

CLAIMS RESOLUTION TRIBUNAL

In re Holocaust Victim Assets Litigation
Case No. CV96-4849

Certified Award

to Claimant [REDACTED]¹

in re Account of Berthe Salomon

Claim Number: 004136/RS²

Award Amount: 11,778.13 Swiss Francs

This Certified Award is based upon the claim of [REDACTED] (the “Claimant”) to the account of Hermann Salomon.³ This Award is to the unpublished account of Berthe Salomon (the “Account Owner”) at the [REDACTED] (the “Bank”).

All awards are published, but where a claimant has requested confidentiality, as in this case, the names of the claimant, any relatives of the claimant other than the account owner, and the bank have been redacted.

Information Provided by the Claimants

The Claimant submitted a Claim Form identifying the Account Owner as his maternal aunt, Berthe Salomon, née Rosenberg, who was born in 1889 in Romania, and was married to [REDACTED] in 1930. In a telephone conversation with the CRT, the Claimant stated that his aunt, who was Jewish, resided on a successful farm belonging to his maternal grandparents in Banilla, Bukovina, Romania. The Claimant stated that the family had a large house on the farm that was divided into apartments, and that his aunt and his mother, [REDACTED], were each given an apartment in the house upon their marriages in 1930 and 1932, respectively. The Claimant indicated that his aunt and uncle worked on the farm, and that his mother, [REDACTED], ran an embroidery business in the house. According to the Claimant, his aunt did not have any children.

¹ In his Claim Form, Claimant [REDACTED] (the “Claimant”) provided his name and those of his relatives only in Hebrew. For the purpose of this written decision, the CRT has transliterated these names into Latin characters. However, to match names provided in the Claim Form with names contained in the Bank’s database, the CRT has used a database created by Yad Vashem, Israel, which provided different variations in Latin characters for each of the names.

² The Claimant submitted five additional claims, which are registered under the Claim Numbers 004133, 004135, 004136, 713936, and 714053. The CRT will treat these claims in separate determinations.

³ The CRT will treat the claim to this account in a separate determination.

The Claimant stated that in 1941, his father was compelled to join the Russian army, and the family never heard from him again; the rest of the family, including his aunt, was deported from their farm in July 1941. The Claimant stated that from 1941 until the end of the War, the family was forced to move to various camps and ghettos, including ones in Moghilev, Belarus; Woroschilowka, Ukraine; Chernivitsi, Ukraine; and Oradea, Romania. The Claimant indicated that during that period, his family members faced horrible conditions in the camps and ghettos. In 1945, the family arrived in Bucharest, where, according to the Claimant, his aunt Bertha Salomon died in 1946.

The Claimant indicated that he was born on 18 September 1939 in Banilla.

Information Available in the Bank's Record

The Bank's record consists of an excerpt from a list of account owners that was prepared by the auditors who carried out the investigation of this bank to identify accounts of Victims of Nazi Persecution pursuant to instructions of the Independent Committee of Eminent Persons ("ICEP" or the "ICEP Investigation"). According to this record, the Account Owner was Berthe Salomon. The auditor's report does not indicate the Account Owner's domicile. The auditor's report indicates that the Account Owner held a savings/passbook account, and that in 1999, the account had a balance of 17.25 Swiss Francs ("SF"). The account remains open and dormant.

The CRT's Analysis

Identification of the Account Owner

The Claimant's aunt's name matches the unpublished name of the Account Owner.

The CRT notes that the auditor's report does not contain any specific information about the Account Owner other than her name.

The CRT notes that there are no other claims to this account. Taking all of these factors into account, the CRT concludes that the Claimant has plausibly identified the Account Owner.

Status of the Account Owner as a Victim of Nazi Persecution

The Claimant has made a plausible showing that the Account Owner was a Victim of Nazi Persecution. The Claimant stated that the Account Owner was Jewish, and that she and her family were deported from their farm in Nazi-allied Romania to a series of camps and ghettos in the Ukraine, Belarus, and Romania for five years, until the end of the War.

The Claimant's Relationship to the Account Owner

The Claimant has plausibly demonstrated that he is related to the Account Owner by submitting specific information, demonstrating that the Account Owner was his aunt. The CRT notes that

the Claimant identified the Account Owner's name, even though it was not published. There is no information to indicate that the Account Owner has other surviving heirs.

The Issue of Who Received the Proceeds

The auditor's report indicates that the account remains open and dormant.

Basis for the Award

The CRT has determined that an Award may be made in favor of the Claimant. First, the claim is admissible in accordance with the criteria contained in Article 18 of the Rules Governing the Claims Resolution Process, as amended (the "Rules"). Second, the Claimant has plausibly demonstrated that the Account Owner was his aunt, and that relationship justifies an Award. Third, the CRT has determined that neither the Account Owner nor her heirs received the proceeds of the claimed account.

Amount of the Award

In this case, the Account Owner held one savings/passbook account. The auditor's report indicates that the value of the savings/passbook account as of 1999 was SF 17.25. In accordance with Article 31(1) of the Rules, this amount is increased by an adjustment of SF 925.00, which reflects standardized bank fees charged to the savings/passbook account between 1945 and 1999. Consequently, the adjusted balance of the account at issue is SF 942.25. The current value of the amount of the award is determined by multiplying the adjusted balance by a factor of 12.5, in accordance with Article 31(1) of the Rules, to produce a total award amount of SF 11,778.13.

Scope of the Award

The Claimant should be aware that, pursuant to Article 20 of the Rules, the CRT will carry out further research on his claim to determine whether there are additional Swiss bank accounts to which he might be entitled, including research of the Total Accounts Database (consisting of records of 4.1 million Swiss bank accounts which existed between 1933 and 1945).

Certification of the Award

The CRT certifies this Award for approval by the Court and payment by the Special Masters.

Claims Resolution Tribunal
19 December 2007