

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant [REDACTED]

in re Account of Arthur Henry Sieger

Claim Number: 221748/AX

Award Amount: 26,750.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED] (the “Claimant”) to an account of Arthur Sieger. This Award is to the unpublished account of Arthur Henry Sieger (the “Account Owner”) at the [REDACTED] (the “Bank”).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 Claimant

The Claimant submitted a Claim Form identifying the Account Owner as her father, Arthur Sieger, who was born on 8 December 1904 in Wesel, Germany, and was married to [REDACTED], née [REDACTED]. The Claimant indicated that her father, who was Jewish, lived in Wesel before the Second World War. In a telephone conversation with the CRT on 9 February 2005, the Claimant indicated that her father worked with his parents, who owned a clothing shop in Wesel. The Claimant indicated that she does not know whether her father had a middle name. According to the Claimant, her father fled Germany to Colombia, South America on 10 May 1938 in order to escape Nazi persecution. The Claimant indicated that her father died in Cali, Colombia on 13 October 1986. In support of her claim, the Claimant submitted the birth and marriage certificates of her father, indicating that his name was Arthur Sieger, and that he was from Wesel; and the birth certificate of the Claimant, indicating that her father was Arthur Sieger. The Claimant indicated that she was born on 26 October 1940 in Colombia.

Information Available in the Bank’s Records

The Bank’s records consist of a list of accounts transferred to a suspense account and an internal transfer note. According to these records, the Account Owner was Arthur Henry Sieger. The Bank's records do not contain information about the Account Owner's domicile. The Bank’s records indicate that the Account Owner held one demand deposit account, numbered 648433.

The Bank's records indicate that the account was considered dormant by the Bank and was transferred to a suspense account on 16 December 1963. The amount in the account on the date of the transfer was 80.20 Swiss Francs ("SF"). The account remains in the Bank's suspense account.

The CRT's Analysis

Identification of the Account Owner

The Claimant's father's name matches the unpublished name of the Account Owner.¹ The CRT notes that the Bank's records do not contain any specific information about the Account Owner other than his name. In support of her claim, the Claimant submitted documents, including her father's birth certificate, indicating that his name is Arthur Sieger, providing independent verification that the person who is claimed to be the Account Owner had the same name as the name of the Account Owner.

The CRT notes that there are no other claims to this account. Taking all 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 he fled Germany in 1938 to escape Nazi Persecution.

The Claimant's Relationship to the Account Owner

The Claimant has plausibly demonstrated that she is related to the Account Owner by submitting specific information and documents, demonstrating that the Account Owner was the Claimant's father. These documents include her birth certificate, indicating that her father was Arthur Sieger. There is no information to indicate that the Account Owner has other surviving heirs.

The Issue of Who Received the Proceeds

The Bank's records indicate that the account remains in the Bank's suspense account.

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 her father, and that relationship justifies an Award.

¹ The CRT notes that the Bank's records indicate that the Account Owner's name was Arthur Henry Sieger, and that the Claimant did not identify the Account Owner's middle name. The CRT further notes that the Claimant was born in 1940 after her father left Germany, and may not know the full name her father used while he resided in Germany.

Third, the CRT has determined that neither the Account Owner nor his heirs received the proceeds of the claimed account.

Amount of the Award

In this case, the Account Owner held one demand deposit account. The Bank's records indicate that the value of the account as of 16 December 1963 was SF 80.20. In accordance with Article 31(1) of the Rules, this amount is increased by an adjustment of SF 285.00, which reflects standardized bank fees charged to the account between 1945 and 1963. Consequently, the adjusted balance of the account at issue is SF 365.20. According to Article 29 of the Rules, if the amount in a demand deposit account was less than SF 2,140.00, and in the absence of plausible evidence to the contrary, the amount in the account shall be determined to be SF 2,140.00. The current value of the amount of the award is determined by multiplying the balance as determined by Article 29 by a factor of 12.5, in accordance with Article 31(1) of the Rules, to produce a total award amount of SF 26,750.00.

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 her claim to determine whether there are additional Swiss bank accounts to which she 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
15 July 2005