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Compensation for injured parties under the Administrative Rehabilitation Act Granting

Heruntergeladen am 01.07.2025

<https://fimportal.de/xzufi-services/389414529/L100001>

Modul	Sachverhalt
Leistungsschlüssel	99124001080000, 99124001080000
Leistungsbezeichnung I	Compensation for injured parties under the Administrative Rehabilitation Act Granting
Leistungsbezeichnung II	
Typisierung	3 - Bundesaufsichtsverwaltung: Regelung
Quellredaktion	Hessen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (gold)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	verwaltungsrechtliche Rehabilitierung (124)
Verrichtungskennung	Gewährung (080)
SDG-Informationsbereich	

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Lagen Portalverbund	Rente (1180200), Hilfen für Geschädigte (1160200)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	27.01.2023
Fachlich freigegeben durch	Federal Ministry of Justice (BMJ)
Handlungsgrundlage	https://www.gesetze-im-internet.de/vwrehag/__3.html https://www.gesetze-im-internet.de/vwrehag/__1.html https://www.gesetze-im-internet.de/sgb_14/__3.html https://www.gesetze-im-internet.de/vwrehag/__3.html https://www.gesetze-im-internet.de/vwrehag/__1.html https://www.gesetze-im-internet.de/sgb_14/__3.html
Teaser	<p>If you were politically persecuted or became a victim of arbitrariness as a result of an administrative decision by an authority in the former GDR that was contrary to the rule of law and have suffered damage to your health, you may be entitled to receive compensation under certain conditions.</p>
Volltext	<p>Many citizens of the former German Democratic Republic (GDR) were politically persecuted or arbitrarily discriminated against and harassed by the authorities of the GDR state apparatus or the Soviet occupation zone in very different ways. Sometimes this went so far that those affected suffered damage to their health that they still suffer from today.</p> <p>Such damage to health can be, for example</p> <ul style="list-style-type: none"> • chronic pain due to the consequences of police operations contrary to the rule of law or • long-term psychological damage caused by years of spying and harassment by the Stasi. <p>If this applies to you and there are no grounds for exclusion, you may be entitled to compensation.</p> <p>You are excluded from the pension if you yourself have violated the principles of humanity or the rule of law in the past or have seriously abused your position for your own benefit or to the detriment of others. This is the case, for example, if you voluntarily acted as an</p>

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informer or informer for the Ministry for State Security (MfS) in order to gain advantages for yourself.

Compensation for victims includes the following benefits:

- Medical and sickness treatment,
- basic and compensatory pensions for injured persons as well as benefits to compensate for occupational damage, under certain conditions with a severely disabled person's allowance, care allowance or similar,
- Welfare benefits, which supplement the other benefits on an individual basis. As a rule, they are dependent on income and assets; however, income is not taken into account if your needs result exclusively from the health impairment. Among other things, the following can be considered Supplementary assistance for living expenses, Assistance in maintaining the household, Benefits for participation in working life, assistance for the elderly, care assistance, housing assistance and recreational assistance.

Erforderliche Unterlagen

- Copy of the birth certificate
- Copy of the registration certificate
- If available, a certificate from the rehabilitation authority stating that the administrative decision has been revoked or found to be contrary to the rule of law or, if no such certificate is available, details of the administrative decision in question and the reasons why it should be revoked or found to be contrary to the rule of law
- If applicable, documents relating to the administrative decision in question, e.g. letters, notices, judgments
- If applicable, medical documents, for example examination findings, discharge reports, medical records, x-rays

Voraussetzungen

The following conditions must be met in order for you to receive compensation:

- You have been rehabilitated due to a sovereign measure taken by a German official body to settle an individual case in the accession territory from the period from May 8, 1945 to October 2, 1990 or it has been established that such a measure was contrary to

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the rule of law.

- The administrative decision must have caused damage to your health.
- You yourself have not violated the principles of humanity or the rule of law or seriously abused your position to your own advantage or to the disadvantage of others, for example significantly aided the political system of the GDR (for example by working in the state apparatus or in leading positions in the SED) or worked for the Ministry for State Security (MfS) (full-time or unofficially).

Kosten

Verfahrensablauf

Submit an application for disability benefits to the pension office responsible for your place of residence. The application does not require any special form.

- The pension office will examine your application and, if necessary, request further evidence from you.
- The rehabilitation authority will make the necessary findings on the existence of grounds for exclusion and, if rehabilitation has not yet taken place, on whether the measure is contrary to the rule of law.

Bearbeitungsdauer

Frist

weiterführende Informationen

https://www.bmj.de/SharedDocs/Publikationen/DE/Fachpublikationen/Verwaltungsrechtliche_Rehabilitierung.pdf?__blob=publicationFile&v=4
<https://mik.brandenburg.de/mik/de/ministerium/antragsbehoerden/rehabilitierungsbehoerde/>
<https://www.bundesregierung.de/breg-de/suche/fuers-organische-leistungen-der-sozialen-entschaedigung-1837460>
https://www.bmj.de/SharedDocs/Publikationen/DE/Fachpublikationen/Verwaltungsrechtliche_Rehabilitierung.pdf?__blob=publicationFile&v=4
<https://mik.brandenburg.de/mik/de/ministerium/antragsbehoerden/rehabilitierungsbehoerde/>
<https://www.bundesregierung.de/breg-de/suche/fuers-organische-leistungen-der-sozialen-entschaedigung-1837460>

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Hinweise

Rechtsbehelf

- Detailed information on how to lodge an objection can be found in the notification of your application.
- Social court action

Kurztext

- Compensation for injured persons under the Administrative Rehabilitation Act Granting
- For persons who, as victims of political persecution or arbitrariness, have suffered damage to their health as a result of administrative decisions by the German authorities in the accession area (former GDR) that were contrary to the rule of law
- Compensation for victims includes Medical and sickness treatment Basic and compensatory pensions for injured persons and benefits to compensate for occupational damage Welfare benefits that supplement the other benefits on an individual basis, for example supplementary subsistence benefits, benefits for participation in working life and care assistance as well as recreational assistance
- Prerequisites: The revocation or determination that an administrative decision is contrary to the rule of law in accordance with the Administrative Rehabilitation Act (rehabilitation) The administrative decision must have caused damage to health Those affected have not violated the principles of the rule of law and humanity or seriously abused their position for their own benefit or to the detriment of others Those affected are not already receiving benefits under the Federal Pension Act due to the same damaging event.
- Application procedure: The regionally responsible pension office decides on the application for disability benefits
- Responsible: Pension offices

Ansprechpunkt

Zuständige Stelle

Formulare

Ursprungsportal

Beschädigtenversorgung nach Verwaltungsrechtlichem Rehabilitierungsgesetz Gewährung, Compensation for injured parties under the Administrative Rehabilitation Act Granting