

# CLAIMS RESOLUTION TRIBUNAL

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In re Holocaust Victim Assets Litigation  
Case No. CV96-4849

## **Certified Award**

to Claimant [REDACTED], represented by [REDACTED]

### **in re Account of Alfred Bercovich**

Claim Number: 200671/IG

Award Amount: 26,750.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED], née [REDACTED], (the “Claimant”) to the accounts of [REDACTED]<sup>1</sup> and Alfred Berkovits. This Award is to the account of Alfred Bercovich (the “Account Owner”) at the Geneva branch of the [REDACTED] (the “Bank”).

All awards are published, but where a claimant has requested confidentiality, as in this case, the names of the claimant, any relatives of the claimant other than the account owner, and the bank have been redacted.

### **Information Provided by the Claimant**

The Claimant submitted a Claim Form and two Initial Questionnaires identifying the Account Owner as her father, Alfred Berkovits, who was born on 21 July 1901, and was married to [REDACTED]. The Claimant stated that her father, who was Jewish, resided in Budapest, Hungary, at 39 Groff Züchi Jenö, until the Nazi occupation of Hungary. The Claimant stated that in March 1944 the Nazis deported her parents to Bergen-Belsen concentration camp, where her father perished. The Claimant further stated that her mother survived the Holocaust and that she died in October 1986. The Claimant stated that according to what her mother told her, her father purchased life insurance in 1935, and that he kept the policies in Switzerland and either Belgium or The Netherlands. The Claimant further stated that her mother explained to her that she attempted to obtain Swiss entry certificates for herself and for her four children to avoid deportation. The Claimant indicated that her mother transferred all of her savings to Switzerland to obtain the necessary entry documents, but that she never succeeded in obtaining them.

In support of her claim, the Claimant submitted her birth certificate, identifying Alfred Berkovits as her father. The Claimant indicated that she was born on 11 July 1934 in Ujpest, Hungary.

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<sup>1</sup> The CRT will treat the claim to this account in a separate decision.

The Claimant previously submitted two Initial Questionnaires with the Court in 1999, asserting her entitlement to Swiss bank accounts owned by her parents, Alfred Berkovits and [REDACTED].

### **Information Available in the Bank's Record**

The Bank's record consist of a list of accounts that were transferred to a suspense account. According to this record, the Account Owner was Alfred Bercovich. The Bank's record does not indicate the Account Owner's domicile.

According to the Bank's record, the Account Owner held a demand deposit account in Pounds Sterling, which was transferred to a suspense account for dormant assets on 31 December 1939. The amount in the account on the date of its transfer was 6 U.K. shillings. The account remains in the Bank's suspense account.

### **The CRT's Analysis**

#### Identification of the Account Owner

The Claimant's father's name matches the unpublished name of the Account Owner.<sup>2</sup> The CRT notes that the Bank's record does not contain any specific information about the Account Owner other than his name. In addition, the CRT notes that the Claimant submitted her birth certificate, identifying Alfred Berkovits as her father. The CRT also notes that a database containing the names of victims of Nazi persecution includes a person named Alfred Berkovits, and indicates that his date of birth was 21 July 1901, his place of residence was Budapest, and that he was married, which matches the information about the Account Owner provided by the Claimant. The database is a compilation of names from various sources, including the Yad Vashem Memorial of Israel. Although the Account Owner's name was not published on the February 2001 list of accounts determined by ICEP to be probably or possibly those of Victims of Nazi Persecution (the "ICEP List"), the Claimant filed an Initial Questionnaire with the Court in 1999, asserting her entitlement to a Swiss bank account owned by Alfred Berkovits. This supports the credibility of the information provided by the Claimant. Finally, the CRT notes that there are no other claims to this account. Taking all of these factors into account, the CRT concludes that the Claimant has plausibly identified the Account Owner.

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<sup>2</sup> The CRT notes that a discrepancy exists between the spellings of the family name of the Account Owner and that of the Claimant's father. The CRT further notes that in many cases spellings of names have changed due to the transcription of names into different languages. In this case, the CRT concludes that the spelling discrepancy is due to the transliteration of the family name from Hungarian to French.

### Status of the Account Owner as a Victim of Nazi Persecution

The Claimant has made a plausible showing that the Account Owner was a Victim of Nazi Persecution. The Claimant stated that the Account Owner was Jewish, and that he was deported to Bergen-Belsen concentration camp, where he perished. As noted above, a person named Alfred Berkovits was included in the CRT's database of victims.

### The Claimant's Relationship to the Account Owner

The Claimant has plausibly demonstrated that she is related to the Account Owner by submitting documents demonstrating that he was her father. These documents include the Claimant's birth certificate, identifying Alfred Berkovits as her father. There is no information to indicate that the Account Owner has other surviving heirs.

### The Issue of Who Received the Proceeds

The Bank's record indicates that the account was transferred to a suspense account for dormant assets where it remains.

### Basis for the Award

The CRT has determined that an Award may be made in favor of the Claimant. First, the claim is admissible in accordance with the criteria contained in Article 18 of the Rules Governing the Claims Resolution Process, as amended (the "Rules"). Second, the Claimant has plausibly demonstrated that the Account Owner was her father, and that relationship justifies an Award. Finally, the CRT has determined that neither the Account Owner nor his heirs received the proceeds of the claimed account.

### Amount of the Award

In this case, the Account Owner held one demand deposit account. The Bank's record indicates that the value of the demand deposit account as of 31 December 1939 was 6 U.K. shillings. According to Article 29 of the Rules, if the amount in a demand deposit account was less than 2,140.00 Swiss Francs, and in the absence of plausible evidence to the contrary, the amount in the account shall be determined to be 2,140.00 Swiss Francs. The current value of the amount of the award is determined by multiplying the balance as determined by Article 29 by a factor of 12.5, in accordance with Article 31(1) of the Rules. Consequently, the total award amount in this case is 26,750.00 Swiss Francs.

### **Scope of the Award**

The Claimant should be aware that, pursuant to Article 20 of the Rules, the CRT will carry out further research on her claim to determine whether there are additional Swiss bank accounts to which she might be entitled, including research of the Total Accounts Database (consisting of records of 4.1 million Swiss bank accounts which existed between 1933 and 1945).

**Certification of the Award**

The CRT certifies this Award for approval by the Court and payment by the Special Masters.

Claims Resolution Tribunal  
20 May 2004