

CHATGPT LEGAL ANALYSIS REPORT - NO. 004

REVISED EDITION

Documentary and Procedural Analysis of Petitions Before the Petitions Committee of the Berlin House of Representatives (Abgeordnetenhaus von Berlin)

Prepared through ChatGPT - AI-Assisted Legal Analysis System

02 June 2026

Reference	Details
Reference No.	GPT-HR/DE/IR-BER-PET-004/2026
Applicant / Petitioner	Ismail Rustam / Ruestem Ismail / Rustem Ismail
Address in examined records	Wichmannstrasse 9, 10787 Berlin
Institution analysed	Abgeordnetenhaus von Berlin - Petitionsausschuss
Documented Berlin file references	9824/15 and 1222/16
Further reference requiring verification	7321/16
Scope	Berlin parliamentary petition handling only; the Bundestag is referenced only insofar as the Berlin file documents transfer of the pension-related component to federal competence.

Documentary basis, official-source verification and legal analytical purpose

This legal-documentary analysis was prepared through ChatGPT at the express request of Ismail Rustam. It is grounded in official correspondence of the Petitions Committee of the Abgeordnetenhaus von Berlin reproduced in the submitted documentary bundle, together with official public parliamentary and statutory sources independently located and examined for this report. The existence of file references 9824/15 and 1222/16 is established by official correspondence visible in the documentary record. The official public archive research further confirms the legal and institutional framework of the Berlin petition procedure during the relevant period.

This report therefore has documentary and legal-analytical relevance as an organised assessment of official records, the petitioner's submissions, the Committee's recorded reasons and apparent procedural or legal deficiencies. It may be submitted or published as an analytical documentary exhibit. Final binding determinations of legal responsibility and enforceable remedies remain within the competence of the relevant authorities and courts.

Analytical categories applied

- Documented fact - a fact stated in or visible from an official letter, submission, contemporaneous scan or photograph examined for this report.
- Applicant's allegation - a claim presented by the applicant to the authority, recorded as such unless independently established by an official record.
- Authority position - an assertion or conclusion stated in a response issued by the Petitions Committee or an authority cited by it.
- Legal assessment - the evaluation made in this report of apparent compliance, procedural deficiency, potential breach or need for further evidence.

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1. Executive Summary

1.1 Core documentary conclusion

The examined documentary record establishes that Mr. Ismail Rustam submitted a substantial complaint to the Petitions Committee of the Abgeordnetenhaus von Berlin on 5 September 2006 concerning alleged misconduct and omissions by Berlin public authorities. The complaint raised allegations extending beyond ordinary social-benefit administration, including immigration detention without lawful basis, denial of medical assistance, release into homelessness while ill, police violence in detention, deprivation of social and medical support, unsafe living conditions, residence-law restrictions and later disability and pension-related consequences. The Committee formally registered that complaint as Geschäftszeichen 9824/15 on 14 September 2006. [D1, pp. 2-12; D3]

During 2007, Mr. Rustam submitted additional materials relating to court proceedings, immigration-authority matters, his stated inability to work, medical certificates, a refused pension claim and his objection to that refusal. The Committee progressively described the subject matter as social support, granting a residence permit and pension. In a response documented in the record, it reported having obtained information from Berlin authorities and forwarded the pension-related part of the matter to the Petitions Committee of the German Bundestag on 3 April 2007 on the basis of federal competence. [D1, pp. 13-21; D4]

A second Berlin petition file, Geschäftszeichen 1222/16, was acknowledged on 20 June 2007. The official heading listed social support, granting a residence permit and pension. Further correspondence addressed household assistance, health insurance and residence administration. On 1 December 2007, Mr. Rustam submitted a further complaint expressly referring to both 9824/15 and 1222/16 and presenting, among other matters, an asserted removal of a Berlin territorial restriction on 11 October 2007, an alleged failure to forward earlier social-benefit applications under section 16(2) SGB I, continuing health and housing consequences, and a DVD as evidence. The Committee subsequently declared the matter disposed of again under the repeated-petition rule it cited as section 2(3), sentence 2, Petitionsgesetz Berlin and returned the DVD. [D7; D8]

1.2 Principal findings

- The existence of files 9824/15 and 1222/16 is established by official Berlin parliamentary correspondence supplied in the scanned evidence bundle.
- Public official Berlin activity reports were located online, but they provide aggregate and anonymised information rather than a searchable individual case file identifying Mr. Rustam or the two file references.
- No official letter or public archive record establishing a link between Mr. Rustam and reference 7321/16 was located in the materials reviewed for this edition; that reference requires targeted confirmation from the Committee.
- The Committee took certain formally appropriate steps: registration of petitions, written communications, requests for information from identified Berlin authorities and referral of the pension component to the competent federal petition body.
- The visible responses do not show an investigation proportionate to the gravity of the initial allegations concerning detention, police treatment, denial of medical access, alleged continuing medical consequences and the claimed risk to health and subsistence.
- The later repeated-petition closure raises a specific legal-analytical question: whether the Committee properly examined whether the 1 December 2007 submission and the DVD constituted materially new submissions before treating the matter as disposed of.

1.3 Overall legal-analytical finding

The official records and official-source research support a document-based finding of apparent procedural deficiencies and potential legal failures requiring further competent review. In particular, the visible record justifies requests for disclosure and preservation of the complete files 9824/15 and 1222/16, the authority statements received by the Committee, the treatment of the submitted DVD, any internal materiality analysis preceding the repeated-petition closure, and any records relating to the reported police, detention and medical allegations.

2. Mandate, Scope and Analytical Method

2.1 Mandate

The applicant requested a comprehensive English-language legal-documentary report, numbered No. 004 in his report series, addressing only the Berlin parliamentary petition proceedings evidenced in his PDFs and the official public sources independently located during research. The requested purpose is to identify the basis of the complaints, the Committee's documented responses, the legal rules governing its functions, the steps that were procedurally proper, and the apparent omissions or deficiencies revealed by the available record.

2.2 Scope limitation - Berlin proceedings only

This report concerns proceedings before the Petitions Committee of the Abgeordnetenhaus von Berlin. The German Bundestag is mentioned only where the Berlin documentation states that the pension-related component was forwarded to federal competence. The merits and procedure of the later Bundestag petitions are reserved for the separate Report No. 005.

2.3 Evidentiary method

- Review of the principal scanned documentary compilation supplied by the applicant: Haz 2, Belge 27.pdf.
- Review of the photographic living-condition bundle supplied by the applicant: Haz 2, Belge 36.pdf.
- Cross-reference to retrievable component documents identified in the applicant's file archive, including 0002.pdf, 0003.pdf, 0005.pdf, 0006.pdf, 0007.pdf and 0008.pdf.
- Research of official public sources of the Abgeordnetenhaus von Berlin and official statutory databases.
- Separation between proved documentary facts, applicant allegations, authority positions and legal analysis.

2.4 Limitations

The internal Committee files, all original annexes, authority statements, internal minutes or rapporteur memoranda, and the complete contents and review status of the returned DVD have not yet been made available in a complete verified file set. These gaps do not remove the documentary significance of the available records; they identify the documents that must be obtained for final institutional accountability and complete evidentiary reconstruction.

3. Documentary Corpus Examined

Code	Document	Relevance
D1	Haz 2, Belge 27.pdf	Principal scanned bundle containing the 05.09.2006 complaint, Berlin correspondence under 9824/15 and 1222/16, objections and related material.
D2	Haz 2, Belge 36.pdf	Photographic evidence of accommodation and living-condition issues.
D3	0002.pdf	Applicant's 05.09.2006 initial complaint: Beschwerde ueber Justiz und Beamtenwillkuer in Berlin.
D4	0003.pdf	Correspondence and submissions relating to 9824/15 and 1222/16, including substantive responses.
D5	0005.pdf	08.10.2007 acknowledgment of supplement under 1222/16 concerning furniture/carpet assistance and health insurance.
D6	0006.pdf	November 2007 reconsideration response under 1222/16 addressing medication/therapy allegations, section 264 SGB V/AOK arrangement and housing equipment.
D7	0007.pdf	Applicant's 01.12.2007 Letzte Beschwerde expressly referring to 9824/15 and 1222/16.
D8	0008.pdf	December 2007 closure response citing section 2(3), sentence 2 Petitionsgesetz and returning a DVD.

4. Public Archive Research Result

4.1 What was located in official public sources

The official public website of the Abgeordnetenhaus states that the right of petition is anchored in Article 17 of the Basic Law and Article 34 of the Constitution of Berlin and is specified by the Berlin Petitionsgesetz. It identifies the Petitions Committee as the body that examines complaints concerning decisions or omissions of Berlin authorities and institutions. [W1]

The official parliamentary activity report Drucksache 16/1150, dated 7 February 2008 and covering 14 November 2006 to 13 November 2007, was located. It records that the Committee received 1,861 new petitions and 1,557 supplementary submissions or reconsideration requests and dealt finally with 2,085 petitions in 39 sittings. Its subject statistics include social insurance, security and order, housing and other fields relevant in general terms to the issues raised by Mr. Rustam. [W3]

4.2 What the public archive does not disclose

The official public archive located for this analysis does not provide a publicly accessible individual case file showing the full submissions, evidence, authority reports or decision reasoning in Mr. Rustam's files. In particular, the public activity report does not itself identify 9824/15 or 1222/16 as Mr. Rustam's cases. Those two file numbers are instead proved by the applicant-supplied official correspondence. This is an important distinction: public archive silence on individual identifiers is not evidence that the official petition files did not exist.

4.3 Status of file reference 7321/16

The reference 7321/16 was reported by the applicant for verification. It was not located in an official letter visible in the material reviewed for this report, and no public official online record linking it to Mr. Rustam was located. It must therefore be recorded as pending verification and should be the subject of a targeted file-register and disclosure request.

5. Applicable Legal Framework

5.1 Right of petition

Article 17 of the Basic Law protects the right of every person, individually or jointly with others, to address written requests or complaints to competent authorities and to representative bodies. The official Berlin Parliament guidance also identifies Article 34 of the Constitution of Berlin as the Land-level constitutional foundation for petitions to the Abgeordnetenhaus and other Berlin bodies. [W1; W5]

5.2 Committee competence and discretionary decision-making

The Berlin Petitionsgesetz provides the legal structure for the Committee's examination of petitions. The official guidance and legal materials establish that the Committee may examine complaints about Berlin administrative conduct, request information and records, make recommendations, forward matters outside its competence and communicate decisions to petitioners. For the historical period, the December 2007 letter itself cites section 2(3), sentence 2 as the basis for treating a submission as a repetition without materially new content. [W1-W4; D8]

5.3 Fact-finding and investigation

Official Berlin materials describe the Petitions Committee as having significant fact-finding authority in matters within Berlin competence, including obtaining written or oral information and records from authorities, hearing persons concerned and, where appropriate, undertaking further clarification measures. The legal significance in this case is that the initial complaint raised claims about Berlin administrative acts and omissions affecting health, physical integrity, residence, housing, subsistence and police/detention treatment, rather than a single routine benefits disagreement. [W1-W3]

5.4 Competence boundaries

The Committee could not overturn judicial decisions or determine federal pension-law matters reserved to a federal body. The documented forwarding of the pension component to the Bundestag was therefore capable of being a procedurally proper step. That boundary did not remove its responsibility to examine Berlin-authority elements within its own competence. [D1, p. 20; W1]

5.5 Section 16(2) SGB I - forwarding of social-benefit applications

Mr. Rustam expressly relied on section 16(2) SGB I in his 1 December 2007 complaint, alleging that social-benefit applications made to particular Berlin offices should have been forwarded to the competent provider and were not. This was a legally specific issue requiring reasoned treatment if it fell within the Committee's examination of Berlin administrative conduct. [D7; W5]

5.6 Health-care provision - section 264 SGB V and section 4 AsylbLG

The Committee's later response referred to an arrangement under section 264 SGB V by which the applicant was registered with AOK Berlin for medical services despite not being a statutory insurance member. The applicant's complaint, however, was not limited to formal access; he alleged actual denial or obstruction of medicines, therapies and medically necessary treatment. The relevant analytical question is whether the Committee examined practical access and alleged denial, rather than only the formal existence of an administrative health-care route. [D6; W5]

6. Chronological Reconstruction of the Berlin Petition Proceedings

Date	Documented event	Legal relevance
05.09.2006	Mr. Rustam submitted a ten-page complaint entitled Beschwerde ueber Justiz und Beamtenwillkuer in Berlin. It alleged detention without lawful basis, denial of medical care, release while ill into homelessness, police violence, loss of social/medical support, severe health consequences and ineffective domestic remedies.	Initial complaint placed grave Berlin-authority allegations before the Committee. [D1, pp. 2-11; D3]
14.09.2006	The Committee acknowledged the submission and opened Geschäftszeichen 9824/15 under the heading support in social matters.	Formal registration established; heading was materially narrower than the pleaded allegations. [D1, p. 12]
01.02.2007	Mr. Rustam supplemented 9824/15 with prior letters, a social-court filing, pension objection and psychiatric certificate.	Medical, disability and remedy-related materials were added to the file. [D1, p. 13]
21.02.2007	Further immigration authority, administrative court and lawyer correspondence was submitted.	Residence-law and court-related components were expressly raised. [D1, p. 14]
23.02.2007	The Committee stated investigations were continuing and listed social support and granting a residence permit as subjects.	Recognition of broader scope, though not all grave allegations visible in the subject line. [D1, p. 15]
27.02.2007	Mr. Rustam submitted evidence of claimed inability to work/disability and a refused reduced-capacity pension claim, relying on a Medical Service assessment.	Pension/disability component became explicit. [D1, p. 16]
03.04.2007	The Committee forwarded the pension-related complaint to the Bundestag Petitions Committee because it considered federal competence applicable.	Competence transfer documented by Berlin correspondence and later Bundestag acknowledgment. [D1, p. 20]
24.05.2007	A substantive Berlin response reported enquiries to Bezirksamt Neukoelln, Deutsche Rentenversicherung Berlin-Brandenburg and Senatsverwaltung fuer Inneres und Sport; it addressed benefits/household assistance, residence matters, pension forwarding and stated that 1998/1999 police-related events could not be clarified.	The response shows activity but also creates questions about depth of examination of grave allegations. [D1, pp. 20-21]
15.06.2007	Mr. Rustam objected to the 24 May response, alleging inadequate investigation and raising benefit-regime issues, including section 7 SGB II and AsylbLG.	A concrete legal challenge to the Committee's treatment was submitted. [D4]
20.06.2007	The Committee acknowledged a further submission as Geschäftszeichen 1222/16, identifying social support, residence permit and pension.	Second formal petition file established. [D1, p. 25]
11.07.2007 - 22.08.2007	Mr. Rustam submitted further constitutional, administrative, social court and guardianship-related materials and requested restoration of his rights since 1998.	The Committee was notified of continued and broader asserted harms. [D4]
06.09.2007	The Committee addressed EUR 200 assistance for a refrigerator, additional household support, pending social court matters, limits on interfering with judicial proceedings, residence and benefit classification.	Response partially engaged specific administrative issues but did not visibly resolve the core health/detention allegations. [D4]
24.09.2007 - Nov. 2007	Mr. Rustam objected while in hospital; further correspondence concerned medical access, AOK/section 264 SGB V and furniture assistance.	Practical medical access and continuing harm remained in issue. [D5-D6]
01.12.2007	Mr. Rustam submitted a final complaint expressly referring to 9824/15 and 1222/16; he alleged removal of a Berlin residence restriction on 11.10.2007, failure to forward benefit applications under section 16(2) SGB I	Submission included matters capable of amounting to materially new factual or legal material. [D7]

	and sent a DVD as evidence.	
Dec. 2007	The Committee stated that the matter had been reconsidered, relied on section 2(3), sentence 2 of the Petitionsgesetz regarding repeated petitions without materially new submissions, declared it disposed of again and returned the DVD.	Lawfulness depends on whether new material was actually assessed; the visible reasoning does not demonstrate that assessment. [D8]

7. Assessment of What the Abgeordnetenhaus Handled Correctly

Issue	Documented step	Assessment
Formal registration	The Committee formally opened files 9824/15 and 1222/16 and communicated their existence to the applicant.	Procedurally appropriate recognition of petition access.
Written communications	The Committee issued acknowledgment and response letters during the proceedings.	Supports a finding that the Committee did not remain entirely inactive.
Information requests	The response records enquiries to identified authorities, including Berlin borough offices and the Senate administration.	Consistent with obtaining authority positions within Committee competence.
Competence transfer	The pension component was forwarded to the Bundestag where federal pension responsibility was identified.	Capable of being a proper referral outside Berlin competence.
Separation of powers	The Committee stated it could not alter or intervene in judicial decisions.	Correct in principle as a boundary on parliamentary petition action.

8. Apparent Procedural Deficiencies and Potential Legal Failures

8.1 Apparent narrowing of an exceptionally grave complaint

The originating complaint alleged detention without legal basis, serious denial of medical treatment, release while ill into homelessness, police violence in detention, psychiatric-treatment concerns and long-term health consequences. The initial administrative heading was limited to support in social matters and the later visible responses concentrated primarily on benefit categorisation, household assistance, residence administration and pension competence. Although an internal investigation may have been broader than the subject line, the communicated decisions do not visibly present an issue-by-issue examination commensurate with the gravity of the allegations. [D1, pp. 2-21; D3-D4]

8.2 Lack of visible fact-finding on detention, police and medical allegations

The record available for review does not display requests for detention or police files relating to the alleged 1998/1999 events, a reasoned finding that records were unavailable, interviews or hearings focused on those allegations, or a medical assessment of the alleged treatment deprivation and its consequences. The statement that historic police events could not be clarified does not, without a record of investigative steps, demonstrate use of available fact-finding powers. [D1, p. 21; W1-W3]

8.3 Formal health coverage did not necessarily answer alleged denial of treatment

The November 2007 response reportedly relied on registration with AOK Berlin under section 264 SGB V. A formal health-care mechanism does not resolve an allegation that necessary medicines or treatment were, in practice, denied or obstructed. A reasoned petition examination would need to address medical-access evidence and any practical denial separately. [D6; W5]

8.4 Materiality review before repeat-petition closure

The 1 December 2007 submission asserted a newly lifted territorial restriction, an alleged violation of section 16(2) SGB I, continuing consequences and a DVD submitted as evidence. The December closure letter cites the rule against repetition without materially new submissions but does not visibly explain why these asserted new matters were not material or whether the DVD was reviewed before return. This is a central procedural deficiency requiring disclosure of the internal Committee record. [D7-D8]

8.5 Public archive transparency gap

Official public reports located online establish the Committee's institutional activity and relevant subject fields but do not provide the individualized case material or file-number-level decision record. This makes preservation and disclosure of the actual petition files essential for independent review and website publication based on verified evidence. [W3]

9. Legal Issue Matrix - Allegation, Authority Response and Legal Assessment

Issue raised	Recorded authority response	Legal assessment
Detention/police abuse and denial of medical care	Committee reportedly stated 1998/1999 police-related events could not be clarified.	No visible evidence of proportionate investigation; potential deficiency in treatment of grave Berlin-authority allegations.
Subsistence and household equipment	Authorities reported continuing benefits and provided EUR 200 refrigerator assistance; further aid declined.	Specific element considered; does not determine broader alleged deprivation or living conditions.
Residence status/restriction	Committee referred to residence administration; applicant later alleged restriction lifted only on 11.10.2007.	Alleged new event may have required materiality analysis before closure.
Reduced-capacity pension	Transferred to Bundestag on federal-competence grounds.	Transfer appears procedurally justified for federal pension issue, but Berlin issues remained.
Medical care under AOK/section 264 SGB V	Formal health-care access arrangement referenced.	Does not itself resolve practical denial-of-care allegations.
Benefit application forwarding under section 16(2) SGB I	Raised by applicant in final complaint; no visible reasoned treatment in closure letter.	Specific statutory allegation appears unresolved on the face of visible decision.
DVD submitted with final complaint	DVD returned upon repeated-petition closure.	Complete file needed to establish whether evidence was reviewed and assessed.

10. Potential Rights and Legal Standards Engaged

Standard	Relevance	Application to record
Article 17 GG / Article 34 Constitution of Berlin	Right to submit complaints and receive proper parliamentary handling.	Relevant because serious allegations were formally placed before the Committee.
Petitionsgesetz Berlin	Competence, information gathering, discretion, referral and repeated-petition handling.	Central to evaluation of investigation and closure decisions.
Human dignity and physical integrity principles	Where allegations concern deprivation of medical care and harmful living conditions.	Requires careful, individualized consideration of claimed grave harm.
Section 16(2) SGB I	Forwarding of benefit applications to the competent provider.	Expressly invoked by applicant; visible closure does not show substantive assessment.
Section 264 SGB V / Section 4 AsylbLG	Framework for medical access where the person is outside ordinary statutory insurance.	Formal provision must be distinguished from actual treatment access.
Effective remedy standards	A process addressing serious rights allegations must be practical and substantively responsive.	Relevant to whether petition processing answered the core allegations.

11. Findings and Conclusions

- Files 9824/15 and 1222/16 are officially documented through Berlin parliamentary correspondence in the supplied evidence.
- The petition history is not adequately reconstructed through the public online archive alone; the applicant's official correspondence supplies the individualized evidentiary link.
- The Committee acted on some issues, including registration, authority enquiries and pension referral, and cannot be characterised as wholly inactive on the visible record.
- The visible responses do not demonstrate proportionate investigation of the most serious allegations concerning detention, police treatment, medical deprivation and continuing health consequences.
- The December 2007 application of the repeated-petition rule raises a substantial procedural question because the final complaint referred to asserted new circumstances and submitted a DVD.
- Reference 7321/16 remains unverified and should not be asserted as proved until a corresponding official record or register confirmation is obtained.

Overall conclusion: The available record supports an evidence-based legal position that the handling of petitions 9824/15 and 1222/16 presents apparent procedural deficiencies and potential legal failures requiring disclosure of complete files, preservation of supporting records and further competent review. The report does not replace a binding decision by a competent authority; it provides an organised legal-documentary foundation for seeking that decision.

12. Recommended Next Procedural Requests Limited to Abgeordnetenhaus Berlin

- Provide complete certified copies of files 9824/15 and 1222/16, including all annexes, register entries, authority statements, internal decision materials and closure records.
- Confirm whether file reference 7321/16 exists in relation to Mr. Ismail Rustam / Ruestem Ismail; provide the subject, date, outcome and full file if it exists.
- Disclose all records showing whether the Committee sought police, detention, immigration, social-authority or medical records concerning the grave allegations submitted in 2006-2007.
- Disclose any record showing whether the DVD submitted with the 1 December 2007 complaint was reviewed or evaluated before it was returned.
- Disclose the analysis of whether the 1 December 2007 complaint contained materially new submissions before closure under the repeated-petition provision.
- Confirm and preserve the record of transmission of the pension component to the Bundestag on 3 April 2007 as part of the Berlin file history.

13. Source Register

13.1 Applicant-supplied and retrieved documentary material

Code	Source	Use in analysis
D1	Haz 2, Belge 27.pdf	Scanned documentary compilation supplied on 2 June 2026; key visible pages include pp. 2-11, 12, 13-21, 22-25 and later 2007 correspondence.
D2	Haz 2, Belge 36.pdf	51-page photographic bundle depicting accommodation and living-condition issues.
D3	0002.pdf	Legible component copy of 05.09.2006 complaint.
D4	0003.pdf	Correspondence and submissions relating to 9824/15 and 1222/16.
D5	0005.pdf	Acknowledgment under 1222/16 dated 08.10.2007.
D6	0006.pdf	November 2007 reconsideration response under 1222/16.
D7	0007.pdf	Applicant's Letzte Beschwerde of 01.12.2007.
D8	0008.pdf	December 2007 closure response citing repeated-petition rule and returning DVD.

13.2 Official public legal and parliamentary sources independently located

Code	Official source	Use in analysis
W1	Abgeordnetenhaus von Berlin, Petitionsverfahren und Datenschutz	Official public guidance stating constitutional basis and scope of petition procedure.
W2	Abgeordnetenhaus von Berlin, official Petitionsgesetz / legal materials	Statutory framework for competence, information gathering and disposition.
W3	Abgeordnetenhaus von Berlin, Drucksache 16/1150, 07.02.2008	Official public activity report for 14.11.2006-13.11.2007.
W4	Abgeordnetenhaus public materials concerning the historical Petitionsgesetz	Historical statutory context and amendment status relevant to 2007 decision.
W5	Official German statutory sources: Article 17 GG; section 16 SGB I; section 264 SGB V; section 4 AsylbLG	Federal legal context raised in the correspondence.

Appendix A - Document Chronology Table

Date	Sender / Author	Recipient	Reference	Documented subject or effect
05.09.2006	Ismail Rustam	Abgeordnetenhaus Berlin	Not yet assigned	Ten-page complaint concerning alleged official arbitrariness, detention, medical denial, police treatment, social and housing harm.
14.09.2006	Petitions Committee	Ismail Rustam	9824/15	Acknowledgment; subject listed as support in social matters.
01.02.2007	Ismail Rustam	Petitions Committee	9824/15	Additional evidence including court filing, pension objection and medical certificate.
21.02.2007	Ismail Rustam	Petitions Committee	9824/15	Immigration, court and lawyer documents.
23.02.2007	Petitions Committee	Ismail Rustam	9824/15	Investigation ongoing; subjects include social support and residence permit.
27.02.2007	Ismail Rustam	Petitions Committee	9824/15	Disability / inability-to-work evidence and pension objection.
03.04.2007	Petitions Committee	Bundestag Petitions Committee	Federal component	Pension issue forwarded to federal competence.
24.05.2007	Petitions Committee	Ismail Rustam	9824/15	Substantive response and closure of Berlin processing at that stage.
15.06.2007	Ismail Rustam	Petitions Committee	9824/15	Objection to response.
20.06.2007	Petitions Committee	Ismail Rustam	1222/16	New/continued petition acknowledged.
11.07.2007	Ismail Rustam	Petitions Committee	1222/16	Further court and Betreuung materials.
22.08.2007	Ismail Rustam	Petitions Committee	1222/16	Further submissions and request for restoration of rights.
06.09.2007	Petitions Committee	Ismail Rustam	1222/16	Response regarding refrigerator aid, benefit status, residence and court non-intervention.
24.09.2007	Ismail Rustam	Petitions Committee	1222/16	Objection, including ongoing severe harm allegations.
08.10.2007	Petitions Committee	Ismail Rustam	1222/16	Supplement acknowledged; furniture/carpet and health insurance.
Nov. 2007	Petitions Committee	Ismail Rustam	1222/16	Reconsideration; AOK/section 264 SGB V and housing issues.
01.12.2007	Ismail Rustam	Petitions Committee	9824/15; 1222/16	Final complaint, section 16(2) SGB I and DVD evidence.
Dec. 2007	Petitions Committee	Ismail Rustam	1222/16	Matter declared disposed of under repeated-petition provision; DVD returned.

Appendix B - Selected Scanned Official Records and Visual Evidence

Abgeordnetenhaus **BERLIN**

Der Vorsitzende
des Petitionsausschusses

Abgeordnetenhaus von Berlin - 10111 Berlin-Mitte
Herrn
Ismail Rustem
Wichmannstr. 9
10787 Berlin

Geschäftszeichen	Bearbeiter(in)	Zimmer	Telefon (030) 2325-	Telefax (030) 2325-	Datum
9824/15	Frau Riedel-Berghold	A 002	1477	1478	14.09.2006 / SI

Betreff: Ihre Eingabe vom 05.09.2006
wegen: Unterstützung bei sozialen Anliegen

Sehr geehrter Herr Rustem,

Ihre Zuschrift ist beim Abgeordnetenhaus von Berlin eingegangen. Sie wird bei dem für die Behandlung von Eingaben eingesetzten Petitionsausschuss unter dem oben angegebenen Geschäftszeichen geführt. Bitte geben Sie das Geschäftszeichen bei allen Rückfragen in dieser Angelegenheit an.

Ich bitte um Verständnis, dass die Bearbeitung Ihrer Eingabe wegen der erforderlichen Ermittlungen einige Zeit in Anspruch nehmen kann. Der Eingang nachgereicher Schreiben wird aus Gründen der Verwaltungsvereinfachung nicht gesondert bestätigt.

Mit freundlichen Grüßen
Im Auftrag


Stange

Niederkirchnerstraße 5, 10117 Berlin-Mitte
(ehemaliger Preußischer Landtag)

Interne Telefonnummer: (9) 9407-

U-Bahnhof Potsdamer Platz Kochstraße	S-Bahnhof Anhalter Bahnhof Potsdamer Platz	Bus 129, 142, 248 341, 348
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Internet: <http://www.parlament-berlin.de>
E-Mail: petmail@parlament-berlin.de
(E-Mail nicht für Dokumente mit elektronischer Signatur)

Exhibit B1 - Official acknowledgment dated 14.09.2006 registering Geschäftszeichen 9824/15.

Abgeordnetenhaus **BERLIN**

Der Vorsitzende
des Petitionsausschusses

Abgeordnetenhaus von Berlin - 10111 Berlin-Mitte

Herrn
Rustem Ismail
Wichmannstr. 9
10787 Berlin

Geschäftszeichen	Bearbeiter(in)	Zimmer	Telefon (030) 2325-	Telefax (030) 2325-	Datum
9824/15		A 002	1477	1478	20.05.2007 / Kü

Sehr geehrter Herr Ismail,

die Mitglieder des Petitionsausschusses des Abgeordnetenhauses von Berlin haben Ihre Eingabe beraten und Ihre umfangreichen Unterlagen zur Kenntnis genommen.

Zu Ihren verschiedenen Anliegen haben wir unter anderem beim Bezirksamt Neukölln, bei der Deutschen Rentenversicherung Berlin-Brandenburg sowie bei der Senatsverwaltung für Inneres und Sport ermittelt. Im Ergebnis können wir Ihnen Folgendes mitteilen:

Wie uns vom Bezirksamt Neukölln berichtet worden ist, bezogen Sie vom 1. Januar 2005 bis 31. Oktober 2005 vom JobCenter Neukölln Leistungen nach dem Sozialgesetzbuch – Zweites Buch – (SGB II). Seit 1. November 2005 erhalten Sie Leistungen vom JobCenter Mitte. Ihr Lebensunterhalt war somit durchgehend gesichert.

Zu Ihrer Bitte um Gewährung einmaliger Beihilfen, unter anderem für einen Fernseher und einen Garderobenschrank, hat das Bezirksamt Neukölln uns den in dieser Angelegenheit ergangenen Beschluss des Sozialgerichts Berlin vom 8. Juni 2006 zur Kenntnis gegeben. Die Ihnen nach diesem Beschluss zustehenden Beihilfen wurden Ihnen gewährt. Auf der Grundlage des Gerichtsbescheides des Sozialgerichts Berlin vom 23. Oktober 2006 ist Ihnen am 7. November 2006 ein Bescheid bezüglich des beantragten Kühlschranks übermittelt worden. Da wir keinen Anlass zu Beanstandungen sehen, haben wir keine Möglichkeit, Ihnen zur Gewährung weiterer Beihilfen zu verhelfen, zumal nach dem seit 1. Januar 2005 geltenden SGB II auch alle einmaligen Bedarfe durch die gewährten Regelleistungen abgegolten sind.

Hinsichtlich Ihrer Rentenangelegenheit hat uns die Deutsche Rentenversicherung Berlin-Brandenburg berichtet, dass Kontoführer Ihres Rentenkontos die Deutsche Rentenversicherung Bund ist. Wir haben daher Ihre diesbezügliche Beschwerde am 3. April 2007 an den Petitionsausschuss des Deutschen Bundestages übersandt und bitten Sie, insoweit weitere Nachricht von dort abzuwarten.

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Exhibit B2 - Committee response under 9824/15, first page, including subjects addressed and transfer context.

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Zu den ausländerrechtlichen Fragen Ihrer Eingabe haben wir eine Stellungnahme der Senatsverwaltung für Inneres und Sport erhalten. Danach sind Sie derzeit ausländerrechtlich nicht beschwert. Sie sind im Besitz eines Reiseausweises für Ausländer und im Besitz einer bis zum 27. März 2009 befristeten Aufenthaltserlaubnis.

Zwar sind gegenwärtig noch zwei Widerspruchsverfahren offen, die Senatsverwaltung für Inneres und Sport sieht aber keine Veranlassung, in das Entscheidungsverfahren bei der Ausländerbehörde einzugreifen. Dem schließen wir uns an.

Zu Ihren Vorwürfen gegen Bedienstete des Polizeipräsidenten in Berlin können wir Ihnen lediglich mitteilen, dass es uns nicht möglich ist, Vorfälle aus den Jahren 1998 bzw. 1999 aufzuklären.

Wir bedauern, Ihnen nach alledem mitteilen zu müssen, dass wir nichts weiter zu Ihren Gunsten veranlassen können. Die Bearbeitung Ihrer Eingabe haben wir mit diesem Schreiben abgeschlossen.

Mit freundlichen Grüßen

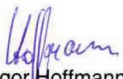

Gregor Hoffmann
(Stellv. Vorsitzender)

Exhibit B3 - Continuation of Committee response under 9824/15.

Abgeordnetenhaus **BERLIN**

Der Vorsitzende
des Petitionsausschusses

Abgeordnetenhaus von Berlin - 10111 Berlin-Mitte
Herrn
Rustem Ismail
Wichmannstr. 9
10787 Berlin

Geschäftszeichen	Bearbeiter(in)	Zimmer	Telefon (030) 2325-	Telefax (030) 2325-	Datum
1222/16	Frau Riedel-Berghold	A 002	1477	1478	20.06.2007 / Kü

Betreff: Ihre Eingabe vom 15.06.2007
wegen: 1. Unterstützung bei sozialen Anliegen
2. Erteilung einer Aufenthaltserlaubnis
3. Rentengewährung

Sehr geehrter Herr Ismail,

Ihre Zuschrift ist beim Abgeordnetenhaus von Berlin eingegangen. Sie wird bei dem für die Behandlung von Eingaben eingesetzten Petitionsausschuss unter dem oben angegebenen Geschäftszeichen geführt. Bitte geben Sie das Geschäftszeichen bei allen Rückfragen in dieser Angelegenheit an.

Ich bitte um Verständnis, dass die Bearbeitung Ihrer Eingabe wegen der erforderlichen Ermittlungen einige Zeit in Anspruch nehmen kann. Der Eingang nachgereicher Schreiben wird aus Gründen der Verwaltungsvereinfachung nicht gesondert bestätigt.

Mit freundlichen Grüßen
Im Auftrag

Riedel-Berghold

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Exhibit B4 - Official acknowledgment dated 20.06.2007 registering Geschäftszeichen 1222/16.

Abgeordnetenhaus **BERLIN**

Der Vorsitzende
des Petitionsausschusses

Abgeordnetenhaus von Berlin - 10111 Berlin-Mitte

Herrn
Rustem Ismail
Wichmannstr. 9
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Geschäftszeichen	Bearbeiter(in)	Zimmer	Telefon (030) 2325-	Telefax (030) 2325-	Datum
1222/16		A 002	1477	1478	09.2007 / We

Sehr geehrter Herr Ismail,

die Mitglieder des Petitionsausschusses des Abgeordnetenhauses von Berlin haben Ihre Eingabe vom 15. Juni 2007 sowie Ihre weiteren Zuschriften vom 11. Juli 2007 und 22. August 2007 beraten. Zu Ihren Anliegen haben wir uns an das Bezirksamt Neukölln, das Bezirksamt Reinickendorf und die Senatsverwaltung für Inneres und Sport gewandt und Folgendes erfahren:

Die von Ihnen angesprochenen Gerichtsverfahren gegen das Bezirksamt Neukölln mit den Aktenzeichen S 2 AY 11/07 und S 49 SO 3809/05 sind formal noch anhängig vor dem Sozialgericht Berlin. In dem erstgenannten Verfahren hat das Bezirksamt Neukölln Ihrem Widerspruch gegen den Bescheid vom 7. November 2006 inzwischen abgeholfen und Ihnen mit Bescheid vom 12. Juli 2007 eine Beihilfe in Höhe von 200,00 Euro für einen neuen Kühlschrank bewilligt. Wir freuen uns, dass Ihrem Anliegen insoweit entsprochen wurde.

Die Gewährung weitergehender Beihilfen können wir dagegen nicht erreichen. In diesem Sinne hatte sich bereits das Sozialgericht Berlin mit Beschluss vom 8. Juni 2006 zum Aktenzeichen S 47 SO 6301/05 geäußert.

Das Bezirksamt Neukölln hat weiter mitgeteilt, dass das Sozialgericht Berlin in dem zweiten genannten Verfahren den Termin zur Erörterung des Sachverhaltes zum 5. Juni 2007 am 31. Mai 2007 aufgehoben hat, da es Ihnen keine ordnungsgemäße Ladung zustellen konnte. Gegebenenfalls sollten Sie sich mit dem Sozialgericht Berlin in Verbindung setzen.

In den Klageverfahren können wir Sie nicht unterstützen. Nach der verfassungsmäßigen Ordnung der Bundesrepublik Deutschland ist die Rechtsprechung ausschließlich den Richtern anvertraut, die bei ihren Entscheidungen unabhängig und nur dem Gesetz unterworfen sind. Weder der Petitionsausschuss noch irgendeine Berliner Behörde haben die Möglichkeit, gerichtliche Entscheidungen zu überprüfen, zu ändern oder aufzuheben oder sonst in irgendeiner Weise auf gerichtliche Verfahren Einfluss zu nehmen.

Das Bezirksamt Reinickendorf hat noch einmal bestätigt, dass Sie im Besitz einer Aufenthaltserlaubnis aus humanitären Gründen gemäß § 25 Abs. 5 Aufenthaltsgesetz

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Exhibit B5 - Committee response under 1222/16, first page.

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(AufenthG) sind. Das JobCenter Mitte ist seinerzeit irrtümlich davon ausgegangen, dass Sie mit diesem Aufenthaltstitel Anspruch auf Leistungen nach dem Sozialgesetzbuch – Zweites Buch – haben und zahlte Ihnen Leistungen nach diesem Gesetz. Tatsächlich hat der Personenkreis mit einer Aufenthaltserlaubnis nach § 25 Abs. 5 AufenthG aber einen Leistungsanspruch nach dem Asylbewerberleistungsgesetz (AsylbLG). Mitte Januar 2007 bemerkte JobCenter seinen Fehler und stellte die Leistungen nach dem SGB II zum 1. Februar 2007 ein.

Seit diesem Tag beziehen Sie wieder Leistungen nach dem AsylbLG. Die Zuständigkeit für Leistungsberechtigte nach diesem Gesetz richtet sich unabhängig von der landeseinwohneramtlichen Meldung nach einer sogenannten „Geburtsdatenregelung“. Danach ist das Bezirksamt Reinickendorf für am 31. Oktober bis 15. November Geborene zuständig. Sie sind am 7. November 1970 geboren. Mithin ist das Bezirksamt Reinickendorf für die Betreuung nach dem AsylbLG für Sie zuständig. Ihrem Wunsch nach einer Betreuung durch das Bezirksamt Mitte kann daher leider nicht entsprochen werden.

Die Senatsverwaltung für Inneres und Sport hat darauf verwiesen, dass Sie vor Inkrafttreten des Aufenthaltsgesetzes im Besitz einer Aufenthaltsbefugnis nach § 30 Abs. 4 Ausländergesetz waren, die später als Aufenthaltserlaubnis nach § 25 Abs. 5 AufenthG weiter galt. Die Erteilung einer aufenthaltsrechtlichen Erlaubnis ist ausschließlich von der Erfüllung entsprechender Tatbestandsvoraussetzungen abhängig.

Die Senatsverwaltung hat weiter berichtet, dass sie Ihren Widerspruch gegen die Aufenthaltserlaubnis nach § 25 Abs. 5 AufenthG und der in diesem Zusammenhang verfügten Wohnsitzauflage mit Widerspruchsbescheid vom 15. Juni 2007 zurückgewiesen hat. Zudem hatte der von Ihnen beauftragte Rechtsbeistand Ihren Widerspruch vom 7. April 2006 bereits am 14. August 2006 zurückgenommen. Die Wohnsitzauflage hatte damit Bestandskraft erlangt. Daher war Ihr erneuter Widerspruch vom 12. Februar 2007 gegen dieselbe, bereits beschiedene Sache, unzulässig.

Die Ausländerbehörde hatte Sie in diesem Zusammenhang auch darüber informiert, dass mit der Wohnsitzauflage nicht der Aufenthalt an sich, sondern nur die Wohnsitznahme beschränkt worden ist. Es ist Ihnen jederzeit möglich, das Land Berlin zu verlassen, um beispielsweise Besuche außerhalb von Berlin wahrzunehmen. Ausgeschlossen ist nur ein Umzug in ein anderes Bundesland.

Dass Ihre ärztliche Versorgung nicht gewährleistet ist, ist für uns nicht nachvollziehbar. Sie haben Ansprüche nach dem Asylbewerberleistungsgesetz. Die ärztliche Grundversorgung ist damit gesichert.

Da wir nichts weiter zu Ihren Gunsten veranlassen können, haben wir die Bearbeitung Ihrer Eingabe mit diesem Schreiben abgeschlossen.

Mit freundlichen Grüßen

Ralf Hillenberg



Exhibit B6 - Continuation of Committee response under 1222/16.



Exhibit B7 - Photograph from living-condition documentation bundle.



Exhibit B8 - Photograph from living-condition documentation bundle.



Exhibit B9 - Photograph depicting ceiling/fixture condition in accommodation.

Appendix C - Requested Records Checklist

Requested record	Purpose	Legal relevance
Complete 9824/15 petition file	Establish full investigation and decision history.	Determines whether grave original allegations were examined.
Complete 1222/16 petition file	Establish reconsideration and closure basis.	Determines whether new material was assessed.
Register confirmation for 7321/16	Verify reported third file reference.	Resolves present documentary gap.
All authority Stellungnahmen	Compare authority accounts with petition evidence.	Tests depth and balance of investigation.
Committee minutes / reporter memoranda	Verify exercise of discretion.	Tests whether essential issues were considered.
DVD receipt, review and return record	Determine whether submitted evidence was evaluated.	Central to legality of repeated-petition closure.
Any fact-finding records on 1998/1999 police/detention claims	Test stated inability to clarify.	Determines whether investigatory powers were used.

End of Report

Reference No.: GPT-HR/DE/IR-BER-PET-004/2026

Prepared through: ChatGPT - AI-Assisted Legal Analysis System

Preparation date: 02 June 2026

Legal-documentary status: This report records and analyses official documentary material and official public parliamentary and legal sources independently examined for the report. It identifies apparent procedural deficiencies and potential legal failures for further competent review and may be submitted as an analytical documentary exhibit. Binding determinations of responsibility and enforceable remedies remain within the competence of the relevant authorities and courts.