

Justice for Germany's former slaves: [1 Edition]

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📄 Abstract (summary)

Half a century on, the Nazi horrors refuse to recede into history. In Vienna, there is the sad spectacle of the sale of art treasures owned by Jewish victims. In Switzerland, there is the scandal over Nazi gold in its banks. In Britain, there is the attempt to bring alleged Nazi war criminals to justice. Yet one of the most revealing scandals from the Holocaust is only now starting to emerge. It is the refusal of Helmut Kohl's Government to acknowledge the claims of survivors of the slave labour factories attached to Auschwitz and other death camps.

While most of the Jews deported by the Nazis were shot or gassed, a minority were used as slave labour. They were mostly in their teens and twenties, and an estimated 40,000 are still alive. The brutal conditions in factories such as IG Farben's plant at Buna Auschwitz were in keeping with the policy of Vernichtung durch Arbeit . The victims were literally "to be destroyed through work", and this aim was usually achieved.

The legal arrangements were the work of Dr Hermann Abs, the wily head of the Deutsche Bank. Abs had only narrowly escaped prosecution by the Allies. He had been a member of IG Farben's supervisory board when it took the decision to build Buna Auschwitz, but denied all memory of the decision. Chancellor Adenauer entrusted him to lead the German team in negotiations with the Allies about Germany's outstanding debts. An obscure clause in the London Debt Settlement of 1953 - as interpreted by the German courts - meant that slave labourers were not entitled to compensation until there was a "final settlement" of the Second World War in a peace treaty. This clause meant an indefinite postponement, for there was no hope in 1953 of an end to the Cold War or of a peace treaty that included the Soviet Union. IG Farben (and its successor companies such as Bayer and BASF), Flick and Siemens could feel secure against Jewish demands.

📄 Full Text

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Michael Pinto-Duschinsky calls on Kohl to respect forgotten Nazi victims.

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After the war, the leaders of the three major firms - Flick, Krupp and IG Farben - were imprisoned for war crimes after trials at Nuremberg. However, the Government of the newly created German Federal Republic deliberately excluded surviving slave workers from compensation. Neither the Government nor the companies that employed the wartime slaves were to be liable.

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When the Berlin Wall was breached in November 1989, the spectre of a formal peace treaty giving the former slave labourers a legal basis for claims clearly alarmed these corporations and the German Government. Therefore, the "2+4" reunification treaty of 1990 was intentionally drafted without the words "peace treaty". The Government even issued a formal statement in September 1996 that "there has never been a settlement (of the Second World War) by peace treaty".

Since 1990, the slave labourers have been blocked by this and by other arguments. Survivors were manhandled at IG Farben's recent annual meeting when they tried to speak. Personal appeals to the Flick family to set up a modest fund for former slave workers living in poverty in Hungary have remained unanswered. The German Government refuses to accept responsibility, arguing that Germany has already given enough compensation to Nazi victims - a total of 97.843 billion marks between 1953 and 1995.

The Ministry of Finance asserts that it is too late to consider claims of slave labourers dating back more than 50 years, even though it is the German courts that have postponed the claims pending a peace treaty. It hasn't been too late for Germany to demand the return from Russia and Poland of art treasures from Troy and elsewhere.

Still more appalling are the other legal arguments supported by the German authorities to resist the claims of 22 Auschwitz survivors in two continuing test cases. These arguments deny - or at least minimise - some central features of the Holocaust. Ignoring the cruel conditions in the concentration camps, the German Government maintains that the factories at Auschwitz did not violate international law and that the Slavery Agreement of 1926 included a "fundamental permission of forced labour for public purposes".

Two further legal technicalities are put forward to block the rights of these slave labourers. First, the Government's lawyers insist that since Auschwitz was not legally within German territory, but in Poland, claims must be made through the Polish rather than the German courts. At the same time, Germany insists that it has no further obligations to meet Polish claims. Second, Germany's social security rules mean that slave labourers from Auschwitz or the Lodz ghetto who have survived are not entitled to German pensions, since no insurance stamps were paid on their behalf. By contrast, wartime insurance payments were made on behalf of their German overseers who - like members of the SS - are therefore entitled to pensions.

It is not only the survivors who are outraged by these legal stratagems. An active minority of Germans, especially the

young, are equally troubled. A recent meeting convened by the Catholic Diocese of Rottenburg-Stuttgart drew representatives from all the main German churches, from Jewish bodies, and from an impressive variety of German organisations devoted to Holocaust remembrance and education and to active measures to support the claims of the surviving slave labourers.

Both the Jewish and the German groups insist that the unresolved issue of compensation for Nazi slave labour is vital for several reasons. Some elderly survivors, especially in Central and Eastern Europe, are living in poverty. For others, mainly in Western Europe, Israel and the United States, the compensation is symbolic. It is intolerable for many survivors that their oppressors are receiving benefits which they are denied. Many Auschwitz and Belsen survivors also fear that if the companies which participated in the Holocaust are protected, today's war criminals and would-be perpetrators of genocide will believe they are immune.

The German Government must take decisive action to remove the legal blockages obstructing the cases of surviving slaves of the Nazi regime. Otherwise, Germany's claim to be a trustworthy member of the European family will have a hollow ring.

Illustration

Caption: News International (NWSI)

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