

To the Editor,

It is a shame that an academic of Michael Pinto-Duschinsky's experience has confused so many facts in one article ("The Chaos of Compensation").

Over the last 60 years, the Claims Conference ("CC"), has secured tens of billions of dollars in funding and compensation from the German Government whose confidence it continues to enjoy. Like any other organisation, it is not above constructive criticism and can make mistakes. When these are received or highlighted, the CC tries to respond to them quickly, transparently and seriously. Dr. Pinto-Duschinsky's article contains many inaccuracies and misleading innuendo - for example:

- a. That lawyers working on a pro-bono basis (for their clients) were paid millions of dollars by the CC: The lawyers to whom he alludes were not paid by the CC but were awarded costs by the Courts from the other parties.
- b. That the CC *colluded* with the German Government so that it became the heir of last resort in relation to the German Government property restitution law of 1990: Beginning with post war occupying powers, there is legal precedent for property restitution as well as for a successor organisation to act as an heir of last resort. These precedents were followed when constructing the restitution law of 1990. Furthermore, if the CC had not submitted claims for many properties, a significant number of Jewish owners and heirs would have received no compensation (the CC accepted claims until March 2004). Well over 80% of the funds recovered by the CC (after payments to qualifying owners/heirs who failed to claim within the German government deadline of June 93) are applied for the benefit of survivors and victims of Nazi persecution in 45 countries.
- c. That the CC "...has *diverted* many millions of dollars to projects for Holocaust [education, remembrance and] research and various prestige activities.": The allocations policy and all allocations are set and approved by the entire Board of Directors, many of whom are survivors.

A main criticism of the article is that the CC has become a body with a "...lack of democratic accountability...[and]...too little connection with the Jewish communities from which its directors are drawn." This is not true. The CC's members comprise delegates from, inter alia, USA, Israel, Western and Eastern Europe, South America and South Africa, covering all major Jewish communal organisations and in particular Holocaust survivor groups. Policy decisions are made by majority vote at CC Board meetings. The article also stated that the Board of Deputies ("BoD") is investigating the democratic accountability of the CC. This too is incorrect.

The Duschinsky article is unhelpful in furthering the interests of those who suffered and is also misguided.

Yours faithfully,

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