

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant [REDACTED 1] and Claimant [REDACTED 2]

in re Account of Ladislaus Steiner

Claim Numbers: 220022/AY, 221144/AY¹

Award Amount: 26,750.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED 1], née [REDACTED], formerly [REDACTED], (“Claimant [REDACTED 1]”) and upon the claim of [REDACTED 2], née [REDACTED], formerly [REDACTED], (“Claimant [REDACTED 2]”) (together, the “Claimants”) to the account of Ladislaus Steiner (the “Account Owner”) at the Zurich branch of 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 Claimants each submitted a Claim Form identifying the Account Owner as their father, Ladislaus (Ladzlo) Steiner, who was born in Budapest, Hungary, on 6 December 1906 and was married to [REDACTED], née [REDACTED]. The Claimants indicated that the couple had three children: Claimant [REDACTED 1], who was born in Budapest on 6 May 1936, Claimant [REDACTED 2], who was born in Budapest on 31 May 1945, and [REDACTED], née [REDACTED], who was born in Budapest on 6 May 1936 and died in Budapest on 22 May 1986. The Claimants indicated that their father was the managing director of a Swiss company in Hungary, and that he resided in Budapest his whole life. According to the Claimants, their father was Jewish and was deported to Mauthausen in 1944. The Claimants’ father was liberated in 1945 and returned to Budapest, where he died on 19 February 1952. The Claimants further stated that their mother lived in Budapest until her death on 17 August 1989. In support of their claims, the Claimants submitted documents including a detailed family tree; a 1952 copy of their

¹ Claimant [REDACTED 1] and Claimant [REDACTED 2] each submitted an additional claim to the account of [REDACTED]. These claims are registered under the claim numbers 220095 and 221143, respectively. The CRT will treat their claims to this account in a separate decision.

parents' marriage certificate, in which their father's name is listed as Laszlo² Steiner and indicating that the Claimants' parents married on 17 June 1934; a decree dated 8 November 1945 issued by the Hungarian interior minister authorizing their father, Laszlo Steiner, and themselves to change their names from Laszlo Steiner to Laszlo Somogyi, [REDACTED] to [REDACTED] (Claimant [REDACTED 1]), [REDACTED] to [REDACTED], and [REDACTED] to [REDACTED] (Claimant [REDACTED 2]); and a 1952 copy of their father's death certificate, indicating that their father died on 19 February 1952 and listing his name as Laszlo Somogyi. The Claimants also submitted their birth certificates, which list their father's name as Laszlo Steiner.

Information Available in the Bank's Records

The Bank's records consist of an extract from a suspense account ledger, a document issued pursuant to the 1962 Swiss Federal Survey and printouts from the Bank's database. According to these records, the Account Owner was Ladislaus Steiner, a landowner from Hungary. The Bank's records indicate that the Account Owner held a demand deposit account identified by the number 18734. The Bank's records do not indicate the date on which the account was opened. The records show that the account was transferred to a suspense account, which is a grouping of open and dormant accounts, on 8 December 1948. According to the records, the amount in the account on the date of its transfer was 327.00 Swiss Francs. The records show that the account was considered for the 1962 Survey but was not included on the published list. The Bank's records indicate that bank charges reduced the account balance to 81.50 Swiss Francs on 9 September 1968, when the account was paid into the unclaimed assets fund, which was created under the account name "Heirless Assets, Future Funds" (*Erblose Vermögen, künftiger Fonds*) in accordance with the 1962 decree in order to collect and distribute unclaimed assets. 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") indicated that there was no evidence of activity on this account after 1945.

The CRT's Analysis

Joinder of Claims

According to Article 37(1) of the Rules Governing the Claims Resolution Process, as amended (the "Rules"), claims to the same or related accounts may be joined in one proceeding at the CRT's discretion. In this case, the CRT determines it appropriate to join the two claims of the Claimants in one proceeding.

Identification of the Account Owner

The Claimants have plausibly identified the Account Owner. The Claimants' father's name and country of residence match the published name and country of residence of the Account Owner.

² The name "Laszlo" is the modern Hungarian equivalent for the Latin name "Ladislaus."

With regard to the Account Owner's name, although some of the official and family records refer to the Account Owner as Laszlo Somogyi rather than Ladislaus Steiner, the Claimants have provided a chain of documents that plausibly indicate that the person identified by the Claimants as the Account Owner and the Account Owner identified in the Bank's records, are the same person. As noted above, the name Laszlo is the modern version of the Latin name Ladislaus. In support of their claims, the Claimants submitted documents including a detailed family tree; a 1952 copy of their parents' marriage certificate, which identifies their father as Laszlo Steiner; a 1945 decree issued by the Hungarian interior minister authorizing their father, Laszlo Steiner, to change his name from Laszlo Steiner to Laszlo Somogyi; and a 1952 copy of their father's death certificate, listing his name as Laszlo Somogyi, providing independent verification that the person identified by the Claimants and the Account Owner identified in the Bank's records are the same person and resided in the same country, Hungary. In addition, the Claimants' birth certificates, which list their father's name as Laszlo Steiner, and the 1945 decree issued by the Hungarian interior minister, authorizing the Claimants' father and themselves to change their last names from Steiner to Somogyi, provide independent verification of the relationship between the Claimants and the Account Owner. The CRT notes that there are no other claims to this account. Taking all of these factors into account, the CRT concludes that the Claimants have plausibly identified their father as the Account Owner.

Status of the Account Owner as a Victim of Nazi Persecution

The Claimants have made a plausible showing that the Account Owner was a Victim of Nazi Persecution. The Claimants stated that the Account Owner was Jewish, and that in 1944 he was deported to Mauthausen, where he remained until the liberation of the camp in 1945.

The Claimants' Relationships to the Account Owner

The Claimants have plausibly demonstrated that they are related to the Account Owner by submitting documents demonstrating that they are the Account Owner's daughters. There is no information to indicate that the Account Owner has other surviving heirs.

The Issue of Who Received the Proceeds

The CRT notes that the Account survived the Second World War; that the Account Owner lived in Communist Hungary until his death in 1952; and that the Bank's records indicate that on 9 September 1968 the account was paid into the "Heirless Assets, Future Funds" (*Erblose Vermögen, künftiger Fonds*). The CRT also notes that on 19 February 1975 a payment from Switzerland to Hungary was made pursuant to the Swiss-Hungarian Compensation Agreement of 26 March 1973.³ Given these factors, the CRT concludes that it is plausible that neither the Account Owner nor his heirs received the proceeds.

Basis for the Award

³ These funds may have been used as part of the 325,000.00 Swiss Francs transferred to the Hungarian government by the Swiss government on 19 February 1975. This transfer was part of the implementation of the Swiss-Hungarian Compensation Agreement of 26 March 1973.

The CRT has determined that an Award may be made in favor of the Claimants. First, the claims are admissible in accordance with the criteria contained in Article 18 of the Rules. Second, the Claimants have plausibly demonstrated that the Account Owner was their father, and those relationships justify an Award. Finally, 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 demand deposit account was 327.00 Swiss Francs as of 8 December 1948. According to Article 29 of the Rules, if the amount in a demand deposit account was less than 2,140.00 Swiss Francs, and in the absence of plausible evidence to the contrary, the amount in the account shall be determined to be 2,140.00 Swiss Francs. 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 26,750.00 Swiss Francs.

Division of the Award

According to Article 23(1)(c) of the Rules, if the Account Owner's spouse has not submitted a claim, the award shall be in favor of any descendants of the Account Owner who have submitted a claim, in equal shares by representation. In this case, Claimant [REDACTED 1] and Claimant [REDACTED 2] are the Account Owner's daughters. Accordingly, Claimant [REDACTED 1] and Claimant [REDACTED 2] are each entitled to one-half of the total award amount.

Scope of the Award

The Claimants should be aware that, pursuant to Article 20 of the Rules, the CRT will carry out further research on their claims to determine whether there are additional Swiss bank accounts to which they 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
August 20, 2003