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EIGHTY-THIRD (SPECIAL) SESSION

**GERMAN FORCED LABOUR COMPENSATION PROGRAMME
HOLOCAUST VICTIM ASSETS PROGRAMME (SWISS BANKS)**

ACTIVITY REPORT

July 2000 - December 2001

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1. INTRODUCTION

1. In July 2000, the International Organization for Migration (IOM) became involved in the German compensation programme for former slave and forced labourers and other victims of the Nazi regime. More than 50 years after the Second World War, the German Government and German industry recognized that injustice had been done to millions of people, mainly from Eastern European countries, who were forced to work for German companies or the Nazi regime. The preamble to the law creating the Foundation "Remembrance, Responsibility and Future" acknowledges "that the injustice committed and the human suffering cannot be truly compensated by financial payments", but the Foundation's DEM 10 billion fund allowed for at least symbolic compensation payments to be made to victims. Designated as one of the Foundation's seven partner organizations, IOM participated in this mainly humanitarian effort, and the German Forced Labour Compensation Programme (GFLCP) was established.

2. Four months later, IOM was also appointed as one of the implementing organizations of the Settlement Agreement reached between Holocaust victims and the Swiss banks before a United States Court. Under this Agreement a USD 1.25 billion fund was established to compensate slave labourers and certain other victims of the Nazi regime. In order to compensate non-Jewish minority groups persecuted by the Nazi regime and slave labourers for Swiss companies during the Nazi era, IOM established the Holocaust Victim Assets Programme (HVAP). IOM was thus able to use obvious synergies between the two programmes to the benefit of the claimants and is continuously trying to maximize those synergies.

3. This is the first report on GFLCP and HVAP. It covers activities from their beginning in the summer of 2000 until December 2001. In fulfilling its new tasks, IOM could and did build on two of its unique strengths: its network of Field Offices and the humanitarian tradition of its staff. In turn, these compensation programmes have also contributed to the former and honed the latter. The consistency and discipline required by programmes as far-reaching and complex as the compensation programmes have given IOM's traditional humanitarian approach an added value that should be useful in many a service area or emergency situation. By developing and implementing specific mass claims processing programmes targeting elderly and vulnerable people all over the world and speaking several languages, and by making payments to them, IOM developed unique expertise that might also be useful for future purposes.

2. GERMAN FORCED LABOUR COMPENSATION PROGRAMME

4. In July 2000, IOM was designated by the Government of Germany to be a partner organization of the Federal Foundation "Remembrance, Responsibility and Future". The Foundation is in charge of making financial compensation available, through seven partner organizations, to former slave and forced labourers and those affected by other injustices under the Nazi regime. IOM is responsible for the so-called "rest-of-the-world" non-Jewish claimant group. This group comprises non-Jewish victims living anywhere in the world except in the Czech Republic, Poland and the Republics of the former Soviet Union. IOM is tasked with outreach, processing claims and making payments. IOM is also responsible for all property claims under the German Foundation regardless of where the claimant resides and whether (s)he is Jewish or non-Jewish. The German Foundation Act, which is the basis for this compensation programme and which entered into force on 12 August 2000, also entrusts IOM with funds to be

used for social purposes *vis-à-vis* Sinti and Roma. The Federal Foundation administers a DEM 10 billion fund, of which approximately DEM 770 million are allocated to IOM.

5. The organs of the Federal Foundation are the Board of Trustees or Kuratorium, made up of 27 members (including IOM), which decides on all fundamental matters, and the Board of Directors which manages the Foundation's day-to-day business and implements the decisions of the Board of Trustees.

6. In a letter dated 25 August 2000, addressed to all Kuratorium members, IOM's Director General spelled out the principles that guide IOM in this endeavour: "In implementing the forced labour compensation programme for the non-Jewish, rest-of-the-world claimants, IOM is committed to providing fair, transparent and efficient service to its claimants."

7. The Federal Foundation and IOM signed separate contracts for each of the three components of GFLCP: on 13 February 2001 for property losses, on 4 April 2001 for payments to forced labourers and for other personal injuries suffered as a result of Nazi injustice, and on 18 December 2001 for the payment and use of DEM 24 million for social purposes to the benefit of persecuted Sinti and Roma.

8. Upon expiration of the filing deadline on 31 December 2001, IOM had received 320,000 completed claims forms – four times the initial estimate: 306,000 for Slave and Forced Labour and Personal Injury, and 14,000 for Property Loss.

2.1 Claim Form Distribution and Claimant Assistance

9. Immediately after the entering into force of the German law on 12 August 2000, IOM set up special telephone helplines in 14 countries. Standardized Claimant Assistance guidelines were provided to all Helpline operators, many of whom received specialized training. By April 2001, IOM operators in 46 Field Offices worldwide were handling information requests received by letter, telephone, e-mail, fax and personal visits. Weekly reports from all Field Offices involved were compiled into a global statistics report covering both Forced/Slave Labour and Property Loss, enabling IOM to closely monitor the impact of its information campaign, and to provide the German Foundation with a better picture of the size and geographical distribution of IOM's claimant group.

10. By the end of 2000, IOM had recorded over 100,000 names and addresses of potential claimants for Slave or Forced Labour alone. IOM's Slave and Forced Labour claim form, which had meanwhile been finalized and approved by the German Foundation, was translated and printed in 19 languages. As from December 2000, the forms were distributed to relevant Field Missions which, from January 2001 onwards, mailed them to potential claimants. Distribution of the Property Loss claim form, which was translated into seven languages, began in April 2001.

11. Throughout the period, updated guidelines, instructions and training in claimant assistance, intake, registration and review of claims were provided to the field staff. Some representatives of victims' associations who cooperated with IOM in these activities were included in the training.

12. The summer of 2001 brought a steady increase in the number of contacts, with an average of 3,500 requests per week in July. The requests reached a peak just before 11 August 2001,

which was the initial deadline for claims' submission. A similar surge of contacts occurred during the month of December 2001 prior to the extended deadline of 31 December, with a weekly average of 1,500 new requests for claim forms.

13. By 31 December 2001, more than 300,000 Forced and Slave Labour claim forms and more than 25,000 Property Loss claim forms had been distributed.

2.2 Claims Processing

2.2.1 Slave and Forced Labour and Personal Injury

14. IOM's policy is to ensure that all claims be processed in a humane, efficient and fair manner. Hence the use of IOM's network of Field Offices ensured proximity to claimants which is the most important consideration in information spreading and gathering, claimant assistance and claims collection phases. The actual processing of claims has been centralized in Geneva. It relies heavily on computer support to guarantee consistency and efficiency when dealing with hundreds of thousands of claims from all continents.

15. A key activity was the design, development and creation of an electronic database and claims registration system. This was used by 20 selected IOM Field Offices worldwide, two victims' associations with which IOM had signed a cooperation agreement, and by staff in Geneva to register and review claims. Given the need for consistency, accuracy and speed, together with the programme's different components and changing parameters, training and updating the staff has been an ongoing process.

16. As soon as a claim is registered, a confirmation/deficiency letter, including a unique claim number, is sent to the claimant which allows tracking of the claim throughout. The first claims were registered in March 2001. By December 2001, approximately 90,000 claims had been registered and had undergone a review of the file and attached evidence.

17. The number of incoming claims being much higher, and their intake, registration and review more time-consuming than anticipated, IOM incurred a backlog in acknowledging receipt of claims. At the end of 2001, it tried to remedy the situation by sending out separate acknowledgment letters. However, in doing so it had to be careful not to be distracted from its most important task which was the registration of claims received, so as to make their processing possible.

18. A claim can be decided upon in three ways. The more steps involved, the longer it will take to process a claim. The first step is based on evidence submitted by the claimant. Registration staff, both in the Field and at Geneva Headquarters, review such evidence. If the evidence conclusively allows the claim to be decided positively, the claim is included in the list submitted for payment to the Foundation. Between 20 and 25 per cent of the claims reviewed could be decided in this way. In case of insufficient evidence in the claim file, the claimant information is sent to the International Tracing Service (ITS) in Bad Arolsen, to verify from their files if they have a matching name of a person who qualifies. This second step adds at least two to three months to the processing time. Approximately 8 per cent of the claims sent could be decided through results from ITS. If the ITS search result is negative, the claimant information is sent to the coordinating office in Germany ("Archivverbund") in order that Federal, State and Municipal archives be consulted.

19. To facilitate access to claim information for review, analysis and audit purposes, so as to fulfill the reporting requirements of the Foundation and ensure that electronic records of all processing-related activities be maintained for archival purposes, IOM selected a contractor for the data entry of GFLCP Forced Labour claim form information and the scanning of claim forms and evidence.

20. IOM has shared its processing strategy with the Foundation on a number of occasions and has provided written reports containing details of its processing approach when it has submitted claims for approval. In June 2001, IOM began to submit "tranches" of claims to the German Foundation for payment in accordance with its contract. By 31 December 2001, IOM had submitted three "tranches" to the German Foundation. Each "tranche" was audited, and a total of 6,070 GFLCP Forced Labour claims were approved for payment by 31 December 2001.

21. In order to avoid raising expectations and eventually being flooded with uncompensable claims, early on IOM sought clarification on issues such as "extremely harsh living conditions" in which forced labourers had to be held to qualify for compensation, or the eligibility of Italian Military Internees (IMI). By the time it received clarification – which was in both instances late and restrictive – tens of thousands of IMIs and Western European claimants had unfortunately already submitted claims to IOM.

2.2.2 Property Loss

22. Distribution of Property Loss claim forms, in seven languages, began in June 2001. By 31 December 2001, IOM had received approximately 14,000 claims on official claim forms. It had also received approximately 31,000 "formless claims", i.e. intentions to claim. The resulting potential total of up to 45,000 claims was more than three times the initially estimated figure. Contrary to Slave and Forced Labour claims, Property Loss claims are all being registered centrally in Geneva. By the end of 2001, IOM had registered 10,000 claims. The validity of these claims is to be decided on by a Property Claims Commission established in Geneva.

23. The Commission is composed of three members: Mr. Richard Buxbaum, appointed by the United States Department of State, and Mr. Gerold Herrmann, appointed by the German Ministry of Finance. These Commissioners chose the third member, Dr. Pierre A. Karrer from Switzerland, as the Chairman. At the end of 2001, Mr. Gerold Herrmann had to be replaced for health reasons.

24. The Commission met five times in 2001: in May, July, August, October and December, including one meeting with interested partner organizations, which the Conference on Jewish Material Claims against Germany, the Czech Partner Organization and the Polish Partner Organization attended. During 2001, the Commission also adopted "Supplementary Principles and Rules of Procedure", the text of which can be found on the IOM website.

25. IOM has started reviewing claims in the respective languages and identifying issues that need to be decided by the Commission. From IOM's preliminary reviews, it has become apparent that (i) approximately 50 per cent of the claims have been filed by heirs and (ii) the percentage of non-compensable claims will be very high, in particular due to the fact that, under the German Foundation Act, the requirement of the "direct, essential and harm-causing participation of a German enterprise" must be established for property losses to be compensable.

26. Payments for property losses, for which DEM 200 million has been set aside by the German Foundation Act, can only begin once a decision has been taken on all claims. The Commission has one year from the expiration of the filing deadline (31 December 2001) to rule on all the claims.

2.3 Payments

27. In accordance with an agreement between IOM and the German Foundation, and pursuant to an agreed schedule, the GFLCP team in Geneva sends reports and electronic lists of recommendations and claims determinations to the German Foundation for its approval. The claims recommended for payment by IOM are audited by the German Foundation prior to transfer of the funds to IOM for payment to victims.

28. In February 2001, an IOM team evaluated the various options and available strategies for making worldwide compensation payments. During this review it became clear that a decentralized payment strategy was complex to implement and required extensive staff involvement at IOM Geneva and in the Field Offices, not only to make the payments, but also for the necessary accounting, reconciliation and monitoring of the funds. Spreading the resources in over 40 different bank accounts and in as many countries also increased the risk involved in managing the funds. A review of claims received in the Field also indicated that claimants were not filling out the section on banking information and it became clear that bank transfers would be extremely difficult and costly to implement.

29. Cash payments, on the other hand, are neither practical nor cost effective, as all claimants would have to come to the Missions to pick up funds, or staff would have to hand carry cash to various points for delivery. Both scenarios involve security and logistical issues.

30. The remaining feasible option was to pay by cheque, although this alternative also presented problems. Some Missions, especially in the Balkans, reported that cheques were not commonly used in their countries, and therefore claimants may have problems encashing them.

31. Proposals from two reputed international banks, namely Chase Manhattan and Citibank, were invited. Citibank was selected on the basis of cost effectiveness. With the approval of the Foundation, the first payments took place after an agreement was signed in July 2001.

32. 6,068 payments have so far been made in 34 countries, amounting to a total of € 18,936,797. Thus far, there are no indications of delays or difficulties in encashing cheques in any of the countries.

2.4 Partners

33. Throughout the process of establishment and implementation of the compensation programme, IOM closely cooperated with the organs of the German Federal Foundation as well as with victims' associations.

2.4.1 German Foundation

34. Cooperation with the German Foundation is made possible through IOM's membership on the Board of Trustees (Kuratorium) which decides on all fundamental issues, and through meetings, discussions and communications with the Foundation's Board of Directors.

35. The Board of Directors organized technical meetings involving all partner organizations and had bilateral communications with IOM to finalize the contracts for the various activities. In order to speed up the process, IOM requested the Board to focus on and accept IOM's claims processing strategy.

Kuratorium

36. The Kuratorium met seven times between August 2000 and December 2001. IOM was represented by the Director General and/or the Chief of Mission in Berlin (respectively member and alternate member of the Kuratorium for IOM), supported by senior programme management staff. IOM's goal has been to keep the Kuratorium informed (particularly important, given the uncertainty about the size and composition of its claimant group and the impact on IOM's funding needs) by regularly submitting progress reports. These include reports on public information and outreach to urge decisions and clarifications where needed and to draw attention to the specificity of IOM's responsibilities and tasks.

37. Apart from dealing with numerous problems related to the start-up phase, key issues dealt with by the Board of Trustees included: the achievement of legal peace; extension of the filing deadline; the Zloty exchange rate issue; eligibility of the Italian Military Internees, Western European forced labourers and various other groups of claimants; as well as the ceiling of first instalment payments by partner organizations. With respect to the last issue, notwithstanding the *de facto* impossibility to prove that in doing so it does not exceed its allotment, IOM was allowed to raise the ceiling of its first instalment payment to forced labourers from 35 per cent to 50 per cent, in October 2001.

Board of Directors

38. Until December 2001, the Foundation held six technical meetings with the partner organizations, in which IOM participated. These meetings dealt with issues of common concern or interest, from the treatment of heirs and legal successors, criteria and procedures for personal injury claims, archive searches, reporting and audits to payment questions.

39. From the outset, IOM emphasized the importance of good cooperation and transparency in its work with the Foundation. As a consequence, in addition to numerous written communications, a number of meetings have been held with the Board of Directors and its staff in which policy and technical issues were addressed. The most important of these related to IOM's claims processing strategy and methods, the Foundation's audits of claims tranches and IOM's budget.

2.4.2 Victims' Associations

40. Cooperation with victims' associations, called for by the German Foundation Act, is especially relevant for IOM, given the geographical scope of its responsibilities and the fact that

it had to begin by establishing its claimant group. Victims' associations were involved by IOM at the national level, as implementing partners, as well as at the international level through a Steering Group of most involved victims' associations. In several countries such as Belgium, Italy and the United Kingdom, the local IOM Office also established or cooperated closely with a national Steering Group of victims' associations.

41. At the national level, IOM Field Offices were encouraged to identify victims' associations which could help them with all or part of the tasks entrusted to them and engage in discussions on the basis of a model cooperation agreement provided by IOM in Geneva. As a result, cooperation agreements were signed with 15 victims' associations in Belgium, Denmark, Kosovo, Luxembourg, the Netherlands, Norway, Slovakia, Slovenia, United States and Yugoslavia). The assistance ranged from information dissemination to claim form intake, registration and review, depending on whether the victims' association could do the job more efficiently than the IOM Office. Where victims' associations were financially supported by governments there was no payment involved, otherwise a service fee was negotiated based on real costs.

42. At the international level, the Steering Group composed of 16 members representing 12 countries (Belgium, Germany, Greece, Italy, Luxembourg, the Netherlands, Norway, Slovenia, Sweden, Switzerland, United Kingdom and United States) held regular meetings. Beyond being a unique forum for information exchange, consultation and dialogue, the Steering Group was instrumental in outreach as well as in defending the rights of IOM's claimant group. *Inter alia*, it helped to raise the ceiling of IOM's first instalment payment to forced labourers from 35 per cent to 50 per cent. In the course of four Steering Group meetings in 2001, a climate of trust and confidence was gradually built which bodes well for the future.

2.5 Organization and Budget

2.5.1 Organization

43. The programme is organized under two main sections: overall programme management and claims processing.

- (i) Programme management consists of: overall management, administration and finance, public information, humanitarian and social programmes, and compensation payments.
- (ii) Claims processing consists of: claims intake and registration, information technology, appeals, and a team for each of the two programme components: slave and forced labour and personal injury, and property loss.

2.5.2 Budget

44. Due to the numerous uncertainties IOM faced in the implementation of this programme (beginning with the size and the whereabouts of its claimant group) and IOM's policy of transparency, several successive versions of the Budget for Administrative Costs reflecting the

changing tasks and requirements have been submitted to the Foundation since the beginning of the programme. The total amounts proposed in the various submissions were as follows:

Budget submitted	DEM	€
12 October 2000	55,750,912	28,504,995
5 March 2001	76,489,062	39,108,245
17 September 2001	68,530,923	35,039,313
Approved 17 September 2001	68,246,143	34,893,707

45. The last budget revision submitted on 17 September 2001 amounted to 8.89 per cent of the total DEM 771 million allotment to IOM.

46. Following an audit by the Bundesverwaltungsamt (German Federal Audit Bureau), the Foundation approved this proposal at a slightly reduced 8.85 per cent of IOM's allocation or total of DEM 68,246,143. This budget and percentage is subject to review before the end of 2002, when there will be a better indication of the number and kinds of claims to be processed and paid.

47. The budget continues to be regularly revised to reflect the shift to 2002 of intake, registration and processing tasks not completed as scheduled in 2001, and to include costs arising from unanticipated changes in volume of claims and requirements of claims processing.

48. The actual expenditure for administrative costs have been as follows:

	Budget	Expenditure	
	DEM	DEM	€
2000	2,974,031	2,974,031	1,520,598
2001	25,997,125	18,750,990	9,587,231

49. The 2001 expenditure is provisional. The savings of DEM 7,246,135 in the 2001 budget will be carried over to 2002.

3. HOLOCAUST VICTIM ASSETS PROGRAMME (SWISS BANKS)

50. Designated in November 2000 as an appointee of the United States District Court for the Eastern District of New York (the Court), IOM, under its Holocaust Victim Assets Programme (HVAP), is charged with administering the distribution of a certain amount from a USD 1.25 billion Settlement Fund resulting from the Holocaust Victim Assets Litigation (Swiss Banks). The administration of the Settlement Fund is supervised by Chief Judge Korman of the Court, together with Special Master Judah Gribetz, in accordance with Chief Judge Korman's Order of 8 December 2000.

51. In accordance with the Special Master's Proposed Plan of Allocation and Distribution of Settlement Proceeds (Distribution Plan), approved by the Court on 22 November 2000, IOM is charged with implementing a claims processing programme and paying compensation to former

slave labourers and certain other victims of the Nazi regime. In particular, IOM is responsible for processing the claims of, and making payments to, victims and targets of Nazi persecution. The Distribution Plan defines a victim or target of Nazi persecution as “any individual, corporation, partnership, sole proprietorship, unincorporated association, community, congregation, group, organization or other entity persecuted or targeted for persecution by the Nazi Regime because they were, or they were believed to be Jewish, Romani, Jehovah’s Witness, homosexual, or physically disabled or handicapped”. IOM is responsible for making payments to non-Jewish victims or targets of Nazi persecution who performed slave labour for private entities or the Nazi regime (Slave Labour Class I), to all individuals who performed slave labour for a Swiss entity (Slave Labour Class II) and to non-Jewish victims or targets of Nazi persecution who sought entry into Switzerland to avoid Nazi persecution and who were denied entry into Switzerland or, after gaining entry into Switzerland, were deported, detained, abused or otherwise mistreated (Refugee Class).

52. In order to fulfil its obligations, IOM set up a fully projectized programme called Holocaust Victim Assets Programme (HVAP), based in Geneva for reasons of synergy with the German Forced Labour Compensation Programme (GFLCP). By the end of 2001 IOM had received around 21,000 claims. It expects to pay between USD 25 and USD 30 million in total compensation on these claims.

53. Under the “Looted Assets Class”, part of the Settlement Agreement, IOM is also tasked with the distribution of USD 10 million through humanitarian programmes to needy elderly Roma, Jehovah’s Witness, disabled and homosexual Nazi victims.

3.1 Claim Form Distribution and Claimant Assistance

54. Since January 2001, the work performed has included in particular:

- the design and distribution of claim forms and guidelines in Czech, German, Polish, Russian, French, Italian and Dutch, based on the geographic areas from which IOM was advised to expect that most claimants would originate;
- the development and implementation of the HVAP claims processing procedure and infrastructure culminating in the "Proposal for Processing of Slave Labour Class I (SLCI), Slave Labour Class II (SLCII) and the Refugee Class Claims", which was submitted to the Court on 15 February 2001.

55. IOM established relationships with entities such as the Jehovah’s Witness Holocaust-Era Survivors Fund (JWHESF) and AB Data, which could assist it in its campaign to reach victims and targets of Nazi persecution who have historically been excluded or under-represented in previous programmes and later formalized these relationships, as described below. Utilization of the Swiss Banks' Notice Administrator’s Initial Questionnaire Database also allowed IOM to contact numerous potential claimants without duplicating the efforts and costs already incurred by the Court.

56. By Order dated 13 April 2001, Chief Judge Korman approved the claims processing proposal submitted by IOM on 15 February 2001 in its entirety. This permitted the official launch of the second phase of the implementation of HVAP claims processing, which began in

mid-April 2001. The primary focus of this second phase was the implementation of claims review programmes for the three classes of HVAP claimants.

3.2 Claims Processing

57. IOM received HVAP claims through five channels:

- claimants who contacted a local IOM Mission or the Geneva Helpline to receive a claim form;
- claimants who completed the Initial Questionnaire from the Notice Administrator;
- claimants who were contacted through AB Data or the JWHESEF;
- claimants who downloaded claim forms from the HVAP website;
- claimants who filed GFLCP claim forms and who are also eligible for payment under HVAP Slave Labour Class I.

58. The registration process is designed to register every claim from any of the five channels and assign to each claim a unique claim number. The basis of the registration process is the contact information recorded by the Field Offices and Hotline/Helpline staff in Geneva. As a claim is registered, claimant information is also entered into IOM's database.

59. As part of Phase 2, IOM began the design and implementation of a computerized claims processing system to support the claims review process of the anticipated several thousand HVAP claims, by logging the claims, assigning unique registration numbers, and comparing and containing data for review and analysis. The computerized processing system allows tracking of HVAP claims and their processing progress and history from registration to payment and, if applicable, through the appeals process. The claims processing system is intended to be responsive to the needs of the review process and allow for integration of various aspects of the process, including the electronic matching between successful GFLCP claimants and HVAP Slave Labour Class I claimants. In this regard, the claims processing system will continue to evolve until all elements are fully integrated.

60. To date, the HVAP team has manually reviewed a number of GFLCP claims that have been recommended for payment in order to verify whether the claimants are members of non-Jewish target groups so that they are also eligible for payments under Slave Labour Class I.

3.3 Payments

61. In July 2001, IOM made its first payments to 25 persons, based on a Court-authorized legal presumption that claimants who were paid under the GFLCP and were victims or targets of Nazi persecution were also eligible for payments under HVAP Slave Labour Class I.

62. The names and addresses of the persons who received payment and a description of the review procedure were filed under seal with the Court in the "Report and Recommendations

Made by IOM for the First Group of Claims under the Holocaust Victim Assets Programme ('Swiss Banks').

3.4 Partners

3.4.1 Court and Special Master

63. IOM works under the supervision of the United States District Court for the Federal District of New York (the Court). The Court appointed Special Master Judah Gribetz to assist with the administration of the Swiss Banks Settlement Fund. The Special Master is responsible for ensuring that IOM complies with the implementation of the Proposed Plan of Allocation and Distribution of Proceeds (Distribution Plan).

64. In this regard, IOM prepares semi-annual reports to the Court describing its claims processing activities and progress in implementing the Distribution Plan. In addition, IOM confers with the Court and the Special Master on legal matters relating to evidentiary issues and procedural matters relating to the administration of the claims processing programme on an "as needed" basis.

3.4.2 Victims' Associations and other Implementing Organizations

Jehovah's Witness Holocaust-Era Survivors Fund, Inc. (JWHESF)

65. The JWHESF, a non-profit-making organization established to assist Holocaust-era victims and their heirs worldwide, is the only organization specifically representing the interests of Jehovah's Witness who were persecuted by the Nazi regime. A formal cooperation agreement between IOM and JWHESF was completed on 17 April 2001. Under the direction of IOM, JWHESF worked closely with IOM's network of Field Offices in identifying members who may be eligible to submit a claim under HVAP. JWHESF assisted its members with completing claim forms and answering their claim-related questions.

66. JWHESF claims personnel were trained by IOM. Claimant information and claim forms forwarded from JWHESF were registered for processing through the HVAP computerized claims system at IOM Geneva. JWHESF claims personnel remain in close contact with IOM staff to ensure that the claims of their members are processed as efficiently and expeditiously as possible.

AB Data, Ltd. (AB Data)

67. IOM contracted with AB Data for outreach services to the Roma community on 14 March 2001. AB Data located eligible Roma claimants in Belarus, Bosnia and Herzegovina, Czech Republic, Croatia, Estonia, Hungary, Latvia, Lithuania, Poland, Republic of Moldova, Romania, Russian Federation, Slovakia, Slovenia, The former Yugoslav Republic of Macedonia (FYROM), Ukraine and Yugoslavia (FRY). AB Data travelled to Roma communities in these 17 countries, met with potential claimants face-to-face and assisted them with their claim forms. Claim forms for eligible claimants were completed in the Field and forwarded with any supporting documentation to IOM Geneva for processing and review. As of 31 December 2001, over 11,000 claim forms had been mailed to IOM Geneva as a result of AB Data's activities, which contributed substantially to higher-than-expected numbers of Roma claimants.

Kishurit

68. In October 2001, IOM signed an agreement with Kishurit in Israel to provide claimant assistance to persons in Israel who wished to file Slave Labour Class II claims. Slave Labour Class II is the only HVAP subclass which includes all the victims and targets of Nazi persecution, including Jewish claimants. Kishurit also assisted with the public outreach campaign in Israel.

Conference on Jewish Material Claims against Germany, Inc. (JCC)

69. Just as IOM works under the supervision of the United States District Court for the Federal District of New York, JCC is the organization responsible for the processing and payment of all claims by Jewish victims in Slave Labour Class I and the Refugee Class. As such, JCC must also comply with the Distribution Plan.

70. IOM coordinates with JCC, as well as with the Court and the Special Master, on legal matters relating to evidentiary issues and other procedural matters relating to claims processing that are of concern to both implementing organizations.

3.5 Organization and Budget**3.5.1 Organization**

71. From a financial perspective, HVAP is divided into four major categories which incorporate nine specific budget groups:

- (i) Programme Management – which includes overall management, administration and finance, public information activities, humanitarian and social programmes and compensation payments.
- (ii) Claims Processing – which includes claims management, registration, Slave Labour Class I, Slave Labour Class II, Refugee Class, appeals and field-based claims processing.
- (iii) Humanitarian and Social Programmes (HSP) – which include humanitarian and social programmes management, field team coordination, project proposal tracking, monitoring and review.
- (iv) Information Technology – which includes database design, development and management for claims processing and humanitarian and social programmes.

72. In all four categories, the synergies with GFLCP are used to the fullest extent possible. For Humanitarian and Social Programmes, one single team is in charge of activities under both HVAP and GFLCP.

3.5.2 Budget

	USD
Budget submitted 2001	5,400,044
Total Expenditure 2001	2,551,177
Total Savings 2001	2,848,867

73. Budget savings will be carried over to 2002. A substantial portion of the budget savings resulted from staffing decisions. The project was not staffed to capacity in 2001 because the estimated number of claims to be paid in 2001 did not require maximum staff capacity. A decision was made to await the 31 December 2001 deadline for receipt of all claims to more accurately assess future staffing requirements. It is anticipated that staffing needs will substantially increase in 2002 with the estimated number of claims to be paid.

4. OUTREACH AND PUBLIC INFORMATION

74. When IOM took on the task to help implement the German Foundation Act, it was faced with a formidable challenge regarding communication and outreach. In striking contrast to other partner organizations, the size, composition and the geographical distribution of IOM's group of claimants were not known. Therefore, the challenge within the framework of GFLCP consisted in locating the claimants and reaching out to as many potential beneficiaries as possible during a period of only 12 months. With regard to HVAP, the situation was slightly different. Thanks to the "Initial Questionnaire" sent out to potential beneficiaries and evaluated by the Court, IOM had at least some general information about the HVAP group of claimants, their place of residence and the possible numbers of claims in the different categories.

75. For GFLCP, IOM launched its global public information and outreach campaign with the worldwide dissemination of a Public Service Announcement (PSA) in August 2000. The response received by IOM Offices around the globe provided the basis for establishing a network of the involved countries and IOM Offices and for developing an appropriate plan of action. For HVAP, IOM participated in two press conferences, organized by the Notice Administrator of the Court, in New York and Tel Aviv in April 2001. The IOM public information campaign was launched a month later.

76. Both the GFLPC and the HVAP information campaigns, followed a double-track strategy. On the one hand, continuous multilingual general information activities on criteria and procedures were carried out, mainly through mainstream media, with a special effort to reach out to ethnic target communities worldwide. This global outreach campaign was complemented by special information activities for Roma, handicapped people, homosexuals and personal injury victims. These specific target campaigns were carried out as combined activities by GFLCP and HVAP in order to strengthen the impact of the campaigns and to provide target group members with comprehensive information on all relevant compensation schemes implemented by IOM. Economic considerations also prompted joining forces in this area. As the Foundation only approved the necessary funds in September 2001, these campaigns were carried out in the last quarter of 2001. When the filing deadline for claims under both programmes was extended until

31 December 2001, IOM widely publicized this extension and also made a last comprehensive outreach effort prior to the new deadline.

77. The information campaigns included a broad range of media activities. IOM coordinated the production and dissemination of brochures, flyers, posters and fact sheets in 28 languages (GFLCP) and nine languages (HVAP) through IOM Field Offices and other partners. Paid advertisements were placed in major newspapers and target group media around the globe. The Public Information team arranged for production and worldwide broadcasting of multilingual radio and television spots through Deutsche Welle, UN Radio, Swiss Radio International and local radio and television stations, to some extent free of charge. IOM held 39 press conferences in 30 countries, published 23 press releases, and created web banners and special webpages that were updated on a regular basis. IOM staff around the world gave numerous interviews to media and frequently participated in relevant radio and television programmes.

78. In order to ensure the greatest possible impact and the broadest distribution of its information material, IOM endeavoured to closely cooperate with victims' associations, other partner organizations, the media, governments, local authorities, international organizations, minority representatives and other partners. This cooperation did not only include consultations on content and strategy but also the dissemination of IOM material and direct assistance to potential claimants.

79. The final evaluation showed that IOM's public information and outreach campaign was extremely successful. While of course the scope and breadth of information varied from country to country, the Organization had reached its goal to broadly spread the word across the globe and to reach out to as many beneficiaries as possible.

5. HUMANITARIAN AND SOCIAL PROGRAMMES (HSP)

80. IOM has been tasked with administering DEM 24 million which have been allocated under the German Foundation Act for social programmes for Sinti and Roma. A contract for social programmes was signed with the German Foundation in December 2001. Under the "Looted Assets Class" of the Swiss Banks Settlement Agreement, IOM was mandated to distribute USD 10 million through humanitarian programmes for needy elderly Roma, Jehovah's Witness and disabled and homosexual Nazi victims.

81. Depending on specific programme parameters, HSP may include food, medical and dental care, home care, winter assistance, clothing and accommodation. After having explored individual assistance in the form of food packages, IOM modified and broadened the array of possible assistance in the light of the beneficiary numbers and in agreement with the Office of the Special Master.

82. As part of the strategy of reformulating HSP to address the greater challenges faced in respect of a finite budget yet significantly increased beneficiary population, HSP Field Coordinators were appointed in the Czech Republic, Hungary, Poland, Romania, Ukraine and Yugoslavia. Coordinators attended a training workshop in Geneva in December 2001 where project formulation, assessment and monitoring were among the topics introduced.

Roma

83. In 2001, IOM commissioned the compilation of a database of potential HSP Roma beneficiaries in 17 Central and Eastern European countries. Survey activities, which took place in conjunction with special claimant assistance, lasted throughout 2001.

84. A first IOM meeting of Roma representatives was held in May 2001, the purpose and result of which was to increase and facilitate communication between the Roma leadership and IOM and to increase Roma involvement.

Other Victim Groups

85. IOM maintained a regular dialogue with the Jehovah's Witness Holocaust-Era Survivors Fund, Inc., (JWHESF). IOM also reached out to multipliers and potential service providers in the delivery of assistance to disabled or homosexual survivors.

86. Incoming claims data was analysed for use in targeting the placement of Humanitarian and Social Programmes, especially in those areas not covered by the Roma potential beneficiary survey.

6. CONCLUSION

87. From the outset IOM has opted for a claimant-oriented approach. IOM has sought close cooperation with victims' associations and has striven for early Foundation decisions on Italian Military Internees and Western European forced labourers. It has invested in the training of hotline/helpline staff and in producing and updating guidelines for them. IOM has emphasized the individual review of each claim and also encouraged victims to thoroughly inform themselves, providing them with the tools to do so.

88. The human dimension is doubtless IOM's biggest challenge in these compensation programmes. By accepting to be a partner organization of the German Foundation and one of the implementing organizations of the Swiss Banks Settlement Agreement, IOM has put itself at the service of groups of elderly, vulnerable people, all of whom have been victims of the Nazi regime, and most of whom have been hoping for this gesture of recognition for over 50 years. They are first and foremost human beings, with feelings, memories, emotions, and expectations. IOM has to strike the right balance between two poles: the human aspect and the prescribed parameters for the programmes establishing criteria, categories and ceilings. The fact that there are hundreds of thousands of claimants who are spread all over the world and that, given their age, time is of the essence, adds to the challenge.