

# Compensation for Holocaust Survivors & the Difference Between It and Payments From the German Social Security Authority

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After World War II, many European Jews immigrated to Israel. However, many others immigrated to the USA, Argentina and other countries. Our experience shows that Holocaust Survivors in Israel are better informed about their rights. We propose that Holocaust survivors or their heirs, which are living outside of Israel, read this article for a better understanding of the system of different compensations.

There are several authorities, which are dealing with compensations for Holocaust survivors. In the last twelve years, the **German Social Security authority** made it possible to pay monthly payments as an old-age pension for Holocaust survivors who worked in Nazi ghettos during World War II.

*According to the German law - ZRBG, the German Social Security Authority, is empowered to deal with claims of former Holocaust survivors. These payments shall be paid for **Holocaust survivors** who **worked "by choice"** (allegedly - voluntarily) during World War II and **were paid with food, money or other goods** for their work. This had to take place in those ghettos which were **defined by the German Social Security Authority as ghettos**. Important is the **difference between voluntary labor and forced labor in concentration or labor camps**.*

The ghettos which are recognized by this German social-labor Law are mostly ghettos located in the several countries of eastern Europe for example, Poland, Hungary, Bulgaria, Romania Ukraine, Belarus, Baltic States, Moldova as well the ghetto in Saloniki.

Due to our law firm's activity, the German authorities officially recognized former workers in the ghetto of Nalchik, Northern Caucasus (Russia).

***Payments according to the German Law ZRBG provide opportunity to ghetto workers to obtain social old-age pension from the German Social Security authority and are strictly to separate from compensation payments. The reason for those payments is not the survivors' suffering but the fact they have worked "for Germany".***

Moreover, as of July 18, 2019 the German government recognized another 19 cities in Romania as "open ghettos", one of them is the second biggest city of Romania, Jassy.

The former ghetto workers, which were born prior to 1937, may be entitled to monthly payments as well as to the retroactive one-time amount dating back to the date 1.7.1997 -earliest- depending on the year they turned 65 years old according to German law. The retroactive sums shift between 10,000-100,000 Euro, depending on the case. Our law firm has already won dozens of cases of former ghetto workers from these Romanian cities which were submitted in August-September 2019.

As we all know, for some of the survivors these new regulations in the German law came too late. That is why it should be mentioned that the heirs of such ghetto workers (recognized as heirs by the court) may be eligible for a retroactive payment (the old-age pension sum which the deceased would have received -would he still be alive- until the day of his death) if all the following conditions are met:

- The deceased is defined as persecuted according to the German BEG (Federal Government Reparations Law) and made a claim for any type of compensation to the Jewish Claims Conference or Germany while still alive
- Lived in a ghetto under the influence of the Nazi regime
- Worked "voluntarily" and was paid
- The deceased did not claim a benefit according to the ZRBG while still alive
- The deceased was alive on 27/06/2002
- The deceased applied for and received an old-age pension from the Social Security Authority in his country of residence and citizenship

Additionally, also the widows/widowers of deceased ghetto workers may obtain a widow/widower pension from the German Social Security Insurance. In comparison to other heirs, the widow/widower can continue receiving the pension even if the deceased claimed and received it while still alive.

In addition, there still exists an option to submit a claim for a one-time payment of 2000€ for working in a ghetto by choice. The criteria are similar to those for obtaining the old-age pension according to the ZRBG.

Holocaust survivors who lived in a ghetto may be entitled to **compensations**, which may be obtained **in addition** to the old-age pension from the German Social Security Authority – for example, The Jewish Claims Conference administers several Compensation Payment Programs:

**The Article II Fund** makes monthly payments of 513€ to Jewish Nazi victims who were persecuted as Jews and were incarcerated in a concentration camp or labor battalion, or imprisoned in a ghetto, or were in hiding, under inhumane conditions, without access to the outside world in German Nazi-occupied territory or Nazi satellite states, or lived illegally under a false identity or with false papers under inhumane conditions in German Nazi-occupied territory or Nazi satellite states; or were a fetus during the time that their mother suffered persecution as described above.

**The basic condition is that the Holocaust survivors are alive now and were born until May 1945.**

**The Child Survivor Fund** makes one-time payments of 2500€ to Jewish Nazi victims who were persecuted as Jews and were born on January 1, 1928 or later and who suffered one of the following types of persecution:

- Were in a concentration camp; or
- Were in a ghetto (or similar place of incarceration in accordance with the German Slave Labor Program); or
- Were in hiding or living under false identity/illegality in Nazi-occupied or Axis countries; or
- Were a fetus during time that their mother suffered persecution as described above.

We expect that additional places in Eastern Europe may be approved as ghettos and we highly recommend following the updates regarding this issue. Our work experience in such cases has proven that in many cases the ghetto workers and their heirs have obtained solid retroactive amounts.

Therefore, we suggest that all Holocaust Survivors or their heirs that are living outside of Israel and were in Eastern Europe (former USSR) during WW2 consider the option to submit such claims.

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