Image not found or type unknown

Compensation of assets

The purpose of the General Settlement Fund was to bring about a comprehensive resolution to open questions of compensation and to acknowledge Austria’s moral responsibility for losses of assets suffered by the victims of the Nazi regime in Austria between 1938 and 1945 in the form of voluntary payments. Losses which had not yet been the subject of previous Austrian restitution and compensation measures, or had only been dealt with inadequately, are the primary focus.

Individuals or associations who/which were persecuted by the Nazi regime on political grounds, on grounds of origin, religion, nationality, sexual orientation, on grounds of a physical or mental disability, or of the accusation of so-called asociality, as well as persons who left the country in order to escape such persecution were eligible to file applications. As a further requirement, these persons must have suffered losses or damages as a result of or in connection with events that occurred on the territory of the present-day Republic of Austria during the Nazi era.

Heirs of persons who fulfilled these requirements and legal successors of associations that were disbanded by the Nazi regime were also eligible to file applications.

The General Settlement Fund provides compensation in ten different categories of losses:

- Liquidated businesses including licenses and other business assets
- Real estate, insofar as it was not restituted on grounds of Part 2 of the General Settlement Fund Law
- Bank accounts
- Stocks
- Bonds
- Mortgages
- Movable assets, insofar as property losses of this description had not already been compensated by the National Fund
- Insurance policies
- Occupational and educational losses
- Other losses and damage

Compared to other compensation measures put in place on a national or international level, where compensation could only be claimed in a small number of categories or took the form of lump sum payments, the task of making individual payments for damages in ten categories was far more complex. Particularly the category “other losses and damage” enabled the General Settlement Fund to take all kinds of damages into account that were not covered by the other categories.

The claims for compensation could be asserted in two types of procedure, a claims-based procedure and an equity-based procedure. Claims for compensation of liquidated businesses, real estate, bank accounts, stocks, bonds, mortgages movable assets and insurance policies could be asserted in the claims-based procedure. In this case, it was up to the applicants to substantiate their claims under relaxed standards of proof.

Beyond this, claims in all categories that could not be sufficiently documented to meet the standard of proof required by the claims-based procedure could be asserted in the equity-based procedure, in which the losses were valued on a lump-sum basis. Only losses in the categories “educational and occupational losses” and “other losses and damages” could be asserted exclusively in the equity-based procedure.

Once the applications had been processed by the Fund’s staff, the independent, internationally-composed Claims Committee decided on the individual payments for the compensation claims.

The deadline for filing applications expired on 28 May 2003.