

**Clemens Nathan Research Centre  
In collaboration with REDRESS  
And with the support of the Carnegie Foundation of The Hague**

**Conference  
On**

***Reparations for victims of genocide, crimes against humanity and war  
crimes: Systems in place and systems in the making***

**The Peace Palace, The Hague, The Netherlands  
1-2 March 2007**

***Speech of C N Nathan – “The Relevance of post-Holocaust Experience”***

On behalf of our Research Centre I would like to thank you all, distinguished experts and participants, in making the effort to be together with us for what I hope will be a constructive, practical conference in which we can share our experiences and hopefully remain in contact afterwards on specific issues.

The late René Cassin inspired me to use our experience of The Holocaust for the benefit of mankind in general. It was his motivation in which he believed passionately, having lived through the nightmare of both the First World War and the neglect of pensions for war widows, and the even more horrific elimination of the majority of European Jews and many others during the 2<sup>nd</sup> World War, that made him determined to help create The Declaration of Human Rights, despite the enormous opposition from certain States on the grounds that it was a gross interference in their internal, national sovereignty.

I think you will agree with me that it is very important to remember that any form of reparation cannot overcome the suffering of the individual – no amount of material reparation can heal the psychological scars which remain indelible on those who have been abused and traumatised. These can never be restored except in a damaged state. The lack of human dignity and worth for those who have suffered should shame those who commit atrocities. The challenge to help survivors is extremely important. The major contribution of many criminal prosecutions over the last few years has not only

seen the indictment of the accused but also the very important documentation which has taken place of what actually happened. I recollect with the Eichmann case how hundreds of researchers had immense difficulty in collating the information from all over Europe of what had actually happened. This was the beginning of the realisation of the nightmares, far worse than anyone could have imagined, which had finally been revealed to the public in all its horror. It was from this foundation that much of the work on the Holocaust, including compensation, was able to evolve. The Nuremberg Trials similarly opened the door to what had happened previously.

To me this is one of the important facets of the International Criminal Court. There are several major questions which I would like to throw open, which you may wish to keep on the “back burner” during the conference for the many different speakers who have come from far and wide and have so much experience.

1. Can compensation really be effective? What are the practicalities of compensation versus the idealism which we all have for it?
2. To what extent is compensation in the real sense illusory? Is it extremely dangerous to raise the emotional high hopes of victims which can never be fulfilled?
3. How far should we consider compensation for second and third generations?
4. Where do we draw the line between relief welfare, and compensation? If one looks at the major concentration camps which were liberated after the Second World War, thousands of people died in the first few days in each one because of inappropriate food, or no food at all. How should this be dealt with and can it be dealt with before compensation can be paid out from a central fund?
5. What political priority should be given nationally and internationally to fund compensation and how does one promote this concept to different countries? It is a low priority compared, for example, to climate change or armaments, for most countries. Is it possible to change the attitude of people and therefore ultimately governments in democratic states to help with this on a large scale?
6. What is the effect of invasion for liberalising a genocidal regime? How can an invasion force become accountable and responsible, if at all, for dealing with

compensation? What are the duties of invaders in such cases towards the victims? Is this type of duty something which can only be done on an international basis with the support of individual states?

7. To what extent should an organisation be responsible for transferring victims to new countries where they can settle peacefully with the support of other people who are already there, perhaps of the same ethnic or religious background?

I believe that all these matters are within your expertise.

The unique experience of the Claims Conference for me is that they have had 60 years of experience since the Second World War in looking at, negotiating and settling countless claims, together with the World Restitution Organisation, for Jewish victims of gross violation of human rights when over 6 million Jews were exterminated, including 1.5 million children.

Their work will be outlined to you but I just wish to mention that their achievements are nowhere near sufficient to alleviate the suffering of those still alive. Every year when some of us attend the Board Meetings we come back shattered by the new tragedies which confront us and make us realise how the pattern of suffering has continued for many of these people, who at least were not killed, over this whole span of time. Suffering just does not go away. Today, some of these victims have blossomed out to be leaders of their own communities and have overcome their problems. In most cases, when one sees the children and grandchildren of these victims, usually proud and confident where they have had every opportunity of education and development, one marvels at the human spirit to overcome adversity.

With news of new genocides confronting us every day we really need to run before we can walk. Let us hope that this meeting over the next two days will bring us one miniscule step forward to accelerating help for those in desperate need.

I now have the privilege of introducing the team from the Claims Conference, who have come here in their own right on their way back from Warsaw yesterday, where they were dealing with problems of compensation.

Our first speaker is Gideon Taylor, Executive Vice President on the Conference of Jewish Material Claims against Germany since 1999. He has overseen numerous negotiations for compensation and restitution for Jewish victims of Nazism, as well as the distribution of funds from several programs.

Under Mr Taylor's leadership, the Claims Conference helped negotiate the creation of the \$4.5 billion German Foundation, "Remembrance, Responsibility, and the Future", to compensate victims of Nazism. Using funds from the Foundation, the Claims Conference processed 265,000 applications from former Jewish slave laborers in eight languages and distributed \$1.1 billion to 143,000 Holocaust survivors within a three-year period.

Mr Taylor has also overseen the creation of Claims Conference programs to compensate victims of Nazi medical experiments and former refugees to Switzerland. As well, the Claims Conference continues to negotiate for the expansion of other pension and one-time payment programs, recover unclaimed Jewish property in the former East Germany, and distribute more than \$100 million in institutional grants annually.

He will be followed by Greg Schneider, the Chief Operating Officer of the Claims Conference. Greg oversees both the individual claims compensation program and the institutional grants program.