

Written questions in February 2015

Numbers 300 to 302

Question 300:

What information does the Federal Government have regarding ghetto pension applications from Holocaust survivors which have still not been formally decided and are thought to number between 15 000 and 25 000? (Please give a breakdown for each year since the entry into force in 2002 of the Act regarding the conditions for making pensions payable on the basis of employment in a ghetto (ZRBG) – indicating the total number of applications refused, with and without notification of the individuals concerned, and the number of applications formally approved.)

Answer:

The Federal Government has no information to the effect that formal decisions on between 15 000 and 25 000 applications under the ZRBG are still pending.

If the question relates to those applications which were reviewed by the German Pension Insurance (DRV) in the light of the amended ruling on the ZRBG in June 2009 by the Federal Social Court (BSG), the following should be noted: the Court ruling of June 2009 ordered the DRV to review all previously refused applications under the ZRBG to determine whether the applicants in question were now entitled to a pension in the light of the new ruling. Some 50 000 cases were reviewed. In about 25 000 cases a pension was granted following review. In the other cases, for a variety of reasons, there continued to be no entitlement to a pension. In 7 000 or so cases there was no entitlement, even after the new legal ruling, because the eligibility requirements (a minimum of five contributory years, for example) were not met. In these instances the individuals concerned were notified that their application had been refused or were told that the earlier refusal of their application still stood. In the remaining cases the DRV was unable to contact the applicants, despite strenuous efforts (for example in close cooperation with the National Insurance Institute of Israel), or the applicants were now deceased.

In total, about 55 600 applications for pensions under the ZRBG have been approved so far.

Question 301:

What information does the Federal Government have regarding ghetto pension applications from Holocaust survivors which have still not been formally decided and are thought to number between 15 000 and 25 000? (Please give a breakdown for each year since the entry into force in 2002 of the Act regarding the conditions for making pensions payable on the basis of employment in a ghetto –“Ghetto Pensions Act”, ZRBG – indicating the total number of formally refused applications from survivors who had no help with their applications from a legal representative.) How has the number of survivors without legal representation changed following the introduction in 2014 of the provisions of Article 4 of the First Act Amending the ZRBG?

Answer:

Regarding the number of applications not formally decided see the answer to Question 300.

The Federal Government has no information to indicate that the number of individuals without legal representation has changed since the provisions of Article 4 of the amended ZRBG were introduced in 2014.

Article 4 of the ZRBG stipulates that ghetto pensions must be paid directly into the accounts of former ghetto workers and not, for example, into the account of a legal representative, so that entitled individuals have immediate access to their money. This does not restrict their ability to instruct a legal representative.

Question No. 302:

What steps is the Federal Government taking to review administrative enforcement of the Law regarding the conditions for making pensions payable on the basis of employment in a ghetto –“Ghetto Pensions Act”, ZRBG – which was unanimously adopted by the German Bundestag in 2002, in respect of the Act’s stated aim to uphold “the legitimate interests of former ghetto workers in having their ghetto employment appropriately recognised by the payment of a statutory pension”? What is the Federal Government doing to compel the relevant pension providers to reach a decision on all applications not yet formally decided, in view of estimates – based on the Federal Government’s official explanatory memorandum to the First Act Amending the Ghetto Pensions Act of 2014 and consistent with those of the Jewish Claims Conference (JCC) – that only “50 per cent” of all applications under the ZRBG have been formally decided? And what does the Federal Government know of the administrative practice of the various regional pension providers who are responsible for this situation?

Answer:

The Federal Ministry of Labour and Social Affairs is in close contact with German Pension Insurance (DRV) to identify any problems in the processing of ZRBG applications at an early stage and if possible help to resolve them.

See also the answer to Question No. 300.

