detailed in the Foundation Law. These activities will be discussed in detail in Chapters 5, 6 and 7.

The functions that each partner organization had to fulfill were thus much broader than those of the EVZ Foundation. On the one hand, they were required, per the partnership contracts, to strictly implement the Foundation Law. On the other hand, they were closely connected with the claimants. This situation often produced tensions during the program, which were experienced to different degrees by the respective organizations. In the best case,

5 The Commonwealth of Independent States (CIS) formed when the former Soviet Union dissolved and consist of Armenia, Belarus, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, and Uzbekistan as member states, with Turkmenistan and Ukraine as associate states. In the case of the compensation program, Belarus and Ukraine had their own partner organizations and were not covered by the Russian partner organization.

such tensions could be mitigated by a careful distribution of the roles of the EVZ Foundation and partner organizations. Clear guidelines from the EVZ Foundation and the results of the claims audits could, for instance, help the partner organizations better explain reasons for the rejection of claims.

Organizational structure of the partner organizations

The following describes the setup of new working structures to implement the Foundation Law by the FPNP, the Polish partner organization, representing the situation of a national partner organization, and the IOM exemplifying the work of an international partner organization.

Due to the fact that the organization had already implemented a compensation program for victims of Nazi persecution in the 1990s, the Polish partner organization FPNP already had a working organizational structure. Paying out the compensations for survivors of forced labor was the highest priority during the respective years, and practically the entire organizational structure and staff were oriented towards this goal.

According to the statutes, the following organs of the Polish partner organization were responsible for deciding on content-related issues:

Foundation Board: The members of the Foundation Board acted pro-bono. The tasks of the board were to evaluate the activity of the Board of Directors, to advise on the overall guidelines of the organization's mandate, to evaluate the administration of the financial means of the organization, and to review and verify the financial reports. The funder (the Polish Ministry of Treasury) nominated the members of the Foundation Board.

Board of Directors: The Board of Directors managed the activities of the organization, represented it, and administered the funds. The funder nominated the members.

Review and Verification: This department, at peak times employing close to 60 staff, processed the incoming claims and reviewed/verified them according to the Foundation Law.

Appeals Committee: The appeals committee decided on claims where an appeal was filed, corresponded with claimants, and informed about the ways in which the claims were evaluated.

Supporting organs were:

Information center: As described in Chapter 5, the information center provided information about the eligibility under the Foundation Law and about the status of the claims. The center provided service to individuals who came in person, as well as corresponding via hotlines and letters.

ORGANIZATIONAL CHART OF THE FOUNDATION FOR POLISH-GERMAN RECONCILIATION

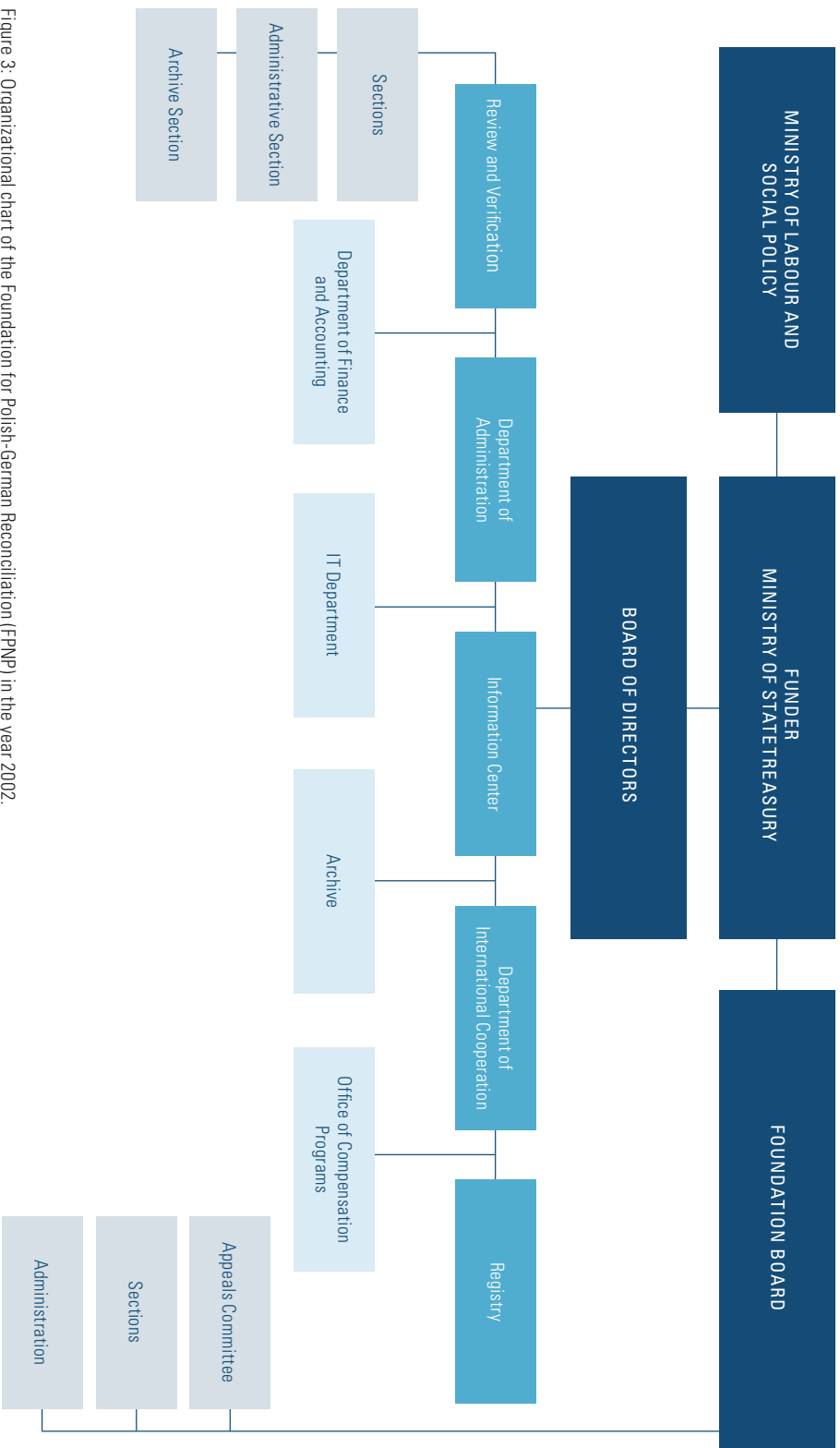


Figure 3: Organizational chart of the Foundation for Polish-German Reconciliation (FPNP) in the year 2002.

Archive: The archive collected all submitted claims. It also corresponded with claimants and sent back documentation where requested.

Registry: This department registered all correspondences, as well as logging times and dates of correspondence electronically.

Finance and Accounting: This department was responsible for all accounting tasks of the organization and processed all checks for the successful claims.

Various state-level authorities in Poland strictly supervised the work of the FPNP. It was controlled three times by the national auditing authority, three times by the inspection office of the Council of Ministers, and two times by the Ministry of Work and Social Welfare. A professional auditing firm reviewed the financial report of the organization, which is a process prescribed by law. Reports about the activity of the FPNP were shared with the register court, the Ministry of Treasury, the Ministry of Work and Social Welfare, as well as the chairmen of the *Sejm* (Polish Parliament) and the Senate. The FPNP liaised closely with victims' associations throughout the program.

An important aspect of the organizational structure of the Polish partner organization was the establishment of an independent appeals committee. This role was taken up by an existing appeals body, which, to comply with the Foundation Law, had to be moved from under the supervision of the Board of Directors to under the supervision of the Foundation Board directly. Also, the rules of procedure had to be changed in order to incorporate that the appeals committee would act independently and not be subjected to any directives.

The IOM had, in contrast to the other partner organizations, no experience with previous compensation programs for victims of Nazi injustice and was forced to establish new working structures from scratch. However, the organization could rely on its existing country offices for the processing of claims from all over the world.

The *German Forced Labour Compensation Programme* (GFLCP) was established as a separate project within the larger organization. The first step was to put together a core team made up of two senior IOM staff members, plus four experts with experience from other claims programs who were recruited from outside. Based on the best assumptions it could make at the time about IOM's claims population and the program's workload, the team first developed a work plan with process flows, targets, and an organizational structure, then defined staff and non-staff resources and budget. Based on this work plan and the budget approved by the EVZ Foundation, IOM then undertook several tasks in tandem; it recruited staff; procured office space, equipment and other non-staff resources;⁶ developed and started the outreach and

6 In its start-up phase, the program could make use of office space and other non-staff resources that IOM made available at its headquarters in Geneva.

public information campaign; and it designed and distributed the claim form. The core team also recruited the program staff at IOM's headquarters in Geneva, and arranged for the recruitment of dedicated program staff in more than 40 IOM country offices worldwide that were responsible for the intake and registration of the claims. At its peak, a total of 120 staff worked in the Geneva office, and over 1,200 staff worked in country offices worldwide.

The program staff in Geneva — responsible for the supervision of staff in the field offices, review of and the decision on the claims, as well as for their payment — was organized into the following teams: management, registry, forced labor, personal injury, property loss, appeals, public information and hotline, IT, and admin and finance. The largest team was the one reviewing the forced labor claims, followed by the team dealing with claims for property losses. The positions for the forced labor compensation program were advertised like other IOM posts and the selection of candidates followed the standard procedures. Experience in the respective work area was a requirement, along with language skills as an extra qualification, as IOM had to handle claims in 27 different languages.

GFLCP had to follow general personnel, budget, procurement, and IT rules of IOM, it was audited by the (external) IOM auditors, but as a very large separate project the program was otherwise managed and funded independently of the wider organization.

Cooperation with victims' associations, which was called for by the Foundation Law, was especially relevant for IOM, given the geographical scope of its responsibilities and the fact that it first had to establish its claimant group. Early on, IOM therefore established a "Steering Committee of Most Involved Victims' Associations" for which it asked the largest victims' associations in the major claimant countries to agree on a manageable number of representatives. The program drew on the knowledge of Steering Committee members about relevant historical facts and situations of claimants, and it could also rely on the assistance of the Steering Committee in the distribution of information about the program, including its limitations, to (potential) claimants. Several IOM country offices also cooperated closely with national advisory councils composed of victims' associations. This was done on the basis of a model cooperation agreement developed by the team in Geneva. As a result, 15 victims' associations assisted in information dissemination, claim intake and registration, depending on whether the victims' association could do the job more efficiently and cost-effectively than the IOM country office.

Appeal committees within the partner organizations

According to the Foundation Law, all partner organizations were required to set up appeal committees, which should be able to independently decide on appeals made against the initial decisions by the respective partner organization. This procedure was agreed upon, in detail, in the partnership contracts. Claimants could appeal within three months after receiving a decision for their claim (see Chapter 6).

The informal inclusion of victims' associations in these procedures was already expected during the negotiations and in the justification of the Foundation Law. Most of the partner organizations gave representatives of victims' organizations the opportunity to take an active part in the compensation program, not least so that they could gain insights into the decision-making process of the partner organization. However, it had to be considered that most of the victims' associations only represented particular victim groups. There were instances when contemporary witnesses who were part of the appeals committees based their decisions too much on their own experiences rather than considering more broad historical knowledge available.

The independence of the appeal committees was a measure to secure a fair procedure. However, in practice in some partner organizations the independence was compromised structurally, as some of the employees with historical expertise who supported the appeal committees had previously worked in the main claims processing department. In any case, it was excluded that an employee could work in both departments simultaneously. There were some arguments in cases where the appeals committee had a fundamentally different opinion for a decision on particular claimant groups. In this case, the partner organizations had no structural option to control the decisions of the appeals committee.

COORDINATION BETWEEN THE EVZ FOUNDATION AND PARTNER ORGANIZATIONS

Communication and cooperation between the EVZ Foundation and the partner organizations took place on all hierarchy levels in order to implement the tasks set out in the partnership agreements. In all departments, via the respective managers, the employees in 'matching' positions worked directly together. There were also regular meetings of the control teams of the EVZ Foundation with the claims processing staff in partner organizations, as well as the financial and information management departments. The requirements for this close cooperation were the deep knowledge of the roles of each organization, both according to the Foundation Law and the partnership agreement, and a feedback system within the respective organizations. This way, the separation of responsibilities, and control and implementation functions was maintained.

While EVZ Foundation regularly sent out information bulletins with general guidance on the interpretation of the Foundation Law, there was a need of multilateral exchange between the EVZ Foundation and all seven partner organizations. This was particularly fruitful to gain an overview of the interpretation of the Foundation Law, particularly with regard to claims decisions. These coordination meetings were often called before a meeting of the Board of Trustees. As some of the representatives of the partner organizations were themselves members of the Board of Trustees or were in close coordination with the respective representatives of their country or organization, the coordination meetings could thus also be used to prepare decisions

by the Board of Trustees: in the coordination meetings the acceptance of certain practices could be gauged; and the different organizations had the possibility to exchange their views. Based on the good experiences with these meetings, meetings of the appeal committees were also organized, albeit with less frequency.

Both the EVZ Foundation and partner organizations included, formally or informally, victims' associations in their work. During meetings and in letters they were informed about the ongoing developments of the program. This was the case for the general timeline of the payments as well as more detailed descriptions of the inclusion or exclusion of particular victims' groups. This intensive exchange strengthened the general understanding for the decisions by the EVZ Foundation and its partner organizations. The main aim of this exchange was less to receive support for disappointing results (such as the exclusion of certain victim groups) but to make transparent the decisions and to prevent misunderstanding and mistrust by the affected groups.

SUMMARY

The organizational structure of the compensation program for forced labor, as laid down in the Foundation Law, was complex and involved several layers of bodies and responsibilities. The overall structure of the EVZ Foundation comprised a supervisory and an executive board. The main function of the former, the Board of Trustees, was to provide general guidance on the interpretation of the Foundation Law by deciding on major questions that arose during the program. The latter, the Board of Directors, managed the program and was supported by the office of the Foundation in Berlin. It also supervised the implementation of the program by partner organizations. The partner organizations carried out the bulk of the work of the compensation program, and had to create their own organizational structures for outreach, claims processing and payment, as well as an appeals process. Due to this complex organizational structure of the compensation program, there was a significant need for cooperation and continued communication between the EVZ Foundation and its partner organizations.

CHALLENGES AND LESSONS LEARNED

- The inclusion of the negotiation partners in a supervisory body of a reparations program can reduce tensions between the ‘victim’ and ‘perpetrator’ sides and contribute to the acceptance of the program.
- When changes in overseeing bodies are anticipated, such as a reduction in size over the course of the program, clear guidelines are necessary and need to be set up during the design of such a program.
- When deciding about the functions of the different boards of an organization, there should be a clear distinction between supervisory and executive functions.
- International boards without a binding business language will generate high costs due to simultaneous translations and document translations.
- Training office staff in administrative procedures can minimize tensions and create more effective workflows. At the same time, to encourage commitment, administrative staff can be made aware of the greater purpose of their work.
- When responsibilities are shared between organizations — such as in this case between a central foundation and implementing partners — there is a need for close and continuous communication, as well as for clearly defined roles of each involved organization.
- Cooperation activities have to be sufficiently planned and budgeted for.