

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant [REDACTED]

in re Account of Eugén Halász

Claim Number: 213822/AA; 601289/AA¹

Award Amount: 47,400.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED] (the “Claimant”) to the account of Eugén Halász (the “Account Owner”) at 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 to the Holocaust Claims Processing Office (“HCPO”) and a Claim Form to the CRT identifying the Account Owner as his grandfather, Eugén (Jenő) Halász, who was born in 1887 or 1894 in Vadafalva, Transylvania (present-day Odesti, Romania), and was married to [REDACTED]. The Claimant explained that Eugén and [REDACTED] Halász had one child, [REDACTED], the Claimant’s mother, who was born on 20 September 1922 in Budapest, Hungary and died on 25 February 1978 in Toronto, Ontario, Canada. According to the Claimant, his grandfather lived at Budapest XI Ker., Bartok Bèla ut. 4, and that prior to the Second World War, the street address was referred to as Miklos ut. 4. The Claimant stated that his mother told him that she recalled travelling with her father to Switzerland before 1940 to deposit money into an account that he planned to use to finance his immigration to Palestine, where his brother was living. The Claimant explained that his grandfather was forced to hide from the Nazis during the Second World War and that his grandfather died in Budapest on 6 June 1949.

In 1997, the Claimant discovered his grandfather’s name on a published list of Hungarian “heirless” accounts held in Swiss banks that were transferred to the Hungarian government. The Claimant’s grandfather’s name was also included in a report created by the Swiss “Task Force

¹ The Claimant submitted a claim, numbered B-00541, to the Holocaust Claims Processing Office (“HCPO”) of the New York State Banking Department on 22 December 1997. This claim was referred by the HCPO to the CRT and has been assigned claim number 601289/AA.

for the Assets of Nazi Victims.” In support of his claim, the Claimant submitted his birth certificate, an affidavit showing that he legally changed his last name from Szirtes to [REDACTED], and his mother’s death certificate. The Claimant stated that he was born on 24 March 1943 in Budapest.

Information Available in the Bank Records

The bank records consist of a declaration of accounts that belonged to victims of racial, religious or political persecution, correspondence between the HCPO and the Swiss Federal Department of Foreign Affairs. According to these records, the Account Owner was Eugén Halász, whose last known address was Wesselenya u 36, Budapest, Hungary. The records indicate that his name was included on a list, dated 27 January 1997, of 33 unclaimed accounts of Hungarian nationals who had vanished. The bank records do not indicate what type of account the Account Owner held, but they indicate that the account had a balance of 842.30 Swiss Francs on 1 September 1963, when it was reported according to the 1962 Federal Decree on Mandatory Reporting of Unclaimed Assets. The value of the account was 738.60 Swiss Francs when the Bank transferred the assets to the Swiss government, which then transferred the money to the Hungarian government on 19 February 1975 as a part of a general settlement of claims with Hungary.²

The CRT’s Analysis

Identification of the Account Owner

The Claimant has plausibly identified the Account Owner. His grandfather’s name matches the name of the Account Owner. The Claimant identified his grandfather’s city of residence, which matches unpublished information about the Account Owner contained in the bank records. Moreover, the CRT notes that a database containing the names of victims of Nazi persecution includes a person named Eugén Halász and indicates that his place of birth was Vadafalva, Transylvania, 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.

² With the Swiss-Hungarian Compensation Agreement of March 26, 1973, Switzerland gave assurances in a confidential side protocol it would compensate Hungary with 325,000 Swiss Francs for the transfer to the Unclaimed Assets Fund of unclaimed assets belonging to Hungarian nationals presumed to be deceased, in disregard of the claim of the Hungarian state to the reversion. Hungarian counterclaims amounting to 400,000 Swiss Francs were offset directly against the sum compensating dispossessed Swiss property owners, which amounted to Swiss Francs 1.8 million. The two governments made public only the net compensation of 1.4 million Swiss Francs. On 19 February 1975, on instructions from the Federal Justice Department, the Federal Financial Administration transferred 325,000.00 Swiss Francs from the Unclaimed Assets Fund to the account kept by the Political Department to the Hungarian government.

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 was forced to hide from the Nazis during the Second World War. As noted above, a database containing the names of victims of Nazi persecution includes a person named Eugén Halász.

The Claimant's Relationship to the Account Owner

The Claimant has plausibly demonstrated that he is related to the Account Owner by submitting documents demonstrating that he is the grandson of the Account Owner. There is no information to indicate that the Account Owner has other surviving heirs.

The Issue of Who Received the Proceeds

The bank records indicate the account was transferred by the Swiss government to the Hungarian government as a part of a general settlement of claims and that the Account Owner did not receive the proceeds of the account.

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 his grandfather, 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 account of an unknown type. The bank records indicate that the value of the account as of 1 September 1963 was 842.30 Swiss Francs. According to Article 29 of the Rules, if the amount in an unknown type of account was less than 3,950.00 Swiss Francs, and in the absence of plausible evidence to the contrary, the amount in the account shall be determined to be 3,950.00 Swiss Francs. The present value of the amount of the award is determined by multiplying the balance as determined by Article 29 by a factor of 12, in accordance with Article 31(1) of the Rules, to produce a total award amount of 47,400.00 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 his claim to determine whether there are additional Swiss bank accounts to which he 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

March 28, 2003