

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant Alexander Vogel (Fogel)

in re Account of Alexandre Vogel

Claim Number: 005289/CU

Award Amount: 26,750.00 Swiss Francs

This Certified Award is based upon the claim of Alexander Vogel (Fogel) (the “Claimant”) to the account of Alexandre Vogel and Leopold Vogel. This Award is to the unpublished account of Alexandre Vogel (the “Account Owner”) at the [REDACTED] (the “Bank”).¹

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 an Initial Questionnaire (“IQ”) identifying himself as the Account Owner, Alexander Vogel (Fogel), who is Jewish and was born on 4 January 1923 in Sighet, Marmaros, Romania. The Claimant indicated that his parents were [REDACTED] and [REDACTED], née [REDACTED]. The Claimant stated that his father was a merchant and a business owner, who traveled to Switzerland to deposit money and other places on business. The Claimant indicated that he resided in Sighet and that in 1944, his family’s extensive assets were looted by the Nazis. According to the Claimant, in 1944, he was deported to a military camp in Hungary, where he was forced to work for the Nazi-allied Romanian army. The Claimant indicated that he was imprisoned in the concentration camp Dachau-Kaufering VI in Türkheim, Germany in November 1944 and that he was liberated in 1945.

The Claimant indicated that he was born on 4 January 1923 in Sighet, Romania.

The Claimant previously submitted an Initial Questionnaire (“IQ”) to the Court in 1999, asserting his entitlement to a Swiss bank account owned by himself, Alexander Vogel.

¹ The CRT will treat the claim to the account of Leopold Vogel in a separate determination.

Information Available in the Bank's Record

The Bank record consists of a list of suspended accounts. According to this record, the Account Owner was Alexandre Vogel, who used an address in Geneva, Switzerland. This record indicates that the Account Owner held a demand deposit account. According to this record, the account was suspended on 31 December 1945 after a period of inactivity. The balance of the account on the date it was suspended was 7.20 Swiss Francs ("SF"). The account remains suspended.

The CRT's Analysis

Identification of the Account Owner

The Claimant has plausibly identified the Account Owner. The Claimant's name matches the unpublished name of the Account Owner. The CRT notes that the auditors report does not contain any specific information about the Account Owner other than his name.

In support of his claim, the Claimant submitted a copy of his identity card, indicating that Alexander Vogel was born on 4 January 1923 in Sighet, Romania, providing independent verification that the person who is claimed to be the Account Owner had the same name recorded in the auditor's records as the name of the Account Owner.

Additionally, the CRT notes that a database containing the names of victims of Nazi persecution includes a page of testimony submitted by the Claimant in 1998, which indicates that [REDACTED] was born in 1897 in Marmaros Sighet, Romania, and was married to [REDACTED], née [REDACTED], and both had a son, Alexander Fogel, which match the information about the Account Owner and his family provided by the Claimant. The database is a compilation of names from various sources, including the Yad Vashem Memorial of Israel.

The CRT notes that the other claims to this account were disconfirmed because those claimants' relative had additional surnames that did not appear in the Bank's record.

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 he is Jewish, and that he resided in Nazi-allied Romania during the Second World War, and was subsequently imprisoned in the concentration camp Kaufering VI -Türkheim, Germany until his liberation in 1945. As noted above, a person named [REDACTED], the Account Owner's father, was included in the CRT's database of victims.

The Claimant's Relationship to the Account Owner

The Claimant has plausibly demonstrated that he is the Account Owner by submitting specific biographical information, demonstrating that he is the Account Owner. The CRT further notes

that the Claimant identified information which match information contained in the Yad Vashem records.

The Issue of Who Received the Proceeds

The Bank's record indicates that the account remains suspended.

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. Second, the Claimant has plausibly demonstrated that he was the Account Owner, and that justifies an Award. Third, the CRT has determined that it is plausible that the Account Owner did not receive the proceeds of the claimed account.

Amount of the Award

In this case, the Account Owner held one demand deposit account. The auditors' report indicates that the value of the demand deposit account as of 31 December 1945 was SF 7.20. In accordance with Article 31(1) of the Rules, this amount is increased by an adjustment of SF 50.00, which reflects standardized bank fees charged to the demand deposit account between January and December 1945. Consequently, the adjusted balance of the account at issue is SF 57.20. 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. Consequently, the total award amount in this case is 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 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
15 November 2007