

## **Contergan victim punished a second time**

### **Constitutional complaint submitted against disallowance of Contergan disabilities!**

Press release dated 07.03.2016

In 2009, Monika K, along with other Contergan victims, submitted an application regarding the deterioration in her Contergan disability which had already been recognised for 40 years, and suddenly saw part of her recognised compensation disallowed. This was despite the fact that she had merely applied for a decision with regard to new conditions which had accrued and which she believed to be Contergan related. Instead of simply taking a decision about this new condition, the Contergan Foundation, which is responsible for all such applications, reviewed all of her Contergan disabilities including those that had already been recognised, whereby the same examination methods were applied as 40 years ago.

Although the Contergan Foundation recognised the new disability as Contergan related, it suddenly considered her hip damage – which had been recognised for 40 years – to be no longer Contergan related and stopped the payments to Monika K without a hearing. At the time of making her application, Monika K knew nothing about this “examination”. She had taken it on trust that the hitherto recognised disabilities would continue to be recognised.

Unfortunately she is not the only person to suffer this fate. Olaf T already shared the same experience. In his case, all of his disabilities were disallowed until the Cologne Administrative Court instructed the Foundation to recognise the disabilities once more as Contergan related. Feelings of insecurity among the Contergan victims have become ever greater. *“When will we finally be able to submit applications for deterioration without losing out?”* said Monika K. She has now submitted a constitutional complaint to the Federal Constitutional Court, because she has so far been unsuccessful in taking her case against the disqualification to the Administrative Courts and because it is a case of unequal treatment and violation of human dignity.

Monika K is represented by the attorney Mrs Karin Buder-Heckert from Gladenbach. Mrs Buder-Heckert has already successfully represented Olaf T.

*“The Contergan Foundation systematically uses the applications for review as an opportunity to disallow previously recognised disabilities. This saves them money. They are speculating on their fortunes in court. The same can happen to every one of us who submits an application for review!”* said Andreas Meyer from the BCG (Bund Contergangeschädigter und Grünenthalopfer e.V.).

*“With this constitutional complaint I want to ensure, on behalf of us all, that disabilities, once they have been recognised, cannot be disallowed again, so that after 50 years of Contergan we can finally have peace!”* said Monika K.

In this matter you can read the following links regarding the case of Olaf T:

[http://www.gruenenthal-opfer.de/Pressemitteilung\\_v\\_31\\_03\\_2014](http://www.gruenenthal-opfer.de/Pressemitteilung_v_31_03_2014)

[http://www.gruenenthal-opfer.de/Pressemitteilung\\_v\\_9\\_4\\_2014](http://www.gruenenthal-opfer.de/Pressemitteilung_v_9_4_2014)

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