

CLAIMS RESOLUTION TRIBUNAL

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

Certified Award

to Claimant [REDACTED]

in re Account of Ida Ruf¹

Claim Numbers: 001129/IG, 005307/IG

Award Amount: 47,400.00 Swiss Francs

This Certified Award is based upon the claim of [REDACTED], née [REDACTED], (the “Claimant”) to the account of [REDACTED].² This Award is to the account of Ida Ruf (the “Account Owner”) at the Lausanne 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 two Claim Forms identifying the Account Owner as her mother, Ida Ruf, née [REDACTED], who was born on 10 December 1889, and was married to [REDACTED] in Czernowitz, Romania. The couple had three children: [REDACTED], [REDACTED], and the Claimant. The Claimant stated that her parents, who were Jewish, lived at Steingasse 11 in Czernowitz, and that her father owned a maternity clinic located on the same street, a toy and decoration store on Postgasse in Czernowitz and a factory in Brussels, Belgium. The Claimant also stated that during the German occupation she, her parents, and her sister lived in a Czernowitz ghetto in inhuman conditions without food or medicine. The Claimant also stated that as a result, she contracted hepatitis. The Claimant indicated that her father told her that the profits from the factory in Belgium were deposited in a Swiss bank account. The Claimant indicated that her father died in 1963 in Ramat Aviv, Israel, and her mother died on 5 March 1996 in Israel.

¹ The Claimant provided some of her relatives’ names only in Hebrew characters in the Claim Form. For the purpose of this written decision, the CRT has transliterated these names into Latin characters. However, to match names provided in the Claim Form with names contained in the banks’ databases, the CRT has used a database created by Yad Vashem, Israel, which provided different variations in Latin characters for each of the names.

² The CRT will treat the claim to this account in a separate decision.

The Claimant indicated that she was born on 15 February 1930 in Czernowitz, Romania. The Claimant previously submitted an Initial Questionnaire with the Court in 1999, asserting her entitlement to a Swiss bank account owned by her father, [REDACTED], from Czernowitz, Romania.

Information Available in the Bank Record

The bank record consists of printouts from the Bank's database. According to these records, the Account Owner was Ida Ruf. The bank records do not indicate her country of residence. These records indicate that the Account Owner held an account of unknown type.

The account was transferred to a collective account. The amount in the account on the date of its transfer is unknown. The amount in the account on an unknown date was 4.15 Swiss Francs. The account remains open and dormant.

The CRT's Analysis

Joinder of Claims

According to Article 37(1) of the Rules Governing the Claims Resolution Process, as amended (the "Rules"), claims to the same or related accounts may be joined in one proceeding at the CRT's discretion. In this case, the CRT determines it appropriate to join the two claims of the Claimant in one proceeding.

Identification of the Account Owner

The Claimant has plausibly identified the Account Owner. Her mother's name matches the published name of the Account Owner. The CRT notes that the Claimant filed an Initial Questionnaire with the Court in 1999, asserting her entitlement to a Swiss bank account owned by her father, [REDACTED] from Czernowitz, Romania, prior to the publication in February 2001 of the list of accounts determined by Independent Committee of Eminent Persons ("ICEP" or the "ICEP Investigation") to be probably or possibly those of Victims of Nazi Persecution (the "ICEP List"). This indicates that the Claimant has based her present claim not simply on the fact that an individual identified on the ICEP List as owning a Swiss bank account bears the same name as her relative, but rather on a direct family relationship that was known to her before the publication of the ICEP List. It also indicates that the Claimant had reason to believe that her relative owned a Swiss bank account prior to the publication of the ICEP List. This supports the credibility of the information provided by the Claimant. The CRT also notes that there are no other claimants to this account.

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 she lived in the Czernowitz ghetto with her husband and two daughters during the German occupation.

The Claimant's Relationship to the Account Owner

The Claimant has plausibly demonstrated that she is related to the Account Owner by submitting evidence demonstrating that the Account Owner was her mother.

The Issue of Who Received the Proceeds

The bank records indicate the account was transferred to a suspense account and remains open and dormant.

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. Second, the Claimant has plausibly demonstrated that the Account Owner was her mother, and that relationship justifies an Award. Finally, the CRT has determined that neither the Account Owner nor her heirs received the proceeds of the claimed account.

Amount of the Award

In this case, the Account Owner held one account of unknown type. The bank record indicates that the value of the account was 4.15 Swiss Francs but does not indicate the date that this value was recorded. Pursuant to Article 29 of the Rules, when the value of an account is unknown, as is the case here, the average value of the same or a similar type of account in 1945 is used to calculate the present value of the account being awarded. Based on the ICEP Investigation, in 1945 the average value of an account of unknown type was 3,950.00 Swiss Francs. The present value of this amount is calculated by multiplying it 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 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
March 11, 2003