

Cottbus Declaration on GDR Forced Labor

From September 13, 2020

(preliminary translation)

From September 11th to 13th, 2020, a tribunal on the subject of "Forced Labor in Political Custody in the GDR" took place in the Cottbus Human Rights Center, the former East German penal institution Cottbus, at the invitation of the Union of Victims' Associations of Communist Tyranny (UOKG).

An international jury was faced with the task of determining "whether characteristics of forbidden forced labor and exploitation according to internationally recognized definitions" were fulfilled in relation to political prisoners of the SED dictatorship.

The jury heard several specialist lectures on the definition of forced labor, its prohibition under international law and the basics of forced labor of political prisoners in the GDR in various branches of industry. The jury also interviewed 14 former political prisoners (4 women and 10 men) who during their imprisonment in different industrial areas and at different times were used for forced work for industrial companies in the GDR.

After the lectures they had heard and the questioning of contemporary witnesses, the jury came to the conclusion that the GDR penal system was one of the largest employers within the GDR's state-planned economy. For this purpose, the GDR penal system and its facilities maintained a nationwide network of labor deployment companies in which the most varied of GDR companies had production for their purposes, taking advantage of the generally existing work obligations of prisoners in the GDR. Many of the products created in this way were intended for exports to the non-

socialist economic area. The individual conviction of forced labor required by international law by the court did not take place. The prisoners could not choose their occupation, nor was their professional qualifications taken into account. Instead, they were called upon to work solely according to the specifications of the national economic plan and the possibilities of the respective institution. In many cases, the statutory provisions on health and safety at work that were otherwise applicable in the GDR were not complied with in the institutions. The inmates had to work longer than was the case in normal factories. As a rule, the penal institutions also worked around the clock in three shifts. In addition, physically difficult and health-hazardous jobs were often carried out in prison establishments. There was a lack of work clothes and protective measures to prevent accidents at work. The accident rate was also much higher than in normal industrial companies. In addition, medical care after occupational accidents was often inadequate.

In cases of doubt, the prisoners' duty to work was enforced with severe sanctions, arrest sentences and even physical violence in the event of under-compliance or refusal to work. The witnesses reported, among other things, a writing ban, beatings, threats with consequences for the children and being taken to standing cells. The characteristics of forced labor are thus fulfilled. In addition, this forced labor was generally inadequately paid.

The GDR has thus violated all international agreements of the United Nations and the International Labor Organization to suppress and outlaw forced labor and did not even grant its prisoners the minimum principles of the United Nations for the treatment of prisoners, even though it had acceded to this latter agreement.

Even if the Federal Republic of Germany cannot be regarded across

the board as the legal successor of the GDR, the values of the Basic Law and Article 17 of the Unification Treaty of August 31, 1990 result in a legal obligation to permanently come to terms with the SED injustice and to create appropriate compensation regulations for the victims of the SED dictatorship.

The overwhelming majority of the former political prisoners of the GDR have been compensated for the imprisonment they suffered through criminal rehabilitation.

In stark contrast to this is the often inappropriate treatment of claims for compensation and the duration of the corresponding proceedings.

However, these compensation regulations do not cover the forced labor suffered in addition to the mere deprivation of liberty and the resulting psychological and physical health damage, so that there is a need for further regulation.

In order to facilitate the recognition of consequential damage from GDR imprisonment and the forced labor suffered there, a standard presumption in favor of the victims of the SED dictatorship should be introduced or the burden of proof should be reversed in the sense of the regulation of the Federal Compensation Act (BEG).

In addition, an independent fund should be created for compensation or reparation payments for the benefit of former prisoner forced laborers. The beneficiaries of political forced labor in the GDR and their legal successors were to make payments for this fund. In the interests of the victims, the political mandate and decision-makers are called upon to promote this process.

We welcome IKEA's willingness to participate in this fund. We urge

companies and policymakers to follow suit.

The Foundation for Political Prisoners or the East German Forced Labor Foundation would be responsible for the administration of this fund to be created. V. into consideration.

In view of the advanced age of those affected, it is urgent to act as soon as possible.

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