

PRESS RELEASE – COUNCIL OF MINISTERS OF 20 JULY 2005 – INDEMNIFICATION FOR THE BELGIAN
JEWISH COMMUNITY’S ASSETS

Further to a proposal by Mr Guy Verhofstadt, Prime Minister, the Council of Ministers approved a draft Royal Decree extending the mandate of the Indemnification Commission for the Belgian Jewish Community’s Assets looted or abandoned during the war of 1940-1945 (*) by a new one-year period.

The work of the Commission is progressing well. In actual fact, the processing of the dossiers – concerning 6008 victims for whom one or more claims were submitted – which began on 9 September 2003, is currently progressing at the rate of about 150 decisions per month, thanks to the increase in the Secretariat’s staff figures, which rose by 16 units mid-2004.

At the end of June 2005, 2376 dossiers had been referred to the Commission and 81% had been the subject of a positive decision. The number of dossiers remaining to be processed at that date was 3632.

It should be emphasised that the Commission examines the claims according to the year of birth of the despoiled persons or of their beneficiaries. At the present time, the dossiers of persons born in 1926 and in 1927 are being processed. All the dossiers of claimants born before 1926, i.e. approximately 2000 persons, have therefore already been processed.

The Commission examines each claim in a constructive way while adding any favourable item of information that it may find within the scope of that investigation.

It is worth recalling the main assignment of the Commission.

Its main assignment involves restoring assets, at their re-assessed value, of which restitution has not been made by the State, by financial institutions or by insurance companies and which have not been the object of any compensation, indemnification or reparation, (State: coefficient 24.78; financial institutions: 29.10; insurance companies, considering the relationship between the despoilment calculated by the Study Commission and the amount paid by insurers: coefficient 37).

The Commission was neither appointed nor empowered to restore despoiled assets, as they existed on the eve of the war. The amounts paid into a special account with the National Bank of Belgium in pursuance of Article 10 of the Act of 20 December 2001, which are intended to finance the indemnifications to be awarded by the Commission, were absolutely not calculated with that in mind.

The Commission does however make widespread use of the powers given to it by §2 of Article 8 of the Act of 20 December 2001, in order to give consideration to the unfairness that would inevitably arise from a stringent and restrictive application of Article 6, §2, of that same law. In particular, this concerns cases where the circumstances clearly indicate that assets were looted or abandoned, even though investigations involving the State, financial institutions or insurance companies do not make it possible to identify those assets. This leads the Commission to award lump-sum indemnification in such cases.

The criteria that the Commission applies to determine indemnification for each dossier, on a case-by-case basis, may be consulted in the slightest details on the website <http://premier.fgov.be> (click on “Welkom”; “Diensten”; “Administratie en andere diensten; Commissie Schadeloosstelling Joodse Goederen”; “Jewish Community Indemnification Commission” and “Communication - 20 September 2004” and “Communication - 4 November 2004”).

(*) set up by the Act of 20 December 2001.