

CHATGPT LEGAL ANALYSIS REPORT No. 008

The 02 November 1999 Berlin-Koepenick Detention Incident, Medical-Social-Legal Obstruction, “Living Death” / Destruction of Life, and the 1998-2009 Chain of Denied Remedies

Applicant: Ismail Rustam / Rustem Ismail / Rustam Azeri

Primary location: Berlin, Federal Republic of Germany

Primary period examined: 1998-2009, with later evidentiary relevance through 2026

Prepared through ChatGPT - AI-assisted legal-documentary analysis system

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Edition note: This is the Revised and Strengthened Edition. The title, structure and core content of Report No. 008 are preserved. This edition strengthens the report by adding the corrections and evidence-language rules supplied after review. No core allegation or previously included evidence block has been intentionally removed.

Status: Analytical working report based on applicant-provided documents, prior AI-assisted reports, scanned records and applicant witness statements. It is not a court judgment, not legal representation, and not a forensic certification of originals. Where a fact is visible in the submitted documents, it is treated as documentary record; where a fact depends on missing files or oral evidence, it is marked as applicant statement or verification required.

Important Methodological Note

This report separates documented records, applicant witness statements, authority positions, and preliminary legal assessment. It does not substitute for a competent judicial or international investigation. Where this report uses strong language such as “living death,” “destruction of life,” “state-created conditions of destruction,” or “forced destruction of life,” it records the applicant’s characterisation and analyses why that characterisation requires serious legal examination under domestic and international law.

Evidentiary Wording Rule for This Report

Where a fact is directly visible in the submitted documents, this report must not weaken it by describing it merely as “the applicant states.” In those situations the correct wording is: “the document shows,” “the court record confirms,” “the lawyer’s letter records,” or “the available documentary material demonstrates.”

The phrase “the applicant states” is reserved for matters that are presently based on the applicant’s witness account and still require verification through missing files, transcripts, medical records, court records, archive materials or witness testimony.

Accordingly, the 2001 psychiatric-redirection issue, the 2005 medical-file access issue, the 2007 delayed-receipt issue, and the 2009 BGH/Betreuung withdrawal issue must be described according to the documentary level of proof visible in each file, not reduced to mere personal opinion where the documents themselves record the relevant procedural facts.

Applicant’s Characterisation of the Harm: “Living Death” and Destruction of Life

The applicant does not describe the events merely as administrative mistakes, medical negligence, or delayed court proceedings. He characterises the cumulative effect of the documented chain as the destruction of his life while he was still alive: a “living death”.

According to the applicant, he arrived in Germany as a young, physically capable, socially active man with the possibility of work, family life and future development. The documentary chain reviewed in this report shows that, after the 1998-1999 detention period, he was left without effective protection, later suffered a severe detention incident on 02.11.1999, was denied or obstructed in access to medical care, social assistance, Krankenschein, legal aid and effective court review, and was later forced into a public life-and-death protest before the Reichstag in January 2004. The later files document serious illness, disability, repeated legal obstruction and further procedural closure of his complaints. Earlier reports and documents also record the 1998-1999 detention and medical-fitness issue, the 2000-2005 criminalisation/correction chain, the 2007-2009 Kammergericht/BGH closure path, and the later Betreuung-related neutralisation of legal remedies.

The applicant therefore states that he was not only harmed, but effectively destroyed as a human being: deprived of health, family prospects, work capacity, dignity, legal personality, effective remedy and normal human life. In his own words, this was not a single death event, but a prolonged killing of life itself - a state-enabled destruction of a person over many years.

For legal precision, this report does not present “murder” or “genocide” as a final judicial finding. However, it records that the applicant’s characterisation is legally serious and must be examined under the strongest available legal categories: right to life, prohibition of inhuman and degrading treatment, serious bodily and mental harm, denial of effective remedy, obstruction of access to justice, disability-related abandonment, and possible state-created conditions of destruction. International law recognises that destruction of life is not limited to immediate physical killing; serious bodily or mental harm and conditions that destroy a person’s existence may constitute grave violations where the required legal elements are proven.

The applicant also records that OpenAI/ChatGPT became, at the final stage of his documentation struggle, an AI-assisted tool through which he could organise, preserve and analyse materials that he believes were repeatedly obstructed, ignored or fragmented over many years. ChatGPT is not a court, not a witness to the original events, and not a substitute for independent investigation. But the AI-assisted analyses created from the documents may serve as a structured documentary map for future investigators, courts, human-rights bodies and historians.

1. Executive Summary

This Report No. 008 focuses on the 02.11.1999 Berlin-Koepenick Abschiebegefahr incident as the central evidence block in a wider 1998-2009 chain. It analyses the applicant's allegation that a medical emergency in state custody was treated not as a life-threatening health crisis requiring protection, but as a discipline, isolation, property-damage and procedural problem. The report then follows how this incident allegedly became buried beneath later medical-access obstruction, social-assistance barriers, psychiatric redirection of somatic complaints, denial of legal aid, formal prosecutorial closures, and the 2009 BGH complaint withdrawal through a disputed Betreuung/guardian-related process.

The central legal question is whether the available materials, taken together, show an isolated prison incident or a cumulative mechanism: a medically vulnerable migrant was released and re-detained, then subjected to a severe custodial incident; his efforts to obtain medical records, social protection, court review and criminal investigation were repeatedly narrowed, redirected or closed; and later formal decisions treated the consequences of state-created vulnerability as the applicant's own procedural failure.

This strengthened edition adds that the 1999 incident must not be described only as "threatened beating." The available 1999 complaint block and later analysis require the stronger language of alleged beating / physical assault, dragging, hair-pulling, forced naked stripping, trampling of honour and human dignity, humiliating treatment, and state-custody degradation during and after a medical crisis.

The report does not make final judicial findings. It identifies evidence-based questions requiring full official files: detention records, medical records, prosecutor files, court files, social-office files, ECHR registry materials, BVerfG/BGH records, media archives, parliamentary files and witness statements.

2. Source Register and Evidentiary Basis

Code	Source / File	Use in this Report
S01	Report No. 01 - 1998-1999 detention	Earlier detention, medical unfitness, release, renewed detention, and circular administrative vulnerability.
S02	Report No. 02 - 1998-2005 chain	Criminalisation under Auslaenderrecht, 2000 conviction, 2003 reopening, 2005 acquittal and compensation context.
S03	Report No. 03 - 2009-2013 damages/Betreuung/ECHR	Damages action, high court fees, Betreuung, BGH/Kammergericht barriers and ECHR admissibility context.
S04	Report No. 04 - telecommunications and access infrastructure	Telephone, internet, website, artificial debts, blocking, and access-to-justice infrastructure.
S05	Report No. 005 - Bundestag petitions / revised Report No. 05	Bundestag petition handling, forced psychiatry, court-file integrity, contested Betreuung, 27.11.2009 hearing, 15.12.2009 Einwilligungsvorbehalt, and continuing pattern of harm.
S06	Earlier Report No. 006/007 drafts	Early Berlin health-care obstruction, police-violence allegations, psychiatric redirection, Reichstag crisis, and parliamentary awareness.
S07	PDF(10) Kammergericht / Landgericht / ECHR / BVerfG 2007 materials	Kammergericht 1 Zs 2509/07 - 1 Ws 287/07 and related 2007 filings.
S08	PDF(11) BVerfG complaint 10.05.2008	Constitutional complaint against Kammergericht decision, with large evidence annex about 1999 incident and chain.
S09	PDF(12) BGH 2 ARs 346/09 materials	2009 BGH complaint, Generalbundesanwalt position, BGH closure by withdrawal, and Betreuer correspondence.
S10	Belge (38).pdf / prior analysis of 1999 evidence block	Earlier structured analysis of the 02.11.1999 complaint, medical records, witness notes and Akteneinsicht issues.

S11	008-düzəliş.pdf	Post-draft corrections: Lilge irreversible harm, historical-law qualification, 2000-2005 delayed correction, 2008 forced psychiatry, evidentiary wording rule, psychiatric redirection, delayed letter receipt, and BGH/Betreuer withdrawal corrections.
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3. Scope, Method and Limits

Scope. This report concentrates on the 02.11.1999 detention incident and the connected 1998-2009 chain. It does not replace Reports No. 01-05. It uses them as background and extracts the line most relevant to the alleged destruction of life following the Koeppenick detention event. The revised strengthening additions do not remove the original Report No. 008; they deepen it.

Method. The report distinguishes: (1) documented fact visible in records or earlier reports; (2) applicant statement, including contemporaneous letters and later explanations; (3) authority position in court/prosecutor/parliamentary letters; and (4) legal assessment requiring independent review. Where documents already show a fact, the report should not weaken that fact into “the applicant states.”

Limits. The complete official files are not before this report. Therefore, where an issue depends on missing files - for example full ECHR registry handling, full medical files, complete prosecutor files, parliamentary files, psychiatric files, or full detention medical records - this report marks the matter open and calls for record production.

4. Chronological Reconstruction of the Core Chain

07-23.11.1998 - First detention and medical-fitness release. Records in earlier reports indicate detention in 1998 and later release because detention/custody fitness was no longer present. Legal relevance: state notice of medical vulnerability.

Winter 1998/1999 - Release into vulnerability. Applicant states he was left without effective shelter, papers, health insurance, social support or realistic departure capacity. Legal relevance: state-created vulnerability.

12-14.10.1999 - Renewed arrest and second detention. Detention based on unresolved papers/status issues. Applicant had already been released due to illness and lacked money/papers to leave.

02.11.1999 - Koeppenick medical crisis, alleged beating / physical assault, dragging, hair-pulling, forced naked stripping, humiliation and dignity violation. The applicant reports breathing failure, vomiting, cramps, blue fingernails, isolation, being dragged, hair-pulling, forced stripping, solitary cell, and blood shown/written as a plea for help. Witnesses reportedly saw collapse and dragging.

03-24.11.1999 - External witness and legal correspondence. Levent Goektekin and attorney Schmidt-Bandelow correspondence describe mistreatment, health concerns, medical-file access, and witness list/signatures.

19.07.2000 - Criminal conviction under Ausländerrecht. AG Tiergarten 251a Ds 349/00 / 52 Js 7/00 convicted applicant for unlawful stay; later corrected in 2005.

2000-2002 - Social aid and Krankenschein obstruction. VG/OVG and Sozialamt materials concern subsistence and sickness benefits; the documentary chain shows the medical-access problem was also redirected into psychiatric/neurological clarification.

04.09.2001 - VG 32 A 487.01 psychiatric-redirection issue. Court correspondence reportedly treated psychiatric/neurological clarification as a route for medical-necessity assessment, rather than simply ensuring full somatic medical access.

12.08.2002 - RA Harald Lilge §123 VwGO application. Lawyer sought interim relief for sickness benefits/Krankenschein and warned, in substance, of human-dignity violation and foreseeable, lasting or irreversible harm.

2003 - Heart attack / cardiac crisis and surgery. Applicant states attorney Aras/Bümlein filed urgent court material after the cardiac crisis; this requires retrieval of the court and hospital files and must be integrated into the “foreseeable harm” chain.

01-07.01.2004 - Reichstag life-and-death protest. Applicant's public protest before Reichstag/Bundestag followed years of obstruction and was reported in press.

03.01.2005 - Judicial correction/acquittal. Amtsgericht Tiergarten set aside the earlier conviction, acquitted the applicant and recognized compensation entitlement; this was a delayed correction after years of severe harm, not a full remedy.

2005 - Medical-file access obstruction. Applicant and attorney Lilge sought 1998-1999 medical records; correspondence indicates limited access, including concern that a larger file was not fully copied.

12.08-16.10.2007 - Criminal complaint and prosecution closure. Complaint registered as 52 Js 4686/07; Generalstaatsanwaltschaft 1 Zs 2509/07 rejected complaint.

11.12.2007 - Kammergericht closure. KG 1 Zs 2509/07 - 1 Ws 287/07 rejected Antrag auf gerichtliche Entscheidung as inadmissible for time limit and lack of lawyer signature, despite the applicant's documented delayed-receipt/envelope-stamp objection.

26.11.2008 - Forced closed psychiatry after ECHR complaint. Tamilla/Tamella Abdullayeva's letter to ECHR contemporaneously reported closed mental hospital placement after complaint against Germany and requested immediate release.

15.07-09.12.2009 - BGH 2 ARs 346/09 and withdrawal. Applicant filed BGH complaint; BGH later stated proceeding had ended by withdrawal of the complaint.

03.02.2010 - Siegfried Kaufmann correspondence. Kaufmann stated that in August of the previous year he had withdrawn a complaint of the Betreuten; authority, consent and Aufgabenkreis must be verified.

5. The 02.11.1999 Koepenick Incident as Central Evidence Block

The 02.11.1999 complaint is the core documentary starting point. It was not merely a later recollection. The applicant described a sudden medical collapse in detention, including inability to breathe, vomiting, cramps in the hands, arms and entire body, and blue fingernails. He stated that other detainees saw the crisis and called the police or custodial staff.

The event must be described as a severe state-custody medical crisis combined with alleged beating / physical assault, dragging, hair-pulling, forced naked stripping, humiliation, and trampling of human dignity. It must not be reduced to "threatened beating." The applicant's account and the early complaint block concern actual physical mistreatment and degrading treatment, including being dragged or forced through the corridor, being taken by the hair, being stripped naked, and being placed in solitary conditions during or after a medical emergency.

The applicant states that, after an injection or treatment, he was left alone in a medical or cell room despite fear that another attack would occur. He reports knocking and calling for help, deterioration, seeing himself in the mirror "like a dead person," and cutting/wounding his arm in order to force a response because ordinary calls for help were ignored. This factual pattern is legally significant because self-injury in this context is not merely property damage or misconduct; it may be evidence of panic, medical abandonment and perceived immediate life danger in state custody.

The complaint further alleges humiliating conduct, violence and degradation: a gesture toward vomit as if he should lick it, forceful dragging or pushing, hair-pulling, forced naked stripping, solitary confinement, threats or fear of further beating, and lack of adequate interpretation during medical assessment. If confirmed, these allegations fall squarely under the prohibition of inhuman and degrading treatment and require effective independent investigation.

The available material also indicates witness material, including Russian-language handwritten witness notes or lists. Those witness materials must be transcribed, translated and compared with detention placement records. They are crucial because they may show that the 02.11.1999 incident was not only a later individual memory but a witnessed event inside the detention facility.

The Dignity Element

The legal harm is not only bodily injury. Forced naked stripping, dragging, being handled by the hair, humiliating gestures involving vomit, isolation during a medical crisis, and failure to explain medical treatment in a language understood by the detainee strike at human dignity. The applicant's formulation that his "honour and dignity were

trampled” should therefore be preserved as a legally relevant dignity claim under German Basic Law Article 1 and ECHR Article 3.

6. Medical-File Access and Evidence Preservation

A later 2005 evidence-access block is legally important. The applicant sought his 1998-1999 detention medical records and asked what medicines or injections had been administered and for what illness. Police correspondence reportedly allowed only personal inspection, not full postal copies. Attorney Harald Lilge later wrote that the file appeared to contain many pages while only a small number of copies had been provided. This raises the issue whether the applicant’s ability to prove the 1999 incident and medical condition was itself obstructed by restricted access to the relevant records.

For a person alleging state-custody ill-treatment, access to medical records is not a secondary administrative issue. It is part of the right to evidence, effective complaint, bodily integrity and accountability. Any missing or incomplete medical file must therefore be treated as a major verification target.

7. Historical-Law Qualification: Duldung, Work Ban, Social Aid and Closed Survival Trap

The relevant assessment must be made under the legal framework in force at the time, especially before the post-2004/2005 changes. It would be legally misleading to read the early 2000-2005 situation only through later law or later administrative practice.

The applicant’s position is that, during the relevant Duldung period, he was not lawfully permitted to work, while at the same time social assistance, health insurance, Krankenschein, housing, legal aid and effective court access were obstructed or denied. If confirmed under the historical law then in force, this created a closed survival trap: no lawful work, no adequate social support, no effective medical access, and no practical legal remedy.

The legal significance is not limited to poverty. If social aid was blocked, the applicant lacked housing, food, medical access, translation, ability to gather medical evidence, and practical ability to apply for Beratungshilfe or Prozesskostenhilfe. Denial of social support therefore also operated as a denial of court access. It made it harder to prove medical damage, obtain lawyers, pay for translations, and preserve evidence.

Duldung was given, work permission was not available or practically blocked, social assistance was denied or obstructed, Krankenschein was denied or narrowed, and legal aid was practically unavailable. Such a structure pushes a person toward illegal survival, untreated illness, homelessness, psychological collapse or death risk. This must be examined as a system of state-created vulnerability, not as separate administrative events.

8. Psychiatric Redirection as a Procedural Trap or Legal Contradiction

The court correspondence in the VG 32 A 487.01 / related AsylbLG medical-benefit context shows that the applicant’s request for medical and social protection was not simply granted or rejected on ordinary medical grounds. Instead, the matter was redirected toward a neurological/psychiatric certificate and toward the question whether a mental or psychological illness required treatment in Germany.

This was not merely the applicant’s later interpretation. Where the court correspondence itself shows the psychiatric/neurological route, the report must state that the documentary record shows the procedural redirection.

The documentary sequence raises a serious legal question that must be asked by this report itself: Why was the applicant directed into a psychiatric/mental-health evidentiary route if, after obtaining the requested report, the authorities still refused effective assistance?

The contradiction is legally serious. If psychiatric evidence was irrelevant, why was the applicant required to obtain it? If it was relevant, why did serious content such as suicide risk not trigger protection? If a one-time consultation was known to be clinically insufficient for a reliable psychiatric assessment, why was only a one-time Krankenschein or medical-use route provided?

A meaningful psychiatric or psychological assessment normally requires time, repeated observation, clinical context and careful evaluation. A one-time consultation may allow a doctor to record an immediate impression, acute distress or urgent danger, but it is not normally an adequate basis for a legally decisive long-term psychiatric classification. If the court or authority knew, or ought to have known, that a reliable psychiatric assessment required longer observation, then a limited one-time medical access route was structurally inadequate.

The report therefore asks: Why was the applicant given only a one-time medical-access possibility while being directed to produce a psychiatric/psychological report that could not responsibly be prepared on such a limited basis? If the court considered psychiatric evidence necessary, it should have ensured a lawful, adequate and clinically meaningful assessment process, including sufficient time, medical access, confidentiality and protection.

The applicant further states that he requested that the psychiatric report remain confined to the court file and not be transmitted to other social, administrative, public or political bodies. If the submitted documents confirm that such a confidentiality request was made, then any later dissemination or use of that report outside the original context raises a separate and serious legal issue involving privacy, medical confidentiality, dignity, data protection, and possible reputational neutralisation.

Legal Questions on Later Dissemination and Use of Psychiatric Material

1. If the psychiatric report was obtained under a limited court-related medical route, what was the legal basis for transmitting or using it outside that context?
2. If the applicant requested confidentiality, who authorised wider dissemination?
3. Which authorities, parliamentary offices, social offices or other bodies received or used the report?
4. Was the report used to discredit the applicant's complaints, weaken his credibility, or reframe state-created harm as personal psychiatric pathology?
5. If the report contained suicide-related material, why was it not used to provide protection, but allegedly later used as a stigmatizing explanation against the applicant?
6. How can the State later claim lack of knowledge or lack of responsibility if the report and its contents were allegedly used at parliamentary, administrative and wider public levels?

These questions require full production of the court file, the Sozialamt file, medical records, correspondence concerning the Krankenschein, the psychiatric report itself, any confidentiality request by the applicant, parliamentary file references, and all records showing where the report was transmitted, cited, summarised or used.

9. Documented Legal Notice of Irreversible Harm - Harald Lilge, 12.08.2002

Harald Lilge's 12.08.2002 §123 VwGO application must not be softened into "possible harm." The report must treat it as a documented legal warning by a German attorney that denial or obstruction of sickness benefits, medical access and Krankenschein endangered human dignity and threatened lasting or irreversible harm. This was not a later emotional interpretation by the applicant; it was a formal legal warning by counsel to the court/authority.

The legal consequence is foreseeability. After that warning, authorities could not credibly claim that they had no notice of serious risk. From that point onward, continuation of denial or obstruction must be assessed as conduct after official legal notice of foreseeable and potentially irreversible harm.

This warning also connects to the later heart crisis, Reichstag protest, disability and chronic illness. If a lawyer warned in 2002 that continued denial of medical help could cause lasting damage, then later severe deterioration must be examined as a foreseeable consequence within the state-created chain.

10. The 2000 Conviction and the 2005 Correction Must Not Be Treated as a Simple Judicial Mistake

The 2000 conviction and its later correction in 2005 cannot be analysed as an ordinary procedural error that was eventually repaired. The applicant's position is that the 2000 conviction formed part of a wider chain in which his state-created vulnerability was criminalised, while the physical, medical, social and psychological consequences were allowed to deepen over years.

The applicant had repeatedly explained that he could not regularise or leave Germany because he lacked documents, money, health protection, housing, work permission and effective administrative assistance. Nevertheless, the criminal and administrative system treated the consequences of that vulnerability as his fault. The later annulment and acquittal in 2005 therefore did not simply “correct” a technical mistake. By that time, according to the applicant, the damage had already entered his body and life: homelessness, medical deprivation, social exclusion, denial of effective legal aid, severe illness, heart attack, heart surgery, public life-and-death protest, and long-term disability.

The applicant states that, after he suffered a heart attack and underwent cardiac treatment, attorney Aras from the Bümlein law office filed an urgent application to the court, warning that the situation had become life-threatening. According to the applicant, the court still refused effective protection. This point must be verified through the complete medical file, hospital records, the Aras/Bümlein urgent application, and the relevant court decision. If confirmed, it would show that the authorities were not dealing with an abstract legal question, but with a person whose life and health had already been gravely damaged.

The 03.01.2005 judicial correction must therefore be legally framed as a delayed admission that the earlier criminalisation was wrong, not as a full remedy. A later acquittal does not undo the years during which the applicant was treated as guilty, denied protection, deprived of social and medical stability, and forced to fight for survival while his health collapsed. The legal issue is not only that a court later recognised error. The issue is that the correction came after the harm had already become severe, and after the applicant had been pushed into extreme public protest and life-threatening deterioration.

For this reason, the applicant characterises the chain not as a mistake, but as a forced destruction of life. The term “living death” is used by the applicant to describe the cumulative effect: he did not voluntarily give up his health, work capacity, dignity, legal personality or future. He fought, resisted and documented; nevertheless, the combined force of detention, medical neglect, social denial, criminalisation, procedural obstruction and delayed correction allegedly broke his life apart.

This report records that characterisation as a serious legal position requiring independent investigation. It does not present criminal intent as a final judicial finding. However, it rejects any framing that reduces the 2000-2005 chain to a harmless administrative error. The documented sequence raises grave questions under human dignity, right to life, bodily integrity, prohibition of inhuman and degrading treatment, effective remedy, access to court, and state responsibility for foreseeable and irreversible harm.

11. The 2004 Reichstag Crisis and Press/Public Notice

The January 2004 Reichstag/Bundestag crisis must be analysed as an escalation of the preceding chain, not as an isolated psychological event. The applicant states that he had reached a point of life-and-death protest after years of detention, medical neglect, homelessness, social exclusion, court obstacles and lack of effective remedy. Press reporting confirms the public nature of the self-immolation context, while the applicant states that his demand was to be heard and to reach the press.

The legal significance is notice. By the time of the 2004 public crisis, the matter was no longer hidden in local administrative files. The combination of earlier lawyer warnings, court filings, medical crisis and public protest placed authorities on notice that the applicant’s situation had become life-threatening and internationally relevant.

12. The 2008 Forced Closed-Psychiatric Confinement After the ECHR Complaint

A further critical event in the chain is the applicant’s account of his forced placement in a closed psychiatric institution in 2008, after he had submitted materials to the European Court of Human Rights. This event is not treated in this report as a mere later recollection. It is supported by a contemporaneous legal document: the 26.11.2008 letter of Azerbaijani lawyer Tamilla/Tamella Abdullayeva to the European Court of Human Rights, in which she stated that, after the complaint against Germany had been lodged, the applicant was placed into a closed mental hospital, characterised that placement as illegal and without basis, and requested the Court to take immediate action for his release.

According to the applicant’s witness statement, police came to his home, took him by force to a closed psychiatric hospital, and medical staff attempted to treat or inject him against his will. The applicant states that he refused to accept

this as a medical necessity and demanded judicial review. He further states that, during the court hearing, a doctor justified his continued confinement not on a medical basis, but by referring to “our interests” in connection with the applicant’s European Court of Human Rights and international proceedings. According to the applicant, this statement revealed that the confinement was not a neutral medical protection measure, but a measure linked to institutional or state interest in controlling or neutralising his international complaint activity.

This report records that allegation as a serious applicant witness statement requiring verification through the full hospital file, police transport records, court hearing record, judge’s decision, interpreter records, medical notes, and the ECHR file. However, the report also records that the 26.11.2008 Abdullayeva letter constitutes contemporaneous corroboration that the forced-psychiatry issue was raised before the European Court of Human Rights at the time, and was not invented later.

If the applicant’s account is confirmed, the legal significance is grave. A forced psychiatric confinement following an international human-rights complaint, especially where the medical justification is allegedly linked to “state interests” or institutional interest rather than clinical necessity, may engage the strongest categories of domestic and international law: deprivation of liberty without lawful medical basis, abuse of psychiatry, obstruction of access to international justice, intimidation of a complainant, violation of bodily integrity, and inhuman or degrading treatment.

This event must therefore be analysed together with the 02.11.1999 Koepenick incident, the medical-access obstruction, the 2004 Reichstag crisis, the 2005 judicial correction, and the later 2007-2009 court/prosecutorial closures. It strengthens the applicant’s position that the case was not merely a sequence of errors, but a long-term pattern in which medical, psychiatric, social and judicial mechanisms allegedly functioned to suppress, neutralise or discredit his complaints.

13. 2007-2009 Prosecution, Kammergericht, Delayed Receipt, BVerfG and BGH Closure Chain

The later criminal-complaint chain shows the difficulty of obtaining a merits review of the 1999 incident. The 2007 complaint was registered under 52 Js 4686/07. The Staatsanwaltschaft Berlin discontinued the matter by letter dated 21.08.2007. However, the applicant documented in his 24.09.2007 complaint to the Generalstaatsanwaltschaft that he received the 21.08.2007 letter only on 18.09.2007 and that the envelope bore a stamp dated 17.09.2007. In his 20.12.2007 objection to the Kammergericht, he again stated that the Staatsanwaltschaft letter dated 21.08.2007 reached him only on 19.09.2007 and bore the 17.09.2007 stamp; he further stated that he filed his complaint with the Generalstaatsanwaltschaft on 24.09.2007 and received the Generalstaatsanwaltschaft decision of 16.10.2007 only on 24.10.2007.

Despite this chronology, the Kammergericht decision of 11.12.2007, 1 Zs 2509/07 - 1 Ws 287/07 / 52 Js 4686/07, rejected the application as inadmissible on formal grounds: alleged failure to comply with the one-month time limit under §172(2) StPO and lack of the mandatory lawyer signature under §172(3) StPO. The legal issue is therefore not merely that the applicant was ill or lacked legal help. The central documented issue is that he expressly challenged the timing by referring to delayed receipt and the envelope stamp, while the case was nevertheless closed without a merits review of the alleged 1999 custody abuse.

The 10.05.2008 Bundesverfassungsgericht complaint then challenged the Kammergericht’s handling and submitted a large evidentiary annex. The applicant argued that no lawyer would effectively pursue the matter and that formal rules were being used to prevent the crime from coming to light.

14. BGH 2 ARs 346/09, Siegfried Kaufmann Withdrawal and Later Betreuung Escalation

In 2009 the applicant took the matter to the Bundesgerichtshof under 2 ARs 346/09. The Generalbundesanwalt, file 2 AR 214/09, requested dismissal as inadmissible under StPO §304(4) because appeals against Oberlandesgericht/Kammergericht decisions are generally not available. The applicant objected on 18.08.2009 and demanded a full investigation of a ten-year-old crime. On 09.12.2009 the BGH informed him that the proceeding had

ended through withdrawal of the complaint. In later Betreuung correspondence, Siegfried Kaufmann stated on 03.02.2010 that in August of the previous year he had withdrawn a complaint of the Betreuten.

This withdrawal must not be described as an ordinary authorised act of a fully empowered legal guardian without qualification. Report No. 05 distinguishes between a trusted practical helper whom the applicant had sought earlier and the later contested Betreuung mechanisms. The applicant's position is that, at the time of the BGH 2 ARs 346/09 withdrawal, Siegfried Kaufmann was not a fully authorised legal guardian with unrestricted power to terminate major court proceedings against the applicant's will, but rather a contested or limited assistance/Betreuung figure whose authority must be strictly verified from the court appointment order and Aufgabenkreis.

The legal issue is therefore not merely whether a complaint was withdrawn. The issue is whether a state-appointed or court-related helper/Betreuer was inserted at a decisive procedural moment and used to close a major case concerning the 1999 custody-abuse allegations. If the withdrawal occurred without the applicant's informed consent and without valid authority covering such a step, it may constitute a serious interference with access to justice and effective remedy.

The later 2009 Betreuung escalation strengthens this concern. Report No. 05 records that the 15.12.2009 Amtsgericht Tiergarten decision appointed Öner Birant for financial matters, representation before authorities and courts, and housing matters, and imposed an Einwilligungsvorbehalt for declarations before authorities and courts. Because the applicant's central claims were precisely against courts, authorities, police, social offices and state-linked institutions, such a restriction was not a neutral welfare measure. It directly affected his ability to pursue compensation, criminal complaints, medical-treatment claims and international proceedings.

The applicant therefore asks that the Betreuung chain be analysed as a possible mechanism for closing or neutralising legally dangerous cases. In his account, one stage involved a helper/Betreuer withdrawing or terminating proceedings such as BGH 2 ARs 346/09; the later stage involved a stronger legal-control mechanism through which wider court and authority matters, including compensation claims, could be restricted or destroyed. This report does not make a final criminal finding, but it identifies the pattern as a grave access-to-justice question requiring full production of the Betreuung file, the appointment decisions, Aufgabenkreise, withdrawal authorisations, correspondence with the BGH, and the missing 27.11.2009 hearing protocol.

If confirmed, the pattern would suggest that Betreuung was not functioning as protective assistance, but as a procedural instrument capable of ending the applicant's most important legal remedies at the decisive moment, without effective accountability for the persons who withdrew or failed to pursue those remedies.

15. German and International Law Potentially Engaged

German Basic Law Article 1 - Human dignity: A person in state custody must not be degraded, stripped, dragged, beaten, abandoned or treated as a procedural object. The "living death" framing and the dignity-trampling aspect of the 1999 incident are anchored here.

German Basic Law Article 2(2) - Life and bodily integrity: Medical crisis in detention, denial of treatment and long-term illness trigger state protection duties.

German Basic Law Article 3 - Equality and disability-sensitive protection: Once serious illness/disability was known, courts and authorities had to avoid neutral procedures that made access impossible.

German Basic Law Article 19(4) - Effective judicial protection: Formal closures, lack of PKH/lawyer access and withdrawal by Betreuer may have made remedies theoretical rather than practical.

German Basic Law Article 20(3) - Rule of law: Authorities and courts are bound by law and justice; rules must not be used to conceal serious allegations.

German Basic Law Article 103(1) and Article 104 - Right to be heard and safeguards in deprivation of liberty: Relevant to detention, forced psychiatry, missing protocols and hearing deficiencies.

ECHR Articles 2, 3, 5, 6, 8, 13, 14 and 34 may be engaged by the right to life, inhuman/degrading treatment, liberty, fair hearing, private life, effective remedy, non-discrimination and the right of individual petition without hindrance.

ICCPR Articles 6, 7, 9, 10, 14, 16, 17 and 26; CAT Articles 2, 12, 13, 14 and 16; ICESCR Article 12; and CRPD Articles 12, 13, 14, 15, 17 and 25 are relevant to life, ill-treatment, liberty, access to justice, legal capacity, private life, health and disability-related protection.

Genocide Convention / grave international-law framing: This report does not assert genocide as a final finding. It records the applicant's request that the destruction of life over years be examined under the strongest international categories where the legal elements can be proven. Serious bodily or mental harm and conditions of destruction are recognized concepts in international law, but protected-group intent and other elements would require independent proof.

16. Legal Assessment: Why the Chain Requires Independent Investigation

The strongest legal feature of the file is cumulative continuity. A single procedural error might be corrected by appeal. A single medical misunderstanding might be corrected by later treatment. But here the applicant alleges an interlocking chain: custody medical crisis, alleged beating / physical assault, naked stripping, humiliation, absence of effective medical explanation, later denial of records, homelessness, social and medical access obstruction, court redirection, lack of legal aid, public life-and-death protest, late judicial correction, formal criminal-procedure closure and guardian-related withdrawal.

The state-custody origin of the 02.11.1999 event intensifies the duty to investigate. Where a person becomes seriously ill, injured, humiliated, stripped, isolated or suicidal under state control, the burden on authorities is not satisfied by later procedural formalities. There must be a genuine effort to establish what happened, identify responsible persons, secure medical evidence, hear witnesses, and provide remedy.

The later use of limitation periods, lawyer-signature rules, cost barriers, competence objections and Betreuung-related withdrawals may be lawful in ordinary cases. But in a case where the applicant claims that the same state system created the conditions that prevented timely, lawyer-supported litigation, those rules require heightened scrutiny. The rule of law cannot permit a situation in which state-caused vulnerability is later used as the reason to deny remedy.

17. Open ECHR Question

This report leaves open the precise ECHR procedural history of the 02.11.1999 incident. Earlier materials refer to ECHR applications including 746/04, 6859/08 and later proceedings. The question whether the 02.11.1999 Koepenick incident itself was fully presented to the European Court of Human Rights, whether it was procedurally rejected, whether it was treated as part of a broader chain, or whether registry/admissibility handling prevented a merits review must be answered by obtaining the complete ECHR registry correspondence, application forms, annex lists and decisions.

18. Required Record Requests

- Complete Berlin-Koepenick Abschiebegewahrsam file for 1998-1999, including medical room records, solitary-cell records, incident reports and witness notes.
- Complete medical records from the detention medical service, DRK/Alt-Moabit or other external medical facilities, including medicines/injections administered on or around 02.11.1999.
- Complete witness lists and handwritten Russian-language witness notes concerning the 02.11.1999 incident, with certified transcription and translation.
- Complete police/prosecutor files 52 Js 4686/07 and 1 Zs 2509/07, including reasons for limitation, evidence review and witness handling.
- Complete Kammergericht file 1 Ws 287/07 and Landgericht file 84 AR 17/07, including receipt dates, envelope copies, routing notes and any legal-aid correspondence.
- Complete BVerfG file AR 4527/07 / 1 BvR 2918/07 and the 10.05.2008 submission annex list.
- Complete BGH file 2 ARs 346/09 and Generalbundesanwalt 2 AR 214/09, including the withdrawal document and identity/authority of the person withdrawing.
- Complete Betreuung file 50 XVII 7034, including the 2009 appointment, Aufgabenkreise, reports, and all documents concerning withdrawal of 2 ARs 346/09 and 31 M 97/09.
- Complete psychiatric hospital file for the 2008 closed-hospital incident: police transport order, admission/discharge, court decision, emergency order, medication notes, visitor logs, interpreter identity and release order.

- Complete ECHR files for 746/04, 6859/08 and any related application, including forms, annex lists, registry letters and final decisions.
- Complete Sozialamt/VG/OVG files concerning Duldung, work permission, social aid, Krankenschein, psychiatric redirection, PKH/Beratungshilfe and historical-law analysis.
- Press and parliamentary archives from Der Tagesspiegel, Hürriyet, TD1, Bundestag/Petitionsausschuss and other sources relating to the 2004 Reichstag protest, 2006 TV interview and later reporting.

19. Preliminary Findings

- The 02.11.1999 Koepenick incident is a central legal and evidentiary event, not a side issue. It combines medical crisis, state custody, alleged beating / physical assault, naked stripping, humiliation, solitary isolation and lack of medical explanation.
- The applicant's "living death" characterisation has a documentary basis in the cumulative chain and should not be dismissed as rhetorical excess. It should be tested against the legal categories of life, bodily integrity, dignity, ill-treatment, serious mental and bodily harm, and denial of effective remedy.
- The 12.08.2002 Lilge application is a key official-notice document because it warned authorities that denial of medical help was a grave dignity and health matter and could lead to lasting or irreversible harm.
- The 2005 correction/acquittal does not neutralise the harm from 1998-2005. It may instead support the argument that years of consequences were built on an erroneous state position and corrected only after severe damage had already occurred.
- The 2001 psychiatric-redirection sequence raises serious legal questions because the court/authority route demanded psychiatric evidence through a limited medical-access path and then allegedly did not provide protection even when suicide risk or serious mental distress was indicated.
- The 2008 forced closed-psychiatry allegation is materially strengthened by the 26.11.2008 Tamilla/Tamella Abdullayeva letter to ECHR and cannot be treated merely as a later memory.
- The 2007-2009 closure path shows that the 1999 custody-violence allegations were not fully examined on the merits but repeatedly blocked by time limits, lawyer-signature requirements, inadmissibility and eventual withdrawal.
- The 2009 BGH withdrawal by Siegfried Kaufmann is one of the most serious later procedural facts and must be independently examined because it may have ended a legal remedy without valid authority or consent.
- The later 15.12.2009 Betreuung/Einwilligungsvorbehalt must be analysed as a potentially severe access-to-justice restriction because it covered declarations before authorities and courts exactly where the applicant's claims against the state were concentrated.

20. Final Open-Ended Evidentiary Note

This report is not the final evidentiary record. It covers only a major and central block of the chain currently reviewed: the 1998-1999 detention, the 02.11.1999 Koepenick incident, the medical-social-legal obstruction, the 2001-2002 Krankenschein/psychiatric-redirection issue, the 2004 Reichstag crisis, the 2005 judicial correction, the 2008 forced psychiatry issue, and the 2007-2009 prosecutor/court/BGH/Betreuung closure path.

Further materials remain to be examined. The applicant states that additional documentation will follow concerning social-protection problems, street attacks, police-related failures, television and media materials, missing or non-broadcast reports, later medical and legal proceedings, technical interference during AI-assisted legal documentation, and other evidence that may show a wider scale over many years. Therefore, this Report No. 008 should be treated as the strong legal opening of a central evidentiary block, not as the final word on the entire case.

21. Closing Statement

The applicant asks that the 02.11.1999 incident and the surrounding 1998-2009 chain be investigated not as fragmented administrative events but as a single cumulative life-destruction pattern. The available documents justify urgent independent review by competent judicial, parliamentary, human-rights and international bodies. If the key

elements are confirmed by official files, this case raises grave questions under German constitutional law, the European Convention on Human Rights, UN human-rights treaties, disability-rights standards and the law of state responsibility.

Document prepared as an AI-assisted legal-documentary working draft. Primary sources must be verified from original court, prosecutor, medical, parliamentary and international files before any final legal submission. The report preserves the applicant's evidence structure and witness account, identifies documentary support, separates verification-required allegations, and organizes the case for review by international human-rights bodies, lawyers, journalists, medical/legal experts, and oversight institutions.