

Minor Interpellation

By the Members of Parliament Dr. Ilja Seifert, Diana Golze, Katja Kipping, Jutta Krellmann, Harald Weinberg, Sabine Zimmermann and the Parliamentary Group DIE LINKE (Left Party).

Need for clarification on the work of the Contergan Foundation (Conterganstiftung) in the public hearing of the Family Affairs Committee of the German Federal Parliament on 1 February 2013

Serious allegations against the Federal Government and the governing bodies of the Contergan Foundation were made by the expert witness Andreas Meyer in the open hearing of the Family Affairs Committee of the German Federal Parliament on the Contergan study by the University of Heidelberg on 1 February 2013. Andreas Meyer is the Chairman of the BCG – Bund Contergangeschädigter und Grünenthalopfer e.V. and an elected ordinary member of the Council of the Contergan Foundation.

In a letter to the Family Affairs Committee of the German Federal Parliament from the Management Board of the Contergan Foundation dated 22 February 2013, Karl Schucht saw himself as “compelled to contradict the statement made by Mr. Andreas Meyer, insofar as this contains deliberately false allegations that are solely intended to denigrate the Contergan Foundation and present it in a bad light.”

A counter-statement in this regard from Andreas Meyer was received by the Family Affairs Committee of the German Federal Parliament dated 8 March 2013.

The hearing and both letters have been made public (see www.gruenenthal-opfer.de among others). This uncustomary proceeding is confusing for outsiders and fosters the assumption that there is a substantial need for clarification or democratisation within the Foundation and the responsible Federal Ministry.

We ask the Federal Government:

1. How far does the letter from Karl Schucht dated 22 February 2013 only represent the opinion of the Foundation’s Management Board or also that of the supervising Federal Ministry?
2. How far does the Federal Government agree with the assertion that the statement by Andreas Meyer “contains deliberately false allegations that are solely intended to denigrate the Contergan Foundation and present it in a bad light.”?
3. Can the Federal Government confirm the claim of the Management Board of the Contergan Foundation: “Grünenthal has at no time had access to the medical files of the Contergan Foundation” (see letter from Karl Schucht dated 22 February 2013)?

4. If no, which employees of Grünenthal GmbH have or have had, to the knowledge of the Federal Government, access to the medical files of the Contergan victims?
5. To the knowledge of the Federal Government, have the members of the Medical Commission of the Contergan Foundation had access to the medical files of the Contergan victims?
6. From when until when was Attorney Herbert Wartensleben Chairman or a member of the Medical Commission of the Contergan Foundation?
7. To the knowledge of the Federal Government, was Herbert Wartensleben at the time of the Contergan trial or at other times the Head of the Legal Department of Grünenthal GmbH as well as, after his appointment as Chairman of the Medical Commission, counsel for the company Grünenthal, for example in 2007 in the dispute with the WDR regarding the feature film about Contergan (see letter from Andreas Meyer dated 8 March 2013)?
8. To the knowledge of the Federal Government, what financial payments (including “endowments”) have been made by the company Grünenthal GmbH or the Wirtz family directly or indirectly to the Contergan Foundation, to members of governing bodies of the Contergan Foundation as well as to Contergan victims and their organisations beyond the two payments to the Contergan Foundation (in 1972 and 2009) (please itemise separately the recipients, date and financial scope and the reason or the basis for the payment)?
9. Which of these financial payments were made by agreement with or following discussions with representatives of the Contergan Foundation and/or of the Federal Government and/or of the German Federal Parliament with the knowledge of the Federal Government (please also itemise separately)?
10. Does the Federal Government share the view of the Management Board of the Contergan Foundation that Andreas Meyer’s allegations that Grünenthal has paid experts on the Medical Commission and that a contract to this effect exists with the Contergan Foundation, are untrue (see letter from Karl Schucht dated 22 February 2013)?
11. To the knowledge of the Federal Government, does a letter exist from the company Grünenthal to the Contergan Foundation dated 5 March 1973, signed by Dr. Franz Wirtz and (pp.) Herbert Wartensleben, in which it is stated: “In accordance with the agreement with the Federal Government of which you are aware, we confirm to you that we will pay the costs of the medical experts that are listed in your letter dated 8 February 1973.” (see letter from Andreas Meyer dated 8 March 2013)?
12. Is the reference by Andreas Meyer in his letter dated 8 March 2013 true, according to which it appears in the budget plan of the Contergan Foundation (approved by the Federal Government) that the costs of the Medical Commission are transitory items because the expenses are reimbursed by the company Grünenthal GmbH?
13. Is the allegation of Andreas Meyer true, that a contractual agreement exists between the Contergan Foundation and the company Grünenthal dated 18 April 2005 for the financing of the costs of the Medical Commission?

If yes, what is the content of this agreement?

14. To the knowledge of the Federal Government, in what way and on what basis did payments take place from the company Grünenthal GmbH to members of the Medical Commissions before the entry into force of this agreement?
15. Can the Federal Government confirm the information from Andreas Meyer in his letter dated 8 March 2013 concerning his efforts to cancel the contract referred to in Question 18 and the decisions in the Council of the Foundation regarding this?

If not, what are the facts of the case in the view of the Federal Government?

16. Can the Federal Government confirm the descriptions of the “accusation of money laundering” in connection with payments to Dr. J. G. in the letter from Andreas Meyer dated 8 March 2013?

If not, what alternative interpretations exist?

17. What rules as well as changes in rules have been made since 2009 with regard to the right of inspection, the production of notes as well as the production of copies of minutes for the chairman of the Council of the Foundation, the members of the Council of the Foundation and their deputies?

To what extent is account taken of handicaps of members in the question of the production of notes and or copies?

18. What functions and responsibilities with reference to the subject of Contergan had or has the Federal official Dieter Hackler in the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth as well as in the governing bodies of the Contergan Foundation (please itemise separately the respective functions, tasks and responsibilities as well as the relevant time periods)?
19. How far does the Federal Government see this bundling of competencies and responsibilities as problematic with regard to the criticised lack of transparency and democracy in the governing bodies of the Foundation as well as the judicial supervision and control over its activities by the Federal Government?
20. How far is the Federal Government aware, as alleged by Andreas Meyer in the public hearing on 1 February 2013, that Grünenthal’s Managing Director Michael Wirtz donated 250,000 DM for the collection campaign of ex-Chancellor Helmut Kohl (see preliminary version of the verbatim minutes 17/87, page 24, as well as SPIEGEL ONLINE dated 26 April 2000)?
21. Does the Federal Government see any possible connection between the donation and the conduct of the Federal Government towards the company Grünenthal?
22. Is the Federal Government aware of donations to parties by the company Grünenthal GmbH or the Wirtz family or other companies that are in the family’s ownership?

If yes, which (please state recipient, amount and date)?

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Dr. Gregor Gysi and the Parliamentary Group

Note: This English translation is unofficial. Only the original German text carries legal authority.