



By Sharon Gelbach

Helping to Right a HISTORIC WRONG

Aviva Silberman believes that Holocaust survivors deserve to live in dignity and comfort

The statistics are grim: a quarter of Holocaust survivors in Israel and a third of those in the U.S. are living in poverty. These now-elderly people, who experienced some of the worst traumas in modern times, are subsisting on so little they can't afford both food and medicine, dental treatment, house repairs, or to replace a broken appliance. Many are childless; many are the last remnant of their extended families, with no support network to advocate for them in their twilight years.

According to attorney Aviva Silberman, founder of Aviv for Holocaust Survivors, an organization that helps survivors apply for special benefits, thousands of Holocaust survivors fail to take advantage of the compensation that's legally coming to them. "They simply don't know about the benefits and what they're entitled to, what forms to fill out, how to fill them out, or where to submit them," she said.

There are several reparation pay-

ment or allowance programs available to survivors living around the world; however, deciphering the fine print as to who is eligible for which payment, which forms need to be completed, and what supporting documents must be provided for each can be overwhelming.

Aviv for Holocaust Survivors was founded in 2007 with the goal of helping Holocaust survivors access the benefits available to them. In its 13 years of operation, with the help of five lawyers and hundreds of volunteers, Aviv has helped 65,000 survivors actualize their rights and access more than \$1.2 million payments and allowances completely free of charge.

NO LONGER RELUCTANT

Silberman explains the roots of this rampant poverty: "Due to their wartime experiences, some survivors continued to suffer psychological and physical problems that hindered their ability to work. This pattern has also carried over to the next generation."

In the past, many people opted

not to accept money from Germany, irrespective of their financial situation, observes Silberman. "Today, however, survivors realize that they are not helping anyone by refusing the money, and that at their stage of life, they certainly deserve to enjoy a higher standard of living."

In addition to not knowing how to go about accessing payments and reparations, Silberman says that survivors are often fearful that by applying for additional benefits they will lose what they already have. In reality, however, about half the survivors who are assisted by Aviv are, in fact, eligible for more than they are currently receiving. "We encourage survivors to inquire about their benefits. In many cases, what they were told several years ago about not being entitled has changed."

A case in point, and one that affects thousands of survivors globally, is the new law, from July 2019, recognizing 20 Romanian cities as being ghettos. The significance of the revised legislation cannot be overstated: survivors from Romania who previously were not eligible

for any of the German "rentas," or pensions, are now eligible for various grants and monthly allowances.

Leah, a survivor from Ramnicu Sarat, Romania, had previously fallen between the cracks in terms of receiving any financial aid, due to various technical and bureaucratic reasons. With the help of Aviv's attorney Yael Gertler, she was able to receive a lump sum of \$2,800 as well as a monthly allowance of \$1,100. "Finally, at the age of 89, I'm finally recognized as a Holocaust survivor!" Leah said excitedly. "For decades, Germany never acknowledged the suffering we endured in Romania. I'm gratified that I am still alive to see Germany taking responsibility for what they did to us."

DAUNTING RED TAPE

Holocaust survivors and their children are often daunted by the seemingly endless paperwork and complex bureaucracy associated with applying for compensation. Working for 13 years with a team of professional lawyers, Aviv for Holocaust Survivors is uniquely posi-



Attorney Noa Shein with survivor Aryeh Shotzky. Credit: Sarit Uzieli



Founder attorney Aviva Silberman with survivor Yaffa Einhorn

tioned to assist survivors in receiving what is coming to them, thereby improving their quality of life immeasurably.

Gila, an 84-year-old survivor from Bulgaria, suffers various ailments along with dementia. For many years, she received a \$700 monthly reparations allowance. In view of her mother's degenerating state, Gila's daughter, Ronit, requested an increased stipend from the government but was turned down because they said Gila did not meet the necessary criteria. It never occurred to Ronit to try again, until she spoke to Linda Levy, one of Aviv's consultants, who investigated the case and discovered that Gila had spent the war years in the ghetto in Sophia. Familiar with the updated rights due Holocaust survivors, she applied to various agencies including the Israeli Treasury and the German government. The applications were approved, and Gila began to receive \$2,000 monthly from the Israeli government, as well as a lump sum of \$16,700 and another \$90 monthly allowance from Germany. Thanks to the extra income, Ronit can now afford to give her mother the best care available including costly treatments to ease her health issues.

THE POOR PARTISAN

Without doubt, it takes patience and tenacity to overcome bureaucratic hurdles. In cases where individuals would give up, Aviv's professionals are armed with the

knowledge and persistence necessary for a positive outcome.

Avigdor is a survivor from Poland who lives in Kiryat Ata. After learning that the Polish government was distributing a monthly reparations payment of \$110, he traveled to the Entitlement Center in Haifa. Aviv's Attorney Adi Keselman realized that, notwithstanding the allowance from Poland, Avigdor was also eligible to have his monthly survivor's allowance doubled. In conversations with Avigdor, she learned that he had fought in the Polish countryside with the partisans and so she applied for an additional monthly stipend of \$700 for war veterans who fought against the Nazis. After much back and forth, necessitating several home visits on the part of Aviv's volunteers, their efforts paid off. Today, at 94, Avigdor receives a sizeable monthly sum that allows him to live out his days in comfort and security.

THE WAR IN UTERO

One of the more unexpected criteria for eligibility is "one who was a fetus at the time their mother suffered persecution by the Nazis."

Henia Klatsch, a survivor from Haifa, was born just two months after the end of World War II. Her parents had survived the Holocaust by hiding together with their two children in the home of a Polish family. Henia grew up with parents and siblings who emerged from the war alive in body but severely scarred

emotionally. After a turbulent childhood, Henia married Aryeh, also a Holocaust survivor.

A chance visit to the Aviv Entitlement Center in Haifa proved to be life-changing for the Klatsches. Attorney Liora Zamir informed Henia that she might be eligible for Holocaust reparations due to her having been an unborn baby while her mother suffered persecution, and thus began a protracted bureaucratic process that included procuring several hard-to-get documents.

"I wanted to give up a hundred times over, but Liora never let me," Henia shares, speaking with emotion. "She fought like a lioness on my behalf. It's only thanks to her caring, and her professional, devoted service that my application was eventually approved."

The couple, which had previously subsisted only on Aryeh's reparations, received a substantial financial boost. "A stone has been lifted from my heart," Henia said. "I never had a childhood, but no one acknowledged my suffering before. This allowance is helping us make ends meet, and now I can even give something to our grandchildren, something that had not been possible before."

POVERTY OF SPIRIT

Often, the consequence of the severe trauma suffered during the war years is a lack of mental stability, which renders the survivor's situation all the more tragic.

Ari, 84, made aliyah from France in 2010, alone and destitute. His childhood years had been spent in hiding, which enabled him to survive physically but left deep emotional scars. Ari's mental state and general situation deteriorated steadily, to the point where he was homeless. If not for some kind people who provided him with shelter at night, he would have literally slept out in the street. At one point, Ari's cousin sent him to the Entitlement Center in Tel Aviv, operated in cooperation with the Jewish Federation of Los Angeles. Aviv's attorney David Neuhooff was particularly moved by Ari's predicament and devoted himself wholeheartedly to his case. The outcome was better than anyone could have anticipated: Ari was placed in an assisted living facility in Kiryat Yam, and today, with a monthly allowance of \$2,400, he is able to live in dignity and comfort. ▲

Aviv for Holocaust Survivors works to raise public awareness of the rights of Holocaust survivors and to make that information freely accessible. The organization operates 18 Entitlement Centers, in collaboration with local municipalities and the Jewish Federation of Los Angeles, to assist survivors in actualizing their rights. Aviv's lawyers accompany survivors throughout the process, providing all services completely free of charge.

For more information visit www.avivshoa.co.il.



HOLOCAUST SURVIVORS ACROSS THE GLOBE – COMPENSATION & ELIGIBILITY

A guide to benefits and reparations available to those who suffered through the Holocaust

Artwork by Meira Soffer, TAG HS art student, instructor Rebbetzin Naomi N. Herzberg-Flaum

BENEFITS FROM THE CLAIMS CONFERENCE

Article 2 Fund: Intended for survivors who spent time in the camps, ghettos, in hiding, or who lived under a false identity, and who are not receiving a monthly health allowance (“renta”) from funds originating in Germany. Survivors recognized by the Claims Conference for this fund receive an allowance of €1,539 (\$1,700), once every three months.

Hardship Fund: A one-time grant for €2,556 (\$2,800). This fund is intended for survivors who:

1. do not receive a monthly health allowance from funds originating in Germany;
2. did not receive in the past a one-time grant for being forced to wear the yellow badge, for being forced to discontinue their education or had their liberty revoked; and
3. did not receive payment from the Holocaust Victim Compensation Fund (HVCF); and provided that they experienced at least one of the following persecutions: fled from Nazi occupation, wore the yellow badge, lived under curfew, or were subject to limited freedoms. Even someone who was still in utero at the time when their mother suffered any of the persecutions mentioned above may be eligible for this grant.

Note: Also eligible for this grant are former citizens of Tunisia who suffered various limitations under Vichy rule and who subsequently suffered persecution under Nazi occupation between October 1940 and May 1943; and former citizens of Morocco and Algeria who suffered various limitations under Vichy rule between July 1940 and November

1942, including anyone who was in utero during the aforementioned period.

Child Survivor Fund: A one-time grant for €2,500 (\$2,780) for survivors born from January 1, 1928, until the end of the persecutions in their location, and who were persecuted on the basis of being Jews in the camps or ghettos, or who lived in hiding, or who assumed a false identity — for at least four months in areas under Nazi occupation, or 12 months in countries that were under German influence.

Note: Those who lived in cities only recently recognized as ghettos are also eligible for this grant.

Kindertransport Fund: a one-time grant for €2,500 (\$2,780) — given from January 2019 — to survivors who, between November 9, 1938 and September 1, 1939, were under the age of 21 and were sent (or authorized to be sent) from Germany or countries that were occupied by or annexed to Germany (Austria and parts of Czechoslovakia) to England without their parents in order to be rescued from Nazi persecution.

Note: The Claims Conference operates various services for Holocaust survivors in different world countries. For more information on the services available in your area, please contact the Claims Conference at P.O. Box 1215, New York, NY 10113.

Tel: (646) 536-9100.

Email: info@claimscon.org

COMPENSATION FROM FRANCE

Compensation for orphans from France: A one-time grant from the French government for about €31,000 (\$34,500) or a lifetime monthly stipend for about €600 (\$670). To be eligible for these funds: one of the survivor’s parents must have been expelled from France as a result of anti-Semitic persecution during Nazi occupation and that parent must have died in the course of the expulsion or died within France as a consequence of persecution. The survivor must have been 21 or under at the time their parent was expelled. To submit requests for compensation from France, apply to your local French Embassy.

BENEFITS AVAILABLE FROM GERMANY

German Compensation Fund for Work in Ghetto (BADV): a one-time grant for €2,000 (\$2,780) from the German government, intended for those who were kept in an open or closed ghetto (from the list of ghettos recognized by Germany), which was either under German rule or in an area annexed by Germany or in an area under German influence, and who performed *unforced* labor. We recommend that survivors who have received this one-time grant but who did not apply for the monthly social allowance ZRBG for unforced labor performed in the ghetto, submit a claim for this allowance.

For more information or to submit forms please contact:

Main address:

Bundesamt für zentrale Dienste und offene Vermögensfragen
DGZ-Ring 12
13086 Berlin

Mailing address:

Bundesamt für zentrale Dienste und offene Vermögensfragen
11055 Berlin
Tel: +49 30 187030-0
Fax: +49 30 187030-1140
Email: poststelle@badv.bund.de

Social allowance for labor performed in ghetto (ZRBG):

A social allowance from Germany based on various parameters, including age and time spent in a ghetto. Holocaust survivors may be eligible for this allowance on condition that they were kept in a closed or open ghetto under German rule or German annexation, or in an area under German influence, from the list of ghettos recognized by Germany and who performed unforced labor in the ghetto and received compensation for this labor (even a token compensation, and even if those funds were transferred to the

Judenrat). In other words, if there was some degree of choice regarding the “if” and “how” of the labor, this amounts to *unforced* labor. Examples of this type of labor: kitchen jobs, cleaning jobs, administrative jobs, factory jobs, delivering packages, caring for children or the elderly, etc. (Those who worked under threat of violence or at gunpoint are considered to have engaged in *forced* labor and are therefore not eligible for this allowance.)

Since this payment is actually a form of German national insurance, a precondition for eligibility for it is to meet the criteria of the minimum qualification period for this insurance. This period may be based on the criteria set by German national insurance, alternate insurance, or of the national insurance in countries that have a signed treaty with Germany.

We recommend that those who

submit applications for this allowance include additional documents, such as confirmation of receipt of any other Holocaust-related compensatory funds, documents attesting to time spent in a ghetto, etc.

For more information or to submit forms please contact:

DRV DUSSELDORF

Address:

DRV RHEINLAND
Königsallee 71
40215 Düsseldorf
Tel: +49 211 937 0
Email: service-zentrum.duesseldorf@drv-rheinland.de

DRV BERLIN

Address:

DRV BUND
Ruhrstraße 2, 10709 Berlin
Tel: +49 30 8650
Fax: +49 30 865 27240
Email: drv@drv-bund.de

COMPENSATION FROM HOLLAND

The Dutch railway company provides Holocaust survivors/relatives who were transported by Dutch trains to a concentration camp with a one-time grant of €15,000 (\$16,685) per survivor, and between €5,000 (\$5,560) and €7,500 (\$8,300) in the event that the survivor has already passed away; the payment will be transferred to the widow or orphans.

Note: Applications for this compensation can be submitted only until July 5, 2020.

See website for all information relating to compensation plans, including how to submit online applications: <https://commissietegemoetkomingns.nl/en/faq>

For **telephone** inquiries about the application process: +31(0)887926250

For assistance with online applications, call the following organizations:

JMW: +31(0)881652200

Stichting Pelita: +31(0)883305111

For additional information, **email:** rutger.hamelynck@ns.nl

This information was provided by the Aviv for Holocaust Survivors organization, devoted to providing professional, personal assistance by lawyers who specialize in survivors' rights and who accompany the survivors until they receive the compensation due to them, at no charge to them. www.avivshoa.co.il

NEW ELIGIBILITY FOR ROMANIAN SURVIVORS

Few are aware that in July 2019, Holocaust survivors from Romania became newly eligible for compensation after Germany recognized 20 Romanian cities as ghettos (see list below). Consequently, thousands of survivors who spent time in ghettos in Romania and who are now living in various countries across the globe became newly eligible for life-changing benefits.

Aviv for Holocaust Survivors founder attorney Aviva Silverman said that her organization has assisted 3,013 Romanian survivors living in Israel, advising them regarding rights and benefits amounting to \$17.6 million.

“It’s vital that survivors all over the world are alerted to their rights and that they apply to the relevant agencies who can investigate their eligibility for additional compensation,” she said. “The money involved can often be life-changing for these survivors.”

Romanian Cities Recognized as Ghettos: Jassi, Botosani, Targu Mures, Galati, Focasni, Tecucui, Roman, Piatra Neamt, Barlad, Vaslui, Alba Iulia, Constanta, Targu Neamt, Harlau, Buzau, Ramnicu Sarat, Stefanesti, Craiova, Pascani, Bacau.