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PLIGHT OF SURVIVORS OF NAZI CONCENTRATION CAMPS

Third Progress Report by the Secretary-General

SUMMARY

This paper, which is presented for the information of the Council, outlines the steps which have been taken since the Council's thirteenth session to implement resolution 386 (XIII) on the subject of indemnification for survivors of so-called scientific experiments in Nazi concentration camps. It contains an account of consultations with the competent German authorities and of the administration of allocations which have been made from the Paris Reparation Fund for the assistance of victims. The Secretary-General will submit a more detailed report to the fifteenth session of the Council.

TABLE OF CONTENTS

	<u>Paragraphs</u>
I. Introduction	1 - 3
II. Consultations with the competent German Authorities	4 - 7
III. Administration of allocations from the Paris Reparation Fund	8 - 9

/I. INTRODUCTION
E/2259

I. INTRODUCTION

1. The Council will recall that the Secretary-General presented to its twelfth session a first Progress Report (E/1915) on measures to alleviate the plight of survivors of concentration camps who, under the Nazi regime, were the victims of so-called scientific experiments. After considering it, the Council adopted resolution 353 (XII) on ways and means of securing reparation for the injuries suffered by such persons.
2. The Secretary-General presented to the thirteenth session of the Council a second Progress Report (E/2087)^{1/} which gave an account of progress made in implementing resolution 353 (XII). The Council thereupon adopted resolution 386 (XIII) in which, among other things, it welcomed the decision taken by the Government of the Federal Republic of Germany in assuming responsibility for the indemnification of victims, requested the Soviet Control Commission for Germany to reply to the communication from the Secretary-General concerning this problem, appealed to the Federal Government to render assistance on the most generous scale possible and invited the occupying authorities, through the Allied High Commission for Germany, and the German authorities concerned to give sympathetic consideration to applications for the remittance of funds to victims who now live outside Germany. The Council also invited governments, the specialized agencies concerned and voluntary agencies to assist the Federal Government in investigating claims of victims not living in Germany; requested the agencies responsible for the administration and distribution of reparations funds to continue their efforts to alleviate the plight of victims; and asked the World Health Organization to continue its valuable assistance. The Council further requested the Secretary-General to make available to the Federal Government the information collected by him concerning the number and nature of the various cases and to keep that Government supplied with information as received, and to inform the Federal Government of the Council's view that the investigation and certification of individual claims was a matter of primary responsibility for that Government.
3. This third Progress Report, which the Secretary-General presents for the information of the Council, outlines steps which have been taken to implement the above resolution.

^{1/} See E/2087, paragraph 11.

II. CONSULTATIONS WITH THE COMPETENT GERMAN AUTHORITIES

4. The Secretary-General communicated the text of resolution 386 (XIII) to the Chairman of the Allied High Commission for Germany, the Chancellor and Minister for Foreign Affairs of the Federal Republic of Germany, and the Soviet Control Commission for Germany.^{1/} In each case, attention was drawn to relevant paragraphs of the resolution.

5. In accordance with the terms of this resolution the Secretary-General began immediately to transmit to the Government of the Federal Republic of Germany the information in his possession concerning the number and nature of the various cases. As of 20 June 1952 the Secretary-General has thus transmitted information concerning 225 cases.

6. On 29 February 1952 the Secretary-General, after consultation with the Director-General of the World Health Organization, made certain suggestions to the Government of the Federal Republic of Germany concerning the investigation and certification of requests for indemnification.

7. On 23 April 1952 the Federal Government, which on 14 January 1952 had informed the Secretary-General that it was preparing a report on measures so far taken by it in the matter of compensation to victims, sent a note the substantive part of which reads as follows:

"1) Up to 1 April 1952, a total of 521 applications were received by the Federal Government from persons claiming welfare benefits under the Decision of the Cabinet of 26 July 1951 on account of their submission to so-called scientific experiments. Of these applications, 268 originated abroad, and 253 in Germany itself. The large number of applications received, which is far in excess of the initial estimates, shows that the group of persons in question is fully informed about the manner of the granting of benefits and the conditions which have to be fulfilled to be eligible for receiving them.

^{1/} The text of resolution 386 (XIII) was also communicated to the Governments of States Members and non-members of the United Nations, the Director-General of the World Health Organization and the Director-General of the International Refugee Organization. In addition it was brought to the attention of a number of other agencies, including the World Medical Association, whose help had been enlisted through the World Health Organization, the International Tracing Service and national tracing bureaus in eleven countries.

2) The Federal Government note with satisfaction the active support given to them by the United Nations, the specialized agencies, governments and private groups concerned in collecting and sifting individual cases of experiments on human beings. In this connexion they also welcome the suggestions made to them in the Verbal Note of 29 February 1952 regarding the assistance of experts in clarifying cases which are open to dispute. The Federal Government may wish to refer again to your suggestions. This particularly applies to cases which the Federal Government have not the possibility of checking through their own representatives abroad. Since the final decision on individual cases rests with the Federal Government, all necessary measures have been taken to ensure that the applications shall be thoroughly and objectively examined. Bearing in mind the suggestions communicated to them by you, the Federal Government have instructed their representatives abroad as far as possible to entrust the examination of the injured persons to physicians who have special experience in the field of accident insurance. Representatives abroad have been particularly recommended to contact the administrative authorities competent for questions of accident benefit in the country in question, in order to ascertain the names of suitable medical experts. In borderline cases a report from a forensic expert is to be obtained in order to assess the extent of the damage.

3) Although all the applications received by the Federal Government are at present in the course of being dealt with, it has not been possible to avoid some delay in the necessary examination of the cases. It may, however, be assumed that the first decisions on the granting of welfare benefits to the survivors of the so-called experiments on human beings will shortly be made. In those cases where a claim is recognized as justified, the corresponding payments will be made without delay, since sufficient funds have already been made available for this purpose. Further communications regarding this matter may be forthcoming."

/III. ADMINISTRATION

III. ADMINISTRATION OF ALLOCATIONS FROM THE PARIS REPARATION FUND

8. On 26 November 1951 the Acting Director-General of the International Refugee Organization informed the Secretary-General that an additional sum of \$25,000 had been allocated from the Paris Reparation Fund, making a total allocation of \$125,000 for the assistance of victims of experiments. Subsequent to the cessation of the activities of the International Refugee Organization, the Provisional Inter-governmental Committee for the Movement of Migrants from Europe, which has taken over certain operations of the International Refugee Organization, supplied the Secretary-General with the following information:

(a) The allocation of \$125,000 from the Paris Reparation Fund was owing to the limited funds remaining available, the maximum contribution which could be granted for the assistance of victims. This amount is channelled through two of the voluntary agencies participating in the administration of the Reparation Fund as follows:^{1/}

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|--|---------------------|
| (i) National Catholic Welfare Conference
(for Polish and non-German and non-Austrian
victims of non-Jewish religion) | \$100,000 |
| (ii) International Refugee Committee, Inc.
(for Austrian and German victims of non-
Jewish religion) | \$ 25,000 |

(b) These two organizations have been left free to work out the most suitable arrangements, the only stipulation being that quarterly financial returns and periodic audited statements of accounts shall be rendered, and that the names and addresses of victims, together with the amount of assistance granted to each, shall be furnished to the Reparations Office

^{1/} At the Paris Conference on Reparations, December 1945, the participating powers agreed that 90 per cent of the sum of 25 million dollars derived from a portion of the proceeds of German assets in neutral countries, 90 per cent of the non-monetary gold found by the Allied Armed Forces in Germany, and 95 per cent of the assets made available by governments of neutral countries from the assets of victims of Nazi action who died and left no heirs, would be distributed for the rehabilitation and relief of eligible non-repatriable Jewish victims of Nazi action (see Secretary-General's first Progress Report on the Plight of Survivors of Concentration Camps, (E/1915, chapter IV)).

of the Committee for the Movement of Migrants. The agencies have been requested to take all possible action to facilitate the earliest distribution of funds to needy victims.

(c) The National Catholic Welfare Conference has dealt with approximately 100 cases in thirteen different countries. The procedure set up has been for "field committees" to make an official evaluation of each applicants' claim that he was the subject of experiments, taking into account the following factors as collaborating evidence:

- (i) Claimant's own statement;
- (ii) Statement from witnesses who were in the camp at the same time;
- (iii) Statements from national concentration camp committees;
- (iv) Statements from priests;
- (v) Physicians' evaluation of physical condition;
- (vi) Clearance from Berlin documentation centre.

Field committees are authorized to make an immediate payment of a lump sum as soon as eligibility has been determined, after which the case history of each person is submitted to the headquarters of the National Catholic Welfare Conference in order to decide whether additional payments should be made in the light of the claimants' present physical condition or family needs.

(d) The International Rescue Committee, Inc. has handled approximately thirty cases. On being informed that financial assistance from the Reparation Fund was likely to be forthcoming, branch offices of the Committees began the investigation of the claims of a number of victims, with the result that on receipt of the grant of \$25,000 it was possible to make early payments in fifteen cases whose authenticity had been established. Other cases are pending and, where the needs were urgent, advance relief has been granted. The procedure followed is that all cases are carefully examined by field officers of the Committee. Once it has been clearly established that they are authentic victims of so-called scientific experiments, immediate payment is made, the amount being determined in each case by the need. To date, payments have mostly been made for medical rehabilitation.

The Provisional Inter-governmental Committee for the Movement of Migrants from Europe has informed the Secretary-General that there is some hope that additional

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payments into the Reparation Fund may permit further grants to be made to victims.

9. The Secretary-General has maintained contact with the National Catholic Welfare Council and the International Rescue Committee.
