Ministry of Social Affairs and Integration of Baden-Württemberg

Benefits for cooperation with the Nazi regime

Inquiry of 22 May 2019 - BIK-08-19(4)/19

Dear Dr Koczwańska-Kalita,

Thank you very much for your inquiry, which we received from the Ministry of Economy, Labour and Residential Housing of Baden-Württemberg, to be proceeded in accordance with the competences.

As you have already been advised by the Federal Ministry of Labour and Social Affairs in letter SER 2-96-Szarek / 19, of 1 April 2019, in response to a similarly sounding inquiry of 5 March 2019, persons who have been cooperating with the Nazi regime do not receive any benefits from Germany. The message coming from the foreign press is not true in this respect and misleading.

The press reports are undoubtedly based on the Act on social assistance to war victims (Bundesversorgungsgesetz - BVG), under which war victims receive benefits for health damage suffered due to military or paramilitary service. According to § 1a of this Act, such benefits are denied if the persons entitled to receive them, violated human rights and the rule of law during the reign of the Nazi dictatorship. Especially in the cases of their voluntary membership in the SS, a particularly thorough analysis of their attitude in this respect is required.

A person who has been proven guilty of war crimes or crimes against humanity is not entitled to receive benefits.

Since the entry into force of §1a of the BVG in 1999, all existing files have been subjected to inspection, and a number of data verifications have been carried out. The Federal Archives, the central judicial body to explain Nazi crimes in Ludwigsburg, the Berliner Dokument Center and the Simon Wiesenthal Center, have made the data available for this purpose. At the national level, in 99 cases the payment of benefits was denied or withdrawn at that time. Afterwards, systematic data verification procedures were completed. However, if there arise any suspicions in individual cases (e.g. in the event of the initiation of investigative measures by the prosecution service), then, of course, it is verified again whether the benefits should be denied or withdrawn.

In Poland (as of the end of 2018) there are about 300 people who receive a pension, being classified as war victims or the family of the deceased according to the German law of Baden-Württemberg. According to the state of knowledge as of today, none of those entitled to receive benefits (and in the case of pensions for the family of the deceased - persons from whom the right to benefits derives), violated human rights and the rule of law during the reign of the Nazi dictatorship.

Yours sincerely,

Engelhardt