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**to the International Crime Court
to be delivered to the Chief Prosecutor
Mrs. Fatou Bensouda
Maanstraat 174
2516 AB, The Hague (Netherlands)**

subject: -Greek charge regarding art. 7 Roman Statute
reference: -further crucial evidence especially regarding the objective part
21.11.2012 (edited)

Dear Madam, Mrs. Chief Prosecutor,

I address myself as a German citizen to you in the awareness, that the German people confesses itself to inalienable und invulnerable (universal) human rights as the basis of every human community, of peace, and of justice in the world (according to art. 1 par. 2 Basic Law, which is protected by the eternity guarantee of art. 79 par. 3 Basic Law). In his famous speech at the 06.09.1946 the then US foreign minister Mr. Byrnes has demanded, that Germany had to bind itself to human rights and to peace as a precondition, which would allow the USA, to accept that Germany might get to wealth again. In the Parliamentarian Council, the body, which has worked out and concluded the German Basic Law, Dr. Seebohm (German Party) demanded in his plenary speech at the 08.05.1949 a legally binding obligation of Germany to human rights and to peace, in order to enable other states to trust Germany again („Der Parlamentarische Rat“, Band 9, Harald-Boldt publishing house, p.562). This means the legal obligation to the universal human rights, for the wording of art. 1 par. 2 Basic Law has been developed starting from a draft of the first paragraph of the preamble of the Universal Declaration of Human Right (UDHR), and the other international human rights systems, which are valid today in Germany, have been come into existence after the the Basic Law (1949) (European Human Rights Convention of the Council of Europe concluded in 1950, and the EU Basic Rights Charter concluded in 2000 and made legally binding in 2009).

Dr. Süsterhenn (Christian-Democratical Union) demanded in his plenary speech in the Parliamentarian Council at the 08.09.1948 („Der Parlamentarische Rat“, Band 9, Harald-Boldt publishing house, p.56), that the universal human rights, if they are valid for UN trustee areas, then even more must be valid for the occupied Germany. Also the German Constitutional Court has confirmed art. 1 par. 2 Basic Law as a connection to the universal human rights (no. 96 of the Bodenreform III judgement, BVerfGE 112,1). In addition to that, the Constitutional Court has in no. 225 of the Lisbon judgement at the 30.06.2009 recognized the peace principle (obligation to peace by art. 1 par. 2 Basic Law, not to be misunderchanged with the prohibition of aggressive war by art. 26 Basic Law).

This means for me as a German citizen (official confirmation, that I am a German citizen, is attached), as a part of the sovereign (the people), to stand protecting the universal human rights.

The Greek journalists Georgios Tragkas, Panagiotis Tzenos, and Antonios Prekas, and the Greek politician Dimitrios Konstantaras (Nea Democratica), have filed a charge regarding the suspicion of crimes against humanity (art. 7 Roman Statute). The charge regarding art. 7 Roman Statute is directed against Christine Lagarde (CEO of the IMF), Herman van Rompuy (President of the European Council), Jose Manuel Barroso (President of the EU Commission), the German Federal Chancellor Dr. Angela Merkel, and the German Federal Minister of Finance, Dr. Wolfgang Schäuble.

You find the English text of the charge at the following link:

www.scribd.com/doc/protected/100418463

According to art. 15 par. 1 Roman Statute, the Chief Prosecutor can, *proprio motu*, initiate investigations on the basis of information, which is filed at the International Crime Court for the prosecution of crimes, which are within the jurisdiction of the court.

This letter supports the above-mentioned Greek charge with crucial pieces of information regarding the objective part, especially regarding the systematic attack and the large scope according to art. 7 par. 1 Roman Statute. For this purpose, I especially look at those actions, which lead to severe damages at health (according to art. 7 par. 1 lit. k Roman Statute).

In addition to that, part IV.1 of this letter shows the real suspected motive, namely to give more for the stability of the financial sector (especially of big banks according to the „too big to fail“ - hypothesis), than this is allowed with respect to the financial means, which must remain to fulfill those obligations, which are secured by human rights, and than the peoples themselves, if they were orderly informed and asked, would ever allow.

The investigation at the ICC of the systematical accepting of the humanitarian catastrophe at Greece is, at the same time, necessary, in order to prevent its systematical spread onto all states of the eurozone, and to prevent the pushing back of the universal human rights and the Roman Statute by means of art. 136 par. 3 TFEU.

I request for the start of investigations on Greece, even though the completion of the investigations might take a long time with respect to older already pending proceedings. Because here, the start of investigations can still prevent the, because of art. 136 par. 3 TFEU, threatening creation of cases of art. 7 par. 1 lit. k Roman Statute in all states of the eurozone. What the IMF has done to the health system in countries like Albania, Bangla Desh, Brazil, Ghana, India, Peru, Ruanda, Romania, Somalia, Ukraine, and Vietnam, is threatening to all states of the eurozone because of art. 136 par. 3 TFEU. The Greek people already today is being used as a test case within the eurozone for this. Even if the pain, which the IMF has caused to the peoples outside Europe, has been enabled possibly also because of a neglect of the control of representatives of European states over the IMF, may this not go on account of the peoples of Europe, which have been left systematically in ignorance regarding the IMF for decades. The losses of human lives in the eurozone to be expected are rather comparable to Ruanda (hundredthousands) than to the recent cases at Nigeria (Boko Haram suspected for over 1.000 deaths) or Guinea

(army suspected for over 150 deaths). So I request to at least give the official start of the investigations on Greece the timely priority, which is adequate to systematic attack and to the large scope.

(for numbers on Nigeria and Guinea see taz-article „Spart sich die Welt ihr Weltgericht“ of the 15.11.2012, Link

<http://www.taz.de/1/archiv/digitaz/artikel/ressort=au&dig=2012%2F11%2F15%2Fa0115&cHash=75451582500fbd21ed22ec150aac90f7>)

I. the connection between the Roman Statute and the universal human rights

I have, as well as the Greeks, who have filed the charge, the legal point of view, that the Roman Statute is to be interpreted according to the universal human rights. Historically and regarding legal philosophy, the universal human rights are the basis for putting crimes like genocide or crimes against humanity under hard penalties. Among the universal human rights, besides the human dignity (art. 1 UDHR), which is the legal basis of the indivisibility of the universal human rights, the universal human right to health (art. 12 UN Social Pact) is of eminent importance. According to no. 1 general comment no. 14 to the UN Social Pact, the sense of the human right to health is the ability to lead a life in dignity. Also for this reason, the human right to health is the only universal human right, which explicitly guarantees the, for the respective human being, highest attainable standard of health. According to no. 32, the principal prohibition of retrogression (which results from the social progression clause of art. 2 par. 1 UN Social Pact) has the effect regarding the human right to health, that the state has regarding retrogressions at the human right to health, not only the burden of proof, that all available financial means have already been exhausted before, but also the the burden of proof, that these retrogressions are justified with a view to the total of the rights of the Social Pact. This means, if cuts need to be made regarding the realization of the universal social human rights, then these cuts need to be done, relatively less regarding health than regarding any other social human rights.

Also regarding the universal human right to food (art. 11 Social Pact), the central importance of the human dignity (art. 1 UDHR) and of the human right to health (art. 12 Social Pact) is shown. For, according to no. 8 general comment no. 12 to the UN Social Pact, the core of the human right to food includes the availability of food in sufficient amount and quality needed for the nutritional needs of every single human being, which is free of detrimental substances and acceptable in the respective culture; and the access to food should take place sustainably and should not violate the enjoyment of other human rights.

This shows the special importance of the universal human rights to health and to food also for the interpretation of art. 7 par. 1 lit. k Roman Statute.

II. On the definition of a crime against humanity

A crime against humanity (art. 7 Roman Statute) includes attacks, which are large or systematic, and which are done against the civil population with knowledge of the attack. We regard in this case especially as relevant lit. k (encompasses also affectedness of social groups), and lit. h. The largeness and systematic attack becomes most visible at the example of the Greek health system., and at the example of art. 136 par. 3 TFEU.

It is sufficient, if either the large scope or the systematic attack is there.

III. The systematical attack on the health at Greece

III.1 how the conditions against Greece systematically destroy the Greek health system

The memorandum of understanding of the troika (EU Commission, International Monetary Fund IMF, and European Central Bank ECB) in the scope of financial support of the EFSF of February 2012 obliged Greece, to direct all revenues of the state onto a blocked account, in order to preeminently pay the external creditors (see German and English translation for the German Bundestag of the memorandum of understanding via Greece from February 2012, file number „Drucksache 17/8731“).

<http://dipbt.bundestag.de/dip21/btd/17/087/1708731.pdf>

The blocked account refers, as the Hellas Frappe article „How Venizelos Robbed State Institutions To Complete Bond Swap“ of the 26.03.2012 shows, not only to future revenues, because, at the 09.03.2012 credits of ca. 1.4 billion € of various public institutions, among them universities and hospitals, have been completely taken away without warning from one day to another, and have been transferred to the blocked account at the Bank of Greece, which has already been implemented according to the memorandum of understanding. Even public hospitals have suddenly been without any credit on their banking account with respective effects on their work.

<http://hellasfrappe.blogspot.gr/2012/03/how-venizelos-regime-robbed-state.html>

In addition to that, the Troika obliges Greece, to reduce the total amount of the employers' contribution to the social insurance by 5%, alone by cuts in services and moderating fees, and without any compensation through tax-financed subsidies. Moreover, the Troika wants Greece to reach a budget surplus of 4.5 % of the GDP. The Troika wants to reach this surplus, especially by deep structural reforms at the side of the expenditures, among them drastical cuts in the social insurances and closing down parts of the public administration, which are regarded to be not cost-efficient enough. The Troika demands from the social insurance concrete measures for the protection of its central parts (which in most states could mean pension and health insurance) and of the weakest of the Greek society, but the Troika does not demand, that these measures must be sufficient for the preservation of the central parts and for the survival of the poorest groups of the population. The Troika put the main burden of the austerity measures at the social system. Besides that, the Troika also demands austerity measures in the defense area. The permanent marginalization of the social system is so important to the Troika, that for the case of a budgetary relief, it explicitly does not want to allow the relief of the social system, but to enforce a further reduction of the social insurance contributions.

Apart from that, the revenue of the Greek social insurance has also decreased because of the recession, the unemployment (to which the loosening of the protection against wrongful dismissal, which the Troika has had enforced in 2010, has contributed), and because of reductions of the wages.

With the conditions of the Troika, the humanitarian catastrophe, has obviously willingly be risked. The assessment, who has the responsibility for that under penalty law, is the task of the International Criminal Court. I do regard it as possible, that persons outside the political positions have a big part of the responsibility.

III.2 the humanitarian catastrophe in the Greek health system

The money in the Greek public health insurance has become so scarce, that the ambulant patients as well as the patients in hospital have to advance the money for their medicaments.

taz article „keine Heilung auf Rezept“ of the 05.06.2012

www.taz.de/!94746/

taz article „Krise in Griechenland: Rentner stürmen Ministerium“ of the 05.09.2012

www.taz.de/!108028/

Also the article „Greek Pensioners 'Storm' Health Ministry“ from September 2012 confirms, that the health insured people have to advance the payment for their medicaments. In addition to that, they even already have to pay in advance for ambulant visits to the doctor, which reminds of the situation at Romania.

<http://hellasfrappe.blogspot.gr/2012/09/greek-pensioners-storm-health-ministry.html>

The article „Minister of Health Puts End to Agony of Cancer Patients Who Could Not Find Medicines“ of the 05.06.2012 exposes, why the supply with cancer medicaments at Greece has been relieved in the middle of 2012. It has been not more than a momentary benefit in face of the elections.

<http://hellasfrappe.blogspot.gr/2012/06/minister-of-health-puts-end-to-agony-of.html>

The article „Crisis in Health Care Hurts Access to Vital Medicines“ of June 2012 reports on a press conference of Greek patients' associations on „the barbarity of the economic crisis and the devaluation of human life“ in view of the effects of the liquidity shortage in the Greek public health insurance. Multiple sclerosis patients need about 1.000,- € for medicine per month; without these medicaments, their disease proceeds. The association of dialysis patients of Northern Greece reports on casualties because of the lack of dialysis filters, which are supplied by the pharmacists only after payment. The association of young diabetes patients reported on problems with blood donations because of a lack of medical materials. Cancer patients, whose medicaments cost between 200,- € and 4.000,- € per patient and month, often remain medically unsupplied because of the costs.

<http://hellasfrappe.blogspot.gr/2012/06/crisis-in-health-care-decreases-access.html>

89,7 % of the Greeks have, according to a poll, difficulties, to afford the medicine they need. At Attika, the cardiology and the vascular clinic have been closed. At Rhodos, Chios, and Lerissa, patients have to pay by themselves for disposable materials.

At the 8th international heart congress, an increase of depressions and of strokes, and a quadruplication of heart attacks with at the same time difficulties in paying the heart medicaments has been reported. According to the Greek health ministry, the number of suicides has increased by 45 % from the first semester 2010 to the first semester 2011.

In an open letter to all Greek political parties and to the ministries of health and of finance, 23 associations of cancer patients have described the suffering of this group of

patients, who not only have to pay for their medicine, but even for their disposable materials, and of whom many have been waiting (according to the charge) already for 6 months, if and when their insurance will reimburse their costs to them. The lack of medicaments in hospitals at Greece has already reached the extent of a humanitarian catastrophe, as the medical association of Greece has warned in a letter to the United Nations.

(source for the in the following paragraph quoted numbers is the Greek charge already filed to the ICC)

III.3 human rights expert criticizes Greek austerity measures

In view of the special importance of the universal human rights for the interpretation of the Roman Statute, also the opinion of the independent expert of the Human Rights Council of the United Nations on the effect of the financial crisis on the realization of the universal human rights, is of eminent importance, because it shows, that the conditions of the Troika do not show any serious orientation on the universal human rights.

The independent expert of the UN Human Rights Council on foreign debt and human rights, Cephias Lumina, has, already in 2011, stated the violation of universal human rights by the then second austerity package for Greece (article „Greek austerity measures violate human rights, UN expert says“ of the 01.07.2011). www.un.org/apps/news/story.asp?NewsID=38901&Cr=austerity&Cr1

He has explicitly emphasized the preeminence of the universal human rights, and has urged the Greek government to remain proportionate regarding the austerity measures. He recommended, especially to respect the universal human rights to food, water, and housing (all art. 11 UN Social Pact) and to fair and equitable conditions (art. 7 UN Social Pact). He regarded as especially affected by the then privatizations and expenditure cuts poor, elderly, jobless, and handicapped people.

Mr. Lumina explicitly called ECB, IMF, and EU Commission, to remain conscious of the effects of their conditions on human rights for Greece and other states, and he predicted towards them, that there will be no permanent solution to the debt problem without taking into account the human rights.

He did not speak of an only insufficient consideration of the human rights, but his formulation „if the human rights of the people are not taken into account“ exposes, that the conditions of the Troika even do not show, in how far the Troika has considered the human rights at all in their process of drafting their conditions.

And these critical words even directly in view of the UN special organization IMF have been published at a time, when Mr. Lumina could not have known, how deeply the Greek health system would be attacked by the conditions of February 2012.

III.5 the attack on the nutrition at Greece

The study „Issues in measuring absolute poverty: The case of Greece“ by Thanasis Maniatis, Yannis Bassakios, George Labrindinis, and Costas Passas from May 2011 deals with the definition of an absolute poverty line for Greece. For the the assessment regarding human rights as well as for the assessment regarding universal penalty law, the absolute poverty line is crucial. There is also a relative poverty line, which says only, how many per cent of the population have an income of less than 50% respectively 60% of the

average income. Table 1 on page. 6 of the study shows the little meaningfulness of the relative poverty line, where countries like Hungary or Slovakia have a significant better ranking than the significantly richer Canada, where even for the poorest one of the best health systems of the world is available, which is shown by the good ranking of Canada within the human development index of the UNDP.

link to Greek study:

http://www.iippe.org/wiki/images/8/80/CONF_2011_Thanasis_Maniatis.pdf

link to human development index:

http://hdr.undp.org/en/media/HDR_2011_EN_Table1.pdf

The study defines the poverty line for the year 2009 according to the needed financial means for the areas accomodation, food, clothing, and transport, differentiated each for households with one to five persons, and differentiated to tenants and to persons, who only have to pay the additional costs for their accomodation. This way, the study come to the following costs of living for the year 2009 (page 27):

Persons	1	2	3	4	5
Poverty line with rent (in €)	809,38	1186,37	1495,37	1820,33	2189,24
Poverty line without rent (in €)	518,38	803,37	1022,73	1252,33	1517,24

Who has less than these amounts to his disposal at Greece, has too little for either accomodation, food, clothing, or transport. The deeper the income is below these numbers, the higher is the probability, that the respective persons are starving.

The study has been completed in 2011 for 2009. The creation of the humanitarian catastrophe in the Greek health sector has been caused and is being caused, as shown in parts III.1 and III.2 of this letter, especially by the conditions of the Troika since February 2012. For the definition of the minimal living income at Greece today, it would also be necessary to add to the numbers above the average moderating fees or costs completely carried by the patients, either relating to all Greek patients, or related to the health status of the poorer groups of the population, or to differentiate the numbers to be added more to specific expensive, but not rare, diseases (such as e. g. cancer, heart diseases, diabetes, or kidney diseases).

As far as expensive diseases appear, starvation probably also exists for people with an income above the absolute poverty line.

The study shows in table 3 on page 28, that the standard wage NGCLA in 2009 for a single person is at 590,- € and for two working parents at together 1.300,- €. That has been the situation before the interventions of the Troika into the law of the collective labour agreements. And it has already been at that time below the absolute poverty line. In how far there have or are higher collective labour agreements for specific segments of the economy, is not known to me.

According to the Ekathimerini article „Over 2 mln Greeks living below poverty line in 2010“ of the 02.11.2012, referring to the Greek statistics authority ELSTAT 2,34 million Greek

people have lived in 2010 below the poverty line.

www.ekathimerini.com/4dcgi/_w_articles_wsite2_1_02/11/2012_468462

In this regard, Ekathimerini refers to the absolute poverty line 2010 according to ELSTAT of 6.591,- € per person (so 549,25 € per month). The number of private households below the poverty line in 2010 has been 901.190.

These ELSTAT numbers are confirmed by the article „Over 2.3 mln Greeks living below poverty line“ of the Azeri medium APA of the 03.11.2012.

<http://en.apa.az/news/181884>

And the poverty line according to ELSTAT is already set very low. Because a more exact look into table 2 of the above mentioned Greek study of May 2011 shows, that a one person – household has needed already in ts 2009 for accomodation (rent and additional costs) and food together (431, 69 € + 101,13 € =) 542,82 €, so that with the poverty line according to ELSTAT nearly nothing would remain for clothing and transport.

According to the Phantis article „More than 400,000 children hungry at Greece“ of the 06.04.2012, 20,1 % of the households and 439.000 children at Greece are living below the poverty line.

www.phantis.com/news/more-400000-children-hungry-greece

Phantis concludes from this the undernourishment of these children. These numbers are from the report „The State of the Children in Greece Report“ of UNICEF Greece, published in March 2012.

link:http://www.unicef.gr/pdfs/State_of_the_Children_in_Greece_Report_2012_Summary.pdf

The UNICEF Greece report, in turn refers regarding the 439.000 children under the poverty line to numbers of the EU statistics authority EUROSTAT for 2010.

Unfortunately, it is not known to me, at which monthly amount UNICEF Greece defines the poverty line.

Of these 20,1 %, according to Phantis, the nutrition of 21,6 % (so related the total population 4,34 %) lacks of animal protein.

According to Phantis, the poverty line at Greece is at 470,- € per month. Der Phantis-Artikel sees the official poverty line related to a household of 4 persons. I presume, that a poverty line of 470,- € per person of such a household respectively for the total household (4 * 470,- € =) 1.880,- € per month is meant.

Phantis says, that, according to official estimations, 21% of the Greeks are living below the poverty line. The medium itself estimates 25% (2,8 million of a total of 11,2 million Greeks). The Greek network on the fight against poverty (EAPN) is quoted, that soon 30% will be reached; this number has recently be confirmed by a study of the foundation for economical and industrial research (IOBE).

In addition to that, according to Phantis, 400.000 Greek families are without any income

from work.

Even though I do not know the exact number of starving people at Greece, the numbers explained above, however, show clearly, that in a large scale and systematically, it is being accepted, that millions of people at Greece are threatened of starvation.

III.5 drastical cuts at Portugal and Spain and hunger at Spain

At Spain, a humanitarian catastrophe in the area of nutrition already exists because of the austerity measures. Spain and Portugal are moving in big steps towards a humanitarian catastrophe in the health sector. This shows, that the disregard of the social universal human rights regarding the austerity measures for the obtaining of the means for the banks, can lead to humanitarian catastrophes within few years or even only months, regarding to which questions regarding art. 7 par. 1 lit. k Roman Statute arise.

In the parts III.1+III.2 of this letter, the connection between concrete conditions of a memorandum of understanding and its effects for the health have, at least for Greece, been shown.

For Spain and Portugal, for this purpose, also the humanitarian effects would have to be compared to the conditions, in order to relate, what has been effected by the conditions of the Troika within EFSM respectively EFSF, what by the conditions within the deficit procedure, what is possibly caused by the policy in these countries. But that is not the topic of this letter. Here shall, at the moment insofar only be shown, that the interference of the ICC regarding Greece is necessary also in the sense of the preventing art. 7 Roman Statute for Portugal and Spain. Already the official start of investigations on Greece by the ICC will set a decisive sign, in order to save the lives of countless patients and of starving long-term jobless people also at Portugal and Spain.

Latest after the enactment of art. 136 Abs. 3 AEUV, austerity measures are threatening in all states of the eurozone, which systematically intervene so deeply especially into the human right to the, for the respective human being, attainable highest degree of health (art. 12 UN Social Pact), but also into the universal human right to food (art. 11 UN Social Pact), that in all these states including Germany the crimes against humanity according to art. 7 par 1 lit. k Roman Statute are threatening (see part IV. of this letter).

This is shown by the attack on the health system of Portugal, where, according to the taz article „ein Monatslohn für den Staat“ of the 17.10.2012 with 19,5% the biggest procentual cuts are planned in the health sector. Within a few months, if such drastical cuts were implemented, also at Portugal questions regarding the Roman Statute could arise.

www.taz.de/1/archiv/print-archiv/printarchiv/digi-artikel/?ressort=wu&dig=2012%2F10%2F17%2Fa0078&cHash=7f2d249bc2f961c58e314a22d0d1791

Moreover, friends of me from the province Alentejo have told us, that the hospital responsible for the region can only do an emergence supply any more, and that you already today have to drive from there with a broken bone or after a heart attack more than 250 kilometers, if you need more than an emergency treatment. The situation at Portugal is already today much worse, than it had been visible by the original memorandum of understanding at 2011.

According to the taz article „Spanien spart sich seinen Sozialstaat“ of the 25.10.2012, now also at Spain, at least 22,6 % from the tax revenues for the health system shall be streaked out.

www.taz.de/1/archiv/digitaz/artikel?ressort=au&dig=2012%2F10%2F25%2Fa0045&cHash=446287ecd7fa9eba54bf3bea93e63877

And the inhumanity is exposed in very clearness at Spain, where the Red Cross, for the first time in the history of the country, has asked for food donations in view of 300.000,- starving people (taz article „Spanien abgewertet“ of the 12.10.2012).

www.taz.de/1/archiv/print-archiv/printarchiv/digi-artikel/?ressort=wu&dig=2012%2F10%2F12%2Fa0157&cHash=0b7863dd0a47968dd5af10cee8a2f786

III.6 further destruction of the health sector at Romania

Romania is one of the states, which have got, under EU regulaton (EG) 332/2002 an emergency loan with strict conditions. This regulation is similar to the EFSM of the european financial mechanism, but for EU member states outside the eurozone.

At Romania, not only the reduction of the pensions by 15% has been demanded and been rushed through by government and parliament, but also moderating fees for the ambulant medical supply, even though at Romania already before the IMF (respectively the Troika) for stays at the hospital everything from medicaments to material has had to be paid by the patients themselves, and the health insurance has paid nearly only the work of the doctor, and even though the hygiene at the hospital is so bad, that many patients are infected there with tuberculosis. Now even the amubulant health care shall be taken away from the poor. 150 to 200 of the 435 Romanian hospitals are going to be closed and the rest to be transferred to the Romanian municipalities, most of them also are close to bankruptcy. Between 9.300 and 10.000 beds are going to be reduced in those hospitals, which are not directly going to be closed.

The mentioned numbers are from the year 2010, as the follwing links prove:

www.wsws.org/de/2010/jun2010/ruma-j09-shtml
www.wsws.org/de/2010/apr2010/ruma-a5.shtml
www.wsws.org/de/2010/jun2010/ruma-j18.shtml

Also the taz confirms, that there have been since 2010, and still are, drastical cuts in the Romanian health system because of the conditions of the Troika. According to the article „Gott sei Dank nicht mehr in die Klinik“ of the 17.01.2012, the „health supply in the poorest EU country“ is collapsing „piece for piece“. The health expenditures are with 3,5% to 4% of the GDP only at the half of the EU average. 40.000 doctors are missing in the country, tenthousands of doctors and male nurses have emigrated. In some rural regions there is „scarcely health supply, in some small towns only very limited.“

According to the article, an orderly medical treatment is only available with bribery. The sufferers are poor and old people.

Because of the austerity measures, among them, besides drastical cuts in the health

system, also cuts of the wages in the public sector by 25% and of the pensions and of many social benefits by between 15% and 25%, meanwhile already 3 million Romanians have emigrated, most of them to Italy, Spain, and Germany.

www.taz.de/!85782/

Romania's health sector has already been severely damaged by the IMF in the 1990ies (part V.2 of this letter).

IV. proof of the systematical nature of the attack by means of the „little treaty change“ (art. 136 par. 3 TFEU)

IV.1 safeguarding the financial sector as the real cause of the excessive strictness

The pain caused by the excessive conditions at the cost of the Greeks, has not primarily to do with the Greeks. The liquidity problems of the country have only been used as an opportunity, in order to be able to establish more and more mechanisms for the securing of the financial sector. This is the real suspected motive of the crime.

The Greeks have been chosen as only the first victims. The Germans like all inhabitants of the eurozone are going to be treated later, namely of the enactment of art. 136 par. 3 TFEU.

A new art. 136 par. 3 TFEU is going to be inserted into the EU primary law, whose wording is as follows:

„The Member States whose currency is the euro, may establish a stability mechanism to be activated if indispensable to safeguard the stability of the euro area as a whole. The granting of any required financial assistance under the mechanism will be made subject under strict conditionality.“

Links:

http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/118578.pdf

This does, however, not really aim at the stability of the common currency, neither at the inner stability, nor at the stability of the exchange rate, and also not at putting the public finances onto their feet again, but only at the „financial stability“.

This is proven by:

-par. 2+4 of the considerations of the 16./17.12.2010 to the initiation of art. 136 par. 3 TFEU

http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/118578.pdf

-no. 11 of the conclusions of the European Council of the 23./24.06.2011, according to which the Prime Ministers want to do everything for the „financial stability“

www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/123075.pdf

The conclusions of the summit of the 24./25.03.2011 prove the definition of „financial stability“ as the stability of the financial sector, i. e. especially of banks.

www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/120296.pdf

By means of art. 136 par. 3 TFEU, one wants to create always new mechanisms for the safeguarding of banks, of whom hitherto especially two groups of mechanisms are known, namely those of the European financial mechanism („Greece support“, EFSM, EFSF, and ESM) and those for the enabling of the EU Commission as the „EU economic government“ (tightening of the Stability and Growth Pact, Imbalance Procedure, and Budgetary Surveillance).

In the European financial mechanism, the conditions are always drafted by the „Troika“, consisting EU Commission, IMF, and ECB, under the lead of the EU Commission, and are decided by the financial ministers respectively by their permanent secretaries (in the EFSF) or (as a possibility in the ESM) by directors, who are chosen by the financial ministers. Within the Stability and Growth Pact and the Imbalance Mechanism as well as in a part of the Budgetary Surveillance, the conditions are drafted by the EU Commission and decided by the EU Council of Ministers. Within a part of the Budgetary Surveillance, the EU Commission itself decides on the conditions. And the ESM prohibits via collective action clauses every sovereignly managed state bankruptcy, in order to force the countries of the eurozone, when they are bankrupt, into a state insolvency procedure, in which they get additional political conditions by their private creditors (part IV.4 of this letter).

All these mechanisms of the „European financial mechanism“ aim at giving loans to states of the eurozone with liquidity problems, in order to enable them to pay their hitherto creditors, or (only with EFSF and ESM) to recapitalize banks, and the countries get „strict“ conditions at the cost of their inhabitants. The tightening of the Growth and Stability Pact aims at strict conditions for states with too high deficit or too high debt, the Imbalance Procedure at strict interventions of the EU Commission into any matters of wage, finance, or economic policy of the member states, and the Economic Surveillance at any interventions of the EU Commission into the draft budgets of the governments of the member states.

All these mechanisms are primarily directed to bringing together enough financial means for the securing of the „financial stability“ of the financial sector at the cost of the other inhabitants of the member states.

To the populations of the EU member states, however, it has been pretended, that the aim was the protection of the currency and of the public finances. It seems very improbable, that the Prime Ministers of all 17 states of the eurozone or even alle 27 Prime Ministers of all countries of the European Union would ever consciously put the „financial stability“ of the financial sector above the rights of their inhabitants.

I rather believe, that for the question of guilt before the ICC for the suffering caused against the Greeks, it could be of significant importance, who has invented this deception.

IV.2 the obligation to the „strictness“ as the system of inhumanity

All financial assistances in the scope of mechanisms connected to art. 136 par. 3 s. 1 TFEU for the protection of the „financial stability“ of the financial sector would be connected, according to art. 136 par. 3 s. 2 TFEU, to „strict“ conditions.

The „strictness“ of the conditions is for all these mechanisms planned as in the „practice“ of the IMF (Ecofin Council (economic and financial ministers in the EU Council of

Ministers) of the 10.05.2010) respectively „very strict“ according to no. 49 of the report of the „task force“ of the 21.10.2010. The „task force“ included the federal finance ministers of all EU member states as well as EU Commissioner Olli Rehn, the then ECB chief Jean-Claude Trichet, the chairman of the Eurogroup Jean-Claude Juncker, and the President of the European Council Herman Van Rompuy, who at the same time led the task force. conclusions of the economic and finance ministers (Ecofin) in the Council of Ministers of the 10.05.2010 (file number SN 2564/1/10)

http://www.bundesregierung.de/Content/DE/_Anlagen/2010/20100510beschluesseeurolaenderfinanzminister.property=publicationFile.pdf

recommendations of the „task force“ of the 21.10.2010

www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/117326.pdf

The ESM, in addition to that, is obliged by art. 3 ESM Treaty, to make „strict“ conditions.

www.eurozone.europa.eu/media/582866/02-tesm2/de12.pdf

The economic government is obliged by consideration no. 3 in connection with art. 6 of EU regulation 2011/385 (COD), to impose „strict „ conditions (see also part IV.3 of this letter)

http://ec.europa.eu/europa2020/pdf/proposal_strength_eco_en.pdf

In addition to that, all conditions within the EFSF are, according to the preamble of the EFSF Framework Treaty, planned as strict as they are towards Greece:

see EFSF Framework Treaty of the 07.06.2010

http://www.bundesfinanzministerium.de/nn_1270/DE/Wirtschaft_und_Verwaltung/Europa/20100609-Schutzschirm-Euro-Anlage_1.templateId=raw.property=publicationFile.pdf

in 2011 concluded modified EFSF Framework Treaty (draft of the 26.08.2011)

http://www.nachdenkseiten.de/upload/pdf/110902_EFSF_Rahmenvertrag_Anpassung.pdf

The „practice“ of the IMF is something completely different than the content of the statute of the IMF. In the statute of the IMF, there is no obligation to inhumanity at all. By means of an excessive immunity against penalty law and against liability as well as by means of excessive payment, however, the standards of moral and of viewing the world are, within the IMF, in a way shifted, resulting in IMF conditions without any respect to basic rights and to human rights of the inhabitants of the debtor countries.

The Roman Statute is the basis solely for the prosecution of crimes, which have been committed at the 01.07.2002 or later, like the suspected crime against humanity against the Greek people. For crimes before that date, a prosecution is not possible by the ICC, but possibly by international ad hoc – courts like those for Ruanda and Jugoslavia or by national courts of the respective victim state.

In view of the systematical obligation of the conditions to a strictness as in the „practice“ of the IMF, which would be valid with the enactment of art. 136 par. 3 TFEU, it is however crucial for the interpretation, what a strictness according to the „practice“ of the IMF means, to look also at older conditions – for the proof, that an obligation to the strictness as in the „practice“ of the IMF implies, to intervene, for the securing of the financial sector, so deep into the human rights to health (art. 12 UN Social Pact) and to food (art. 11 UN

Social Pact), that this reaches systematically up to art. 7 par. 1 lit. k Roman Statute.

The initiation of an investigation by the ICC is necessary also in order to set a crucial sign just in time, in order to prevent the systematic inhumanity from being entrenched with the rank of EU primary law by means of art. 136 par. 3 s. 2 TFEU, because this would put this strictness, from the perspective of the EU, over any law of the United Nations !

IV.3 the Budgetary Surveillance and the instrumentalization of EU funds

EU regulation 2011/385 (COD) is together with EU regulation 2011/0386 (COD) planned as the EU secondary law legal basis for the Budgetary Surveillance of the states of the eurozone by the EU Commission. You find it at the link:

http://ec.europa.eu/europa2020/pdf/proposal_strength_eco_en.pdf

Via consideration 3 and art. 6 of EU regulation 2011/385 (COD), the EU Commission could impose on every country of the eurozone, which receives financial support by one or several other states, by the IMF, the EFSF, or the ESM, additional „strict“ conditions, whereas these mainly found consist in stricter versions of already existing conditions from the deficit procedure (of the Stability and Growth Pact) and of the Imbalance Procedure.

If these tightened conditions are not fulfilled, as additional sanctions towards the respective country would be used the cut of the EU funds (named in consideration no. 7) ELER agricultural funds (especially for extensive and for ecological agriculture), EU social funds, EU fishery funds, EU structural funds (for rural regions), and EU cohesion funds (for poor regions).

EU regulation 2011/0386 (COD) enables, via its articles 5, 6, and 9, the EU Commission, to intervene in any draft budgets of the countries of the eurozone.

http://ec.europa.eu/europa2020/pdf/proposal_monito_assess_en.pdf

The national and regional parliaments of the states of the eurozone could still decide on their budgets, but the non-compliance of the „opinions“ (art. 6) of the Commission by the member states would take them auto-matically (art. 9) into the deficit procedure of the Stability and Growth Pact, even if their deficit and their debts are not excessive, or if they even reduce their debts.

By means of art. 21 of EU regulation 2011/0276 (COD), cutting the same EU funds as by means of EU regulation 2011/385 (COD) is planned for the case of non-compliance with conditions. The difference is, that according to art. 21 par. 1 EU regulation 2011/0276 (COD) would prescribe the instrumentalization for putting through the conditions of (lit. b) the deficit procedure of the Stability and Growth Pact, of (lit. c) the Imbalance Procedure, of (lit. d i.) the EFSM, of (lit. d ii.) the financial mechanism for the EU member states without the euro (as e. g. Romania) (regulation (EG) Nr. 332/2002), and of (lit. d iii.) of the ESM.

<http://ec.europa.eu/edf/BlobServlet?docId=233&langId=en>

The combination of any interventions into the draft budgets and of the instrumentalization of the named EU funds would make especially the poorer regions, the family agriculture, and the ecological agriculture, and even food aid via the eu social fund, depend on the

mercy of the Commission. The possibility of healthy respectively of corporate-free nutrition in the states of the eurozone would become a political pound of the Commission – and that combined with a strictness according to the „practice“ of the IMF (art. 136 par. 3 TFEU, part IV.2 of this letter).

In the case of non-compliance with the conditions, agricultural enterprises would be ruined, and food aid would be reduced or ended, as a result of the cuts into the mentioned EU funds. Both would increase the number of starving people in the eurozone and would contribute to further cases of art. 7 par. 1 lit. k Roman Statuten. Also this shows the systematical attack and the large scope.

IV.4 political power partly in the hands of the private creditors via the state insolvency procedure of the ESM

The ESM is the hardest of the mechanisms tied to art. 136 par. 3 TFEU. The even in comparison to the IMF stronger immunity of the ESM will probably only be broken by art. 27 Roman Statute or by constitutional judgements to come. The ESM is planned as an independent international organization with, at first, a rank of simple international law, thus below the „ius cogens“, below the EU law, and below every national constitution. A later elevation of the ESM Treaty to the rank of EU primary law, however, is planned according to the prolog and the epilog of the statement to the euro summit of the 09.12.2011.

link:

http://ralpherns.files.wordpress.com/2011/12/documento_cumbre_bruselas_9d_2011.pdf

Additionally to the obligation to the strictness according to the „practice“ of the IMF, art. 12 par. 3 ESM Treaty obliges all countries of the eurozone, to attach collective action clauses to all of their bonds, which they emit starting from the 01.01.2013.

As the law „Gesetz zur Änderung des Bundesschuldenwesengesetzes“ (file number 17/9049) in Germany as one of the accompanying laws to the ESM proves, these collective action clauses are made to prohibit to the countries of the eurozone any sovereignly managed state bankruptcy, and to force them instead into the state insolvency procedure of the ESM, where on them are imposed political conditions not only by the Troika, but also by the private creditors, where the biggest private creditors of the states (the big banks) would have high shares of the votes because of the level of their financial claims.

Link:<http://dipbt.bundestag.de/dip21/btd/17/090/1709049.pdf>

By means of art. 136 par. 3 TFEU and the ESM, an anti – human rights, partial, and radical representation of bank interests is going to be legalized over the whole eurozone, without any respect to the human rights of the population, which exists with the IMF at least since the 1980ies, and which is called „Vienna Initiative“ (see also part V.4 of this letter).

IV.5 how art. 136 par. 3 TFEU threatens to oust the universal law

The IMF law has the rank of normal international law, it stands like the vast majority of international law just one stage above the simple national law (art. 27 Vienna Treaty Law Convention), and so clearly below the universal human rights, which belong to the „ius cogens“.

The IMF itself is not bound to the universal human rights, but because of the preeminence

of the universal human rights in comparison to the IMF law, no debtor state has ever been entitled or obliged, to fulfill the conditions of the IMF any further, than they are compatible with the universal human rights.

The UN Charter is, according to its own art. 103, the highest-ranking international treaty. Because the UN Charter, at the same obliges to the respect for the sovereignty of the states (art. 2 par. 1 UN Charter), the UN Charter itself, as a result, is positioned directly below the national constitutions of the UN member states, but above any other international treaties.

The rank of the universal human rights, i. e. the UDHR and the human rights treaties of the United Nations, is, regarded from the perspective of the universal human rights law itself, below the UN Charter (art. 29 no. 3 UDHR), but above the rest of the international law (art. 28 UDH, art. 1 no. 3 UN Charter), except for the Geneva and Haag Conventions of humanitarian law, which are equal-ranking to the universal human rights (ICJ advisory opinion of the 08.07.1996 "Advisory Opinion of the International Court of Justice of 8 July 1996, The Legality of the Threat or Use of Nuclear Weapons, Reports 1996").

The UN Charter and the universal human rights belong to the „ius cogens“, the highest category of nearly world-wide valid international law (no. 279-282 of the judgement of the EU Court of First Instance on file number T-306/01, and the ICJ advisory opinion of the 08.07.1996 mentioned above).

Also the prohibition of the criminal acts, which are included in the Roman Statute, must be „ius cogens“, because before the Roman Statute there has been a resolution of the UN General Assembly of 1946, but a ratified international treaty has existed not before the Roman Statute. The ad hoc courts at Nuremburg, on Japan, on Ruanda, and on Yugoslavia can, in view of the prohibition derived from human rights (art. 11 par. 2 UDHR) of retroactive penalty, only have had a valid legal basis within the „ius cogens“.

In my legal point of view, also the Roman Statute itself is „ius cogens“, because prescriptions like that for the one for breaking through even the immunity of other international organizations (art. 27 Roman Statute) is a clear argument for „ius cogens“.

The TEU and the TFEU and the protocols and annexes to these two treaties are the EU primary law. The EU primary law has, from its own perspective, a rank above the national constitutions of the member states (art. 1 TEU, art. 51 TEU, declaration no.17 in the annexes to TFEU and TEU). This stands in contradiction to the rank of the UN Charter and of the universal human rights, because also the EU law is international law.

The constitutional courts react, depending on their constitutional situation, differently on the rank claim of the EU law. According to continuous jurisdiction of the Polish constitutional court, the Polish constitution is the highest law at Poland and so stands also above the EU law (see e. g. Judgement of the 16.11.2011). The German constitutional court regards since the Lisbon judgement of the 30.06.2009 the constitutional identity (especially basic rights and structure principles, but also the state objectives peace principle (art. 1 par. 2 Basic Law, see foreword of this letter) and European integration (art. 23 Basic Law)) as standing above the EU law (basic principle 4 and no. 216+217 Lisbon judgement), but allows the EU primary law a rank above the rest of the German Basic Law (no. 240) – except for the common foreign and safety policy of the EU (no. 255 + 342), which has the rank of only normal international law. According to basic principle 3 of the Lisbon judgement, the implementation of the EU law has to leave enough space for the

universal human rights, but the German constitutional court has not clarified, if it regards the EU secondary law (EU guidelines, EU regulations, etc.) or the universal human rights as higher-ranking.

Also the Latvian constitutional court has in its judgement of the 22.12.2009 (file number 2009-43-01) confirmed the preeminence of the basic rights and structure principles of the Latvian constitution before the EU law.

In art. 29 par. 4 no. 10 of the Irish constitution, however, an explicit preeminence of the EU law before the Irish constitution is prescribed.

The EU law, even though the high rank it claims for itself, does **NOT** belong to the „ius cogens“, because this category comes only into consideration for law, which is at least nearly world-wide valid.

These examples show, that the rank claims of the EU law and of the universal human rights stand in competition to each other, and that many EU member states regard the EU primary law (except for the common foreign and safety policy CFSP), but not necessarily the EU secondary law, as standing above the universal human rights.

If now art. 136 par. 3 TFEU entered into force, then, at least from the view of the EU law and of most EU member states, the systematical obligation to always new mechanisms for the „financial stability“ with a strictness, which ignores the universal human rights and reaches on to art. 7 par. 1 lit. k Roman Statute, would stand above the universal human rights and also above the Roman Statute.

This would imply, that because of art. 136 par. 3 AEUV, the human rights and also the Roman Statute would systematically only be applied in the countries of the eurozone any more, as they are compatible with conditions of the Troika, whose strictness would reach, because of the obligation to the „practice“ of the IMF, on to art. 7 par. 1 lit. k Roman Statute.

In addition to that, art. 351 TFEU (the former art. 226 TEC) obliges the EU member states, as far as these are bound to international treaties, which collide with EU primary law, to eliminate these incompatibilities with the EU primary law.

How far this obligation can go from the perspective of the European Court of Justice (ECJ), shows its judgement of the 01.02.2005 in the case Commission v. Austria (file number C-203/03) (no. 61 of the judgement), that Austria had to terminate the ILO Convention no. 45 for the protection of women in mining with effect to the next possible date provided for in that treaty, because this convention collides with an EU guideline (with EU secondary law). The collision has been, that the EU guideline has given more importance to the equal rights between men and women, and the ILO convention has given more importance to the protection of women against kinds of work in mining, which are hard or are risky to health.

So in the judgement on C-203/03, the ECJ has forced Austria to terminate its membership in an ILO convention with the rank of normal international law, because this convention has collided with EU secondary law, even though the then art. 226 TEC (today art. 351 TFEU) is a legal basis for an obligation to terminate international treaties only in cases of collisions with EU primary law.

Link:<http://curia.europa.eu/juris/showPdf.jsf?jsessionid=9ea7d2dc30db92332c9a56434bba8c9fbf45957d2463.e34KaxiLc3qMb40Rch0SaxuKbNn0?text=&docid=49900&pageIndex=0&doclang=EN&mode=lst&dir=&occ=first&part=1&cid=553937>

After the enactment of art. 136 par. 3 TFEU, art. 351 TFEU would have the effect, that the countries of the eurozone would, from the point of view of the EU law, be obliged to loosen their obligations to the universal human rights and to the Roman Statute of the ICC in a way, that would make sure, that they could not impede always new mechanisms connected to art. 136 par. 3 TFEU, which have strictness according to the „practice“ of the IMF and ignoring all human rights. This would most probably mean, that the countries would be obliged, to add a reservation to the universal human rights treaties ratified by the respective countries, to the UDHR, and to the Roman Statute, in the way, that the universal human rights and the universal penalty law would not be applicable any more to the respective state, insofar as the conditions of mechanisms connected to art. 136 par. 3 TFEU are concerned.

At Greece, already today the universal human rights to health (art. 12 UN Social Pact) and to food (art. 11 UN Social Pact) are violated by the conditions of the Troika to such an extent and so systematically, that there obviously is a case of art. 7 par. 1 lit. k Roman Statute, but by means of art. 136 par. 3 TFEU the universal human rights themselves would be pushed aside.

IV.6 how art. 136 par. 3 TFEU would lay the axe on the EU itself

According to art. 53 Vienna Treaty Law Convention and to art. 64 Vienna Treaty Law Convention, international treaties, which are incompatible with the „ius cogens“, are void.

Art. 136 par. 3 TFEU with its obligation to cruelty and at the same time with its claimed rank above all law of the United Nations, is, as especially shown in the parts IV.2 +IV.3 of this letter, obviously incompatible with the „ius cogens“ of the universal human rights and of the Roman Statute.

Art. 71 Vienna Treaty Law Convention includes the possibility, to change international treaties, which collide with „ius cogens“, in order to avoid the voidness of these treaties.

This shows, that art. 136 par. 3 TFEU, which would entrench the inhumanity, which is happening at Greece, into EU primary law, and which proves the systematical nature of this cruelty, threatens the legal existence of the TFEU and thus threatens the legal existence of the EU.

This isn't any ordinary conflict between the EU and the UN at all, but a „hostile takeover“, as one would name it at the stock exchange, of the EU for the securing and the enrichment of banks, for which is even being risked, that the very legal basis of the existence of the EU becomes invalid.

V. examples for the strictness of the „practice“ of the IMF, reaching on to art. 7 par. 1 lit. k Roman Statute

This part serves to further prove, what a strictness according to the „practice“ of the IMF is, and that for the case of non-action of the ICC in view of the suspected crimes against humanity at Greece according to art. 7 par. 1 lit. k Roman Statute, one can prognosticate

comparable systematical excessively deep interventions in all countries of the eurozone because of art. 136 par. 3 TFEU.

V.1 prognosticable conditions against the food supply

The credit conditions of the IMF destroy intentionally the ability of the states, to independently provide their own population with food, and they serve for the effect, that less areas are available for food cultivation and more areas for the export.

A central motive for the intentional decline of the food supply of the whole population of a debtor state seems to be, that this way whole peoples, and not only governments and parliaments, can easier be forced to obey to other conditions and to the debt servicing. Because food is, in contrast to capital, no societal fiction, but necessary for survival. The conditions always aim at making impossible a food supply independent of the world market. Most often, the currency devaluation imposed by the IMF, leads to market-distortingly high prices for the import of fertilizers, pesticides, tractors, etc.; in addition to that, price limits for these imports are prohibited. The purchasing power of the domestic customers of the farmers is destroyed by the enforced reduction of wages and of social benefits. Social institutions for the farmers, e. g. for the distribution of water and for additional subventions in times of market price declines, are abolished. Support shipments of highly subventioned agrarian surpluses are, where trade liberalization does not suffice, used intentionally to ruin whole economical segments of family farmers. Where all this is not enough, sometimes smaller agricultural enterprises are simply prohibited (e. g. at Peru) or projects are financed (e. g. at Mozambique), which imply the expulsion of farmers. With the destruction of the family farmers structures and with the aim of the bigger enterprises to the export, the states do not only become dependent on the import of fertilizer, pesticides, etc., but also on the import of food, which they have to pay in hard currency – and that together with an own currency, that has been artificially devaluated at the command of the IMF.

According to the chapter “50 Jahre Bretton Woods” („50 years Bretton Woods“) in Uwe Hoering's book “Zum Beispiel IWF & Weltbank” („for example IMF and World Bank“) (Süd-Nord Lamuv publishing house), riots have taken place because of cuts into subventions imposed by the IMF:

- 1985 at Bolivia (because of cuts into food and fuel subventions)
- 1986 at Zambia (because of cuts into food subventions)
- 1989 at Venezuela (because of cuts into fuel and transport subventions)

The IMF has demanded, even during the Asia crisis, also from Indonesia cuts into the food and fuel subventions („Die Chancen der Globalisierung“, Joseph Stiglitz, Pantheon publishing house, p. 304).

The cuts into food subventions as IMF imposed conditions are no singular cases, but rather usual:

„...for Western banks, which wanted to safeguard their credits, money was there, but not for the minimal food subventions, which should save human beings from dying of starvation.“

(„Die Chancen der Globalisierung“, Joseph Stiglitz, Pantheon publishing house, p. 39)

At Somalia, a country, 50% of whose population have worked as livestock breeders (p. 97, „The Globalization of Poverty and the New World Order“, Prof. Dr. Michel Chossudovsky), since the beginning of the 1980ies, because of IMF conditions, the currency has been devaluated (resulting in rising costs of fuel and fertilizer, p. 96) , the grain market been deregulated (p. 96), the veterinary services been privatized (p. 96), the emergency supplies of animal fodder been abolished (p. 96), the water been privatized (p. 97), and the fight against erosion been neglected (p. 97). In sum, the public agricultural expenditures have been reduced by 85% (p. 97) in comparison to the middle of the 1970ies. The collapse of the Somalian agriculture also is shown by the fact, that at the beginning of the 1980ies, the sale of food aid had already become the main source of revenue for the Somalian government (p. 97).

At Ruanda, the 1990 structural adjustment program of the IMF served for starvation. In the country, which had already been focused on coffee cultivation, the national fund for the securing against falling coffee prices has been abolished together with all other public agricultural funds. Added to this were the known effects of currency devaluation and trade liberalization on the domestic agriculture (p. 106 + 107, „The Globalization of Poverty and the New World Order“, Prof. Dr. Michel Chossudovsky). Finally at 1992, even the coffee price for the farmers of Ruanda has been legally limited because of a condition of the World Bank (p. 108). Amidst the Ruandan civil war, the IMF enforced a further currency devaluation even though the country already had to export a part of its food because of the one-sided focus on coffee cultivation (p. 108). The trade liberalization of the grain markets enforced by IMF and World Bank have had the effect, that the food aid has been implemented in a way, which has further ruined the domestic agricultural production (p. 109). According to the International Committee of the Red Cross, over 1 million people have been starving at Ruanda at 1993 (p. 122, foot note 14). Ruanda has, even though the dominant coffee cultivation, been self- sufficient regarding food, until it has allowed in 1990, because of an IMF credit condition, the dumping of highly subventioned US and EU food surpluses (p. 140).

At Mozambique, IMF and World Bank have supported with their credit conditions big agricultural projects, for which the state has obliged itself, to replace to expel family farmers for the benefit of big firms, which are focused on export (p. 126-131, „The Globalization of Poverty and the New World Order“, Prof. Dr. Michel Chossudovsky), and which do contribute nothing to the nutrition of the Mozambiquans.

Ethiopia produces enough for the covering of 90% of the existential needs of its inhabitants. According to the world food organization FAO, from 1999 to 2000, the province Amhara reached 20% respectively 500.000 t grain surplus, and the province Oromiya 600.000 t grain surplus. At the same time, at Amhara were 2,8 million people starving, and at Oromiya 1,6 million people, a clear example, how the one-sided orientation on export, which has been imposed by IMF and World Bank, in combination with the destruction of the food cultivation for the domestic market creates starvation (p. 137+138, „The Globalization of Poverty and the New World Order“, Prof. Dr. Michel Chossudovsky), particularly sind half of the export revenue went into the debt servicing (p. 139). The hunger appears at Ethiopia with a regionally stongly varying distribution, as a result from the prohibition of the financial redistribution between the provinces and the federal level, which had been imposed by the IMF (p. 139), with the result, that the starvation areas did not get any financial aid against the hunger from the federal level or from the other regions any more. Before the starvation at Ethiopia, the World Bank imposed removal of the price limits for fuel and fertilizer (p. 139) and the also World Bank credit condition imposed removal of all Ethiopian agricultural subventions had taken place. The agricultural trade

has been liberalized at the command of the IMF (p. 139). Ethiopia has been forced, for the ruin of its family farmers food production by means of food aid with genetically manipulated grain, to allow the access of seeds corporations on the public seeds reserves, and been forced to cancel the family farmers' seeds network (p. 142+143).

The deregulation of the grain market at Kenya, imposed by IMF and World Bank, as well as the also commanded prohibition of any distribution of food by the state and prohibition of even any public regulation of the food distribution have led in 1991 and 1992 to the starvation of nearly 2 million people at Kenya's dryer provinces (p. 140).

At Zimbabwe and Malawi, the IMF enforced the change from food cultivation to tobacco cultivation.

At 1992, the maize harvest declined at Zimbabwe by 90 % and at Malawi by 40%. 1992 was a drought year in the Southern Africa. The tobacco export revenues went into the debt servicing instead of the fight against starvation (p. 100, „The Globalization of Poverty and the New World Order“, Prof. Dr. Michel Chossudovsky).

For Niger, officially one of the poorest countries of the world, the IMF has, in 2004, prohibited the creation of food reserves. Amidst the famine at Niger, in which 3,6 million people have stood at the abyss, the IMF has even prohibited any free distribution of millet, in the name of preventing market distortions. And not only such distributions, which could have cost the state Niger money and could have reduced its debt servicing, but even the distribution of millet by the United Nations and by NGOs (Germanwatch interview with Prof. Dr. Jean Ziegler of the year 2005)

www.germanwatch.org/zeitung/2005-4-ziegler.htm

Niger is no individual case. Also Malawi and Ethiopia have been forced by the IMF to sell the public food reserves for a higher debt servicing, Ethiopia just before the famine of 1984/1985.

On Ethiopia, see p. 141 of the book „The Globalization of Poverty and the New World Order“ by Prof. Dr. Michel Chossudovsky and the Global Research article at the link:

www.globalresearch.ca/index.php?context=va&aid=366

On Malawi, see the taz article „Der Hunger geht, die Armut bleibt“

www.taz.de/1/politik/afrika/artikel/1/der-hunger-geht-die-armut-bleibt/

At India in 1991, the removal of food and fertilizer subventions commanded by the IMF served together with the also commanded currency devaluation for the increase of the rice price by 50% (p. 150+153, „The Globalization of Poverty and the New World Order“, Prof. Dr. Michel Chossudovsky, published 2003). At India, family farmers and farm workers are together 400 million people (p. 151). The removal of the fertilizer subvention, which had been explicitly demanded by the IMF (p. 151), led in 1991 to the increase of the fertilizer price by 40% and ruined many small agricultural enterprises. The formal removal of the legal limit to landownership, imposed by IMF and World Bank (p. 154), has been a decisive incentive for the expulsion of family farmers by big landowners, who prefer producing for export than in comparison to producing food for the own population. As a result of the removal of the wages indexation, also enforced by IMF and World Bank, hundreds of millions of Indian people (among them particularly agricultural workers and

smallholders) had to live on (convertedly) 50,- US cent per day while at the same time costs of living rising towards the world market, including a 50% increase of the rice price. Prof. Dr. Chossudovsky speaks , therefore, of „economic genocide“ (p. 154) by IMF and World Bank at India. The harsh accusation by Prof. Dr. Chossudovsky regarding India may cause wondering, because many other countries have got even more brutal and even more intentioned conditions against their food supply, it is, however, justified, because at no other country of the world are so many starving people, and because IMF and World Bank and not wars, caste system, religious intolerance, gene technology or anything else have the main guilt for that.

At Bangla Desh, the IMF enforced, at the beginning of the 1980ies, the removal of the agricultural subven- tions, enforced the trade liberalization, and the deregulation of the grain market (p. 161, „The Globalization of Poverty and the New World Order“, Prof. Dr. Michel Chossudovsky). For the destruction of the food supply by family farmers, finally the program „food for work“ has been used, where village inhabitants had to work solely for food. This been made possible by the trade liberalization enforced by the IMF. The economical ruin forced many farmers to a new start at areas, which were particularly endangered by floods. This is the explanation for 140.000 people killed by the flood at 1991 (p. 165) and 10 millionen homeless people because of the flood. Just in 1991, the IMF enforced a currency devaluation, which resulted in the increase of the rice price by 50%, and which tightened the flood-induced famine decisively. Far distributed undernourishment and a lack of vitamin A have already existed at Bangla Desh before the flood, and typical IMF conditions have a crucial share in the causes of this.

At Vietnam, farmers have been encouraged by the World Bank, to cultivate for export instead of food for the own population (p. 177 Chossudovsky). Because of the decline of the world market prices for the respective export commodities, Vietnam got into the situation, to subvention food exports, while the farmers of the country were starving as a result of the IMF typical currency devaluation including the increase of the prices for fuel and fertilizer connected to it. In 1994, a famine has taken place with 50.000 affected people, while in the same year, because of the collapse of public rice trade companies, two million tons of Vietnamese rice remained unsold (p. 178). In the years 1987 to 1990, 25% of the adults and 50% of the children at Vietnam were undernourished (p. 179). The enforced orientation to export has also led to the expulsion of family farmers by big landowners (p. 182).

The film „Raubzug des IWF in Argentinien“ of Kanal B of the year 2002 shows clearly the behaviour of the IMF at Argentina. The country has, until the beginning of the military dictatorship in the 1970ies, been one of the countries with the highest standard of living at Latin America and with a broad middle class. Argentina has received its first IMF loan already one week after the assumption of the military dictatorship in 1976. At the end of the dictatorship, the country had 30,- billion \$ debts, half of which have been publid bailouts of private debts. From 1983 to 1989 always more public expenditures, because of the pressure by the IMF, have been reduced, from 1989 to 1992 all public enterprizes have been privatized. Since the Menem government, the cuts also in the social area became so strong, that the starvation begun, years after the end of the dictator-ship. According to the journalist Sebastian Hacher (Indymedia), in the year 2002 at Argentina, 100 children per day died of starvation; this means 36.500,- children died of starvation per year at that time at Argentina, a high number especially in comparison to a total number of 30.000,- people during murdered by the Argentinian military dictatorship. And the adult Argentinians, who have died of starvation because of the IMF, are not counted yet in this number. At demonstrator at the demonstration of the jobless people at the 11.03.2002 estimated the

number of starving people at that time alone for the area Buenos Aires to circa 4,- million people.

In order to keep the control at Brazil even though the mass layoffs in the public sector and the removal of the public pension insurance in 1994 after the constitutional change, which had been enforced by the IMF for these purposes (p. 195 ff. „The Globalization of Poverty and the New World Order“, Prof. Dr. Michel Chossudovsky), a part of the reduction of the expenditures has been used for food aid to the inhabitants of slums. In rural areas, there are, in addition to that, model projects, where landless people are given exhausted agricultural areas (or can buy them with the help of World Bank loans), which seem not profitable enough for the big landowners. And the areas are given to the landless people, which are not in the land register, but are the property of Indigenous people, whereas in 1994 the constitutionally guaranteed property rights of the Indigenous people had been streaked according to the command of the IMF. Instead of paying for food for all, the IMF let it happen, that instead the state paid to big landowners for the employment of land workers, and that food aid supplies were also used for the targeted destruction of the food cultivation of family farmers (p. 195 and 201-202, „The Globalization of Poverty and the New World Order“, Prof. Dr. Michel Chossudovsky).

The Brazilian “Fome Zero” (null hunger) program of President Lula da Silva, which wanted to free a seven digit number of Brazilians from starvation, but which has been realized in an only significantly reduced form, because the IMF has not granted a debt moratorium, which had been requested for the benefit of Brazil (Germanwatch interview with Prof. Dr. Jean Ziegler of the year 2005).

www.germanwatch.org/zeitung/2005-4-ziegler.htm

At Peru, 83% of the inhabitants are undernourished because of the conditions (p. 31, „The Globalization of Poverty and the New World Order“, Prof. Dr. Michel Chossudovsky). The country has been exposed several times to shocking IMF conditions. From 1980 – 1983, the undernourishment of children has risen dramatically, and from 1975 to 1985, the food consumption of the total population has shrunk by 25% (p. 209). The decline of the real wages from 1980 to 1985 has been at 45% (p. 209). Even significantly more drastically directed against the food supply have been the IMF conditions at August 1990, when the rapid combination of artificial currency devaluation, limitation of the wages, and letting loose of the prices, resulted in the increase of the prices, in comparison to the wages, within one month, for fuel to the 31-fold, for bread to the 12-fold, and for food in the average by 446 %. The IMF enforced, in the name of the fight against the hyperinflation of August 1990, layoffs in the public sector, cuts social in the social system, and the reduction of wages (p.216). Since the hyperinflation with all its effects like the increase in price of fertilizer etc., has not been enough for the destruction of the family farming at Peru, the IMF simply enforced its prohibition by means of a legal minimum size for a farm of at least 10 ha; and only with at least this minimum size, agricultural loans have been available (p. 221).

At Bolivia, the trade liberalization, enforced by IMF, together with aid shipments, served for a decline of the production costs between 1985 and 1988 by 25,9 % (p. 232, „The Globalization of Poverty and the New World Order“, Prof. Dr. Michel Chossudovsky).

At Russia, the combination of artificial currency devaluation and of releasing the prices, both imposed by the IMF, served at 1992 for to a hundredfold increase of the prices, while, in the name of the fight against inflation, only a tenfold increase of the wages has been tolerated. The price of bread has risen proportionally from between 17 and 18 kopeks

to 20 rubles (p. 240, „The Globalization of Poverty and the New World Order“, Prof. Dr. Michel Chossudovsky). The food supply sank below the level it had during World War II (p. 241). In 1993, the IMF, in addition to that, effected by the deregulation of a big Russian bread fabric, a further between tripling and quadrupling of the bread price (p. 249).

The family farmer food cultivation at Albania has been pushed back by a combination of trade liberalization, of food aid from subventioned grain surpluses, from currency devaluation (resulting in price increase of fertilizer and fuel, shrinking of the real wages etc.), and the destruction of the domestic seeds production (in order to make depended on more expensive seeds).

(„The Globalization of Poverty and the New World Order“, Prof. Dr. Michel Chossudovsky) That these IMF conditions at the cost of the starving cannot be rare single cases, is shown by the official report of the 07.02.2001 (file number E/CN.4/2001/53) by Prof. Dr. Jean Ziegler, the then UN Special Rapporteur for the human right to food, according to which (see no. 69c of the report) the credit conditions of IMF and World Bank are world-wide the second-biggest cause for the starvation in the world, even more than biotechnology in agriculture and than wars.

www.righttofood.org/new/PDF/ECN4200153.pdf

In 1990, world-wide 822 million people, in 2007 ca. 923 million people, and in 2008 ca. 963 million people have starved. At the 19.06.2009, already about a billion people were starving.

<http://de.wikipedia.org/wiki/Welthunger>

www.fao.org/news/story/en/item/8836/icode/

<http://news.bbc.co.uk/2/hi/europe/8109698.stm>

At 2004, enough food has been produced for 12 billion people (interview with Prof. Jean Ziegler in the edition 4/2005 of the Germanwatch newspaper). According to the then actual world food report, neverthe-less, in 2004, more than 100.000 people per day were starving of starvation or of the immediate effects of starvation; in the average of the year 2004, each 5 seconds a child below the age of 10 died of starvation.

www.germanwatch.org/zeitung/2005-4-ziegler.htm

V.2 IMF conditions one of the main reasons for the rise of tuberculosis und further diseases

According to an article of Dr. F. William Engdahl, who is a member of the globalization research network „Global Research“, of the 27.11.2009, are among the most recent IMF conditions towards the Ukraine drastical cuts in the health sector, among them the closure of hospitals and layoffs in the health sector. The behaviour of the IMF towards the Ukraine is a proof, that the IMF even after the start of the economic crisis still acts in the same way, hostile against human rights. The Ukraine has been affected particularly hard by the economic crisis, by a speculative bubble and by a deep recession.

In this context, Dr. Engdahl reports on a study of the Cambridge University of the year 2008, which has statistically proven by 21 middle and eastern European countries, that

states, which have been under IMF conditions, have had a significantly higher tuberculosis rate than states without IMF conditions.

The publication date 22.07.2008 of the study shows, that it has depicted a time before the current economic crisis.

www.prisonplanet.com/are-ukraine-black-death-cases-result-of-imf-loans.html
www.plosmedicine.org/article/info:doi/10.1371/journal.pmed.0050143

According to Dr. Engdahl, the IMF is, in view of the drastical cuts in the health sector, also called „infant mortality fund“.

Dr. Engdahl explains, that particularly a significant increase of the tuberculosis deaths indicates a fast worsening medical supply, because tuberculosis is a disease with a fast course.

The Canadian economist Prof. Dr. Michel Chossudovsky, a colleague of Dr. Engdahl in the globalization research network Global Research, names on p. 62 and 63 of his work „The Globalization of Poverty and the New World Order“ the dramatical decline of health-related control and prevention activities because of austerity conditions by IMF and World Bank as the reason of the comeback of cholera, yellow fever, and malaria to the south of the Sahara, and the spread of malaria and dengue fever at Latin America, as well as the decline of the hygiene and of the public health institutions because of austerity conditions by IMF and World Bank as reasons for the comeback in 1994 of bubonic plague at India.

Prof. Dr. Chossudovsky's work „The Globalization of Poverty and the New World Order“ contains further number on the destruction of the health system by IMF conditions:

-The health expenditures at Somalia have been reduced by 78% between the 1970ies and 1989 because of IMF conditions (p. 97).

-The malaria rate at Ruanda has risen in 1991 under IMF conditions by 21% (p. 108). At Ruanda, the World Bank enforced moderating fees of the patients and mass layoffs in the health sector (p. 111).

-At Bangla Desh, in 1992 have been 1,50 \$ per inhabitant and year have been spent for health, 25,- cent of it for medicaments. The creditors enforced further cuts in 1992 and 1993.

-On Vietnam have been imposed the payment for particular health services by the patients and the release of the prices of the medicaments (p. 185). As a result, the expenditures for medicaments have been reduced by 89% between 1980 and 1989, and 98,5% of the Vietnamese pharma industry has been destroyed. Ten thousands of health workers incl. doctors have got unemployed. Hospitals have been closed, because too few of the patients were able to pay on their own for the health services. In order to prevent the reconstruction of the health sector, the finances of the medical faculties have been massively cut (p. 186). According to the WHO, the number of malaria deaths threefolded, and already defeated diseases, such as tuberculosis, reappeared at Vietnam (p. 186).

-At Brazil, the health expenditures have been reduced by 50% in 1993 (p. 197).

-At Peru, the the austerity measures in the health sector including the closure of hospitals, the hyperinflation, the undernourishment, and the lack of funds for the cooking of water,

favoured since August 1990 the spread of cholera (in 1991 with more than 200.000 ill people and over 2.000 deaths within 6 months) and the comeback of, i. a., malaria and dengue fever (p. 216).

-At Albania (p. 291), the enforced payments of the patients themselves and the mass layoffs in the health sector supported the outbreak of cholera (1995) and the polio epidemic (1996).

The behaviour of the IMF before the economic crisis and with the elevation of such inhumane condition to a rank of EU secondary law, gives a light taste on, how much the IMF or the Troika respectively the EU Commission would rage after the *carte blanche* enabling, which is wanted by art. 136 par. 3 TFEU – or how private creditors would rage in the framework of the Vienna initiative and of the state insolvency procedure of the ESM (part V.4 of this letter), which would also obligate the private creditors to impose on the debtor states conditions with a strictness according to the „practice“ of the IMF.

V.3 proof of the inhumanity of the „practice“ of the IMF at the example of the UNICEF study „Adjustment with a Human Face“

The UNICEF study „Adjustment with a Human Face“ (1987) depicts the effects of credit conditions of the IMF on poverty and need and develops proposals for more humane austerity measures.

The page numbers quoted refer to the German edition. As far as in this part of this text English quotations are in quotation signs, this is the non-authorized (as wordly as possible) translation from German into English by my husband (Volker Reusing, same address as Sarah Luzia Hassel-Reusing), which possibly is not exactly identical to the English original, because we have only the German version of the study.

UNICEF mentions in „Adjustment with a Human Face“ „reckless cuts of the state expenditures for health, which are often part of an adjustment program“, and which „lead to a worsening of the state of health of the population“ (p. 87). UNICEF mentions as example the „outbreak of deadly infectious diseases among children“ at the Brazilian province Sao Paulo because of the delayed introduction of a vaccination program against measles (p. 87+95); it seems to be the same measles epidemic, which also Prof. Dr. Jean Ziegler mentions in his work „Imperium der Schande“ (Bertelsmann publishing house). At Ghana, according to UNICEF, cutting the expenditures for medical basical supply has led to the increase of frequency, distribution, and deaths by infectious diseases (p. 87).

In 1984, IMF adjustment programs in the Brazilian province Sao Paulo led to a steep rise of the infant mortality (p. 95). This seems to be related to food, for according to UNICEF, the inflation from 1981 to 1983 at Brazil has been 400 %, but higher for food, because the IMF conditions have forced the country, to push back the cultivation for the favour of grain and sugar cane for export (p. 94).

„A radical reduction of the food subventions in favour of investment activities as a part of a new adjustment package have led in Sri Lanka“, according to UNICEF, „to an increase of undernourishment of third degree among the children of the poorest“ (p. 87).

UNICEF, in addition to that, quotes a study, according to whom the child mortality at Chile has temporarily risen in 1983 by 10% because of the temporary cancellation of a public child food program, and which has decreased again after the reenactment of the program

in 1984 (p. 87+88+97). According to another study, the undernourishment of the children of Chile at school age has risen from 1980 to 1983 from 4,6 % to 15,8 % , and from 1981 to 1984 also the frequency of typhus and hepatitis (p. 97). UNICEF, however, also applauds to Chile for its free school meals, for its food programs for children until the age of 6 years, and for support programs for pregnant women and children up to the age of 8 years, who live in extreme poverty (p. 97). This means, that in other countries with IMF conditions, respective programs to limit the starvation of children have not been or been in a lesser amount (than in the Chile of Pinochet) available.

At Gambia, according to UNICEF, the undernourishment of children has risen in 1985 as a result of increased food prices (resulting from IMF conditions) without social mitigating measures (p. 88).

Ghana received IMF loans and structural adjustment conditions in 1983. UNICEF looks at the time form 1980 to 1985, so that only a part of the social effects are to be attributed to the IMF. Because of the collapse of the cacao prices, the per-capita income has already fallen by a third from 1974 to 1982. At 1982 (before the IMF), the whole available food at Ghana reached only 68% of the need of calories (p. 98). The child mortality has risen from 10% (1980) to 11% (1983) and 12% (1984). Between 1979 and 1984, the health expenditures per capita at Ghana have sunk by 80% (p. 98). There has been a mass exodus of qualified personnel of the social sectors. UNICEF applauds to the IMF only for the reduction of the inflation, which had been three-digit before, but its programs were primarily orientated on the economical situation. The measures, which UNICEF recommended for Ghana (p. 99 +100), show, that the health system and the own food production have had virtually to be rebuild again. UNICEF demanded „food for work“ programs and speaks about a „big gap in the food supply“ (p. 100).

Jamaica received loans by the IMF at 1980 and at 1984, the one in 1984 with significantly tougher conditions. UNICEF has observed the years 1978 to 1985 (p. 101). While before 1984, a five person household could cover its nutrition with 75% of its income, at 1984 only 50% of the needed food could be bought from that income. And from October 1984 to March 1986, the price of the needed food basket has risen by 45 %. The prices of grain, flour, maize flour, and rice have risen even stronger. Public aid programs have reached only a part of the undernourished (p. 102). From 1981 to 1986, the health expenditures at Jamaica have been reduced by 33 %; fees have been introduced for the health services (p. 102). The percents of children with visible signs of undernourishment has risen from 38% (1978) to 41% (1985). From 1978 to 1985, the number of gravely undernourished children admitted to hospital doubled, the number with diseases of stomach and bore tripled, whereas the strongest increase has taken place from 1983 to 1985.

Peru has been regarded by UNICEF for the years 1977 to 1985. The country received from 1977 to 1978 and from 1982 to 1984 IMF loans.

Among the conditions have been the removal of any food subventions (p. 103 + 104). The average food supply per capita has fallen by 26% (p. 104). The tuberculosis rate has risen (an interesting parallel to the IMF induced rise of tuberculosis in the former eastern block countries during the 1990ies, part V.2 of this letter).

The Philippines received an IMF loan at 1984. A result was, that the tax financed subsidies for the elementary health supply has been reduced to a fifth of the amount to the respective subsidies to hospitals of the upper class. At 1985, the real wages have been at a fourth of the poverty line (estimated by the World Bank) of a six person household, in

rural areas at only 22% (p. 106). The health expenditures have fallen from 1979 to 1984 by a third (p. 103). The number of underweight children under 5 years has grown from 17 % (1982) to 22 % (1985).

The UNICEF study emphasizes the „urgency of new solutions“, because the „current approach“ tends to cause poverty, and if one regards „the direct negative effects of some of the macroeconomic measures for the health and the nutrition of the poorest and particularly of the children“. According to UNICEF, the ignorance of the „needs of the poor“ is „not only ethically reprehensible, but also contraproduktive“ (p. 89).

V.4 „Vienna initiative“ older than anticipated and systematical abuse of power of the IMF at the favour of specific big banks

The Grenadian economist Davison Budhoo, who had served, i. a., as „resident representative“ of the IMF for Guayana, cancelled his job at the IMF at the 18.05.1988 with an open letter, which has been published in the form of a book by New Horizons Press. As a complete version is available to me only the German translation, published by the Heinrich-Böll-Stiftung in 1991 „Genug ist genug“. You find a part of the English text in the internet at

www.naomiklein.org/files/resources/pdfs/budhoo.pdf

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In 1986 and 1987, the IMF has already given the possibility to particular private banks, as a reward for their willingness to give loans of 16 billion \$, to impose on states „their own macroeconomic conditionality“ (p. 130), „whose logical consequence has been the annihilation of even more third world children, after already because of our judgement and that of the World Bank, which we ourselves had written, millions had been killed or chosen for death.“

For significantly smaller loans than those of the IMF itself, the IMF enabled private banks without any legal basis, to add to the conditions created by the IMF their own particular-interest-like and in no way less human-rights-ignoring conditions, which then have also been put through by the IMF.

Already in the time from 1983 to 1986 there have been, according to Budhoo, 27 cases, in which the IMF has included particular private banks, and in only one case these banks have been willing, to accept the credit conditions, which had already been negotiated between the IMF and the respective state, in the other 26 cases they insisted on adding their own political conditions (p. 131+132). So the IMF granted to banks already from 1983 to 1986 in at least 27 cases the power to reject „commitments concluded between the IMF and its member states in the third world, if these commitments, from the point of view of these banks, did not protect their own interests in a way, like they should be protected“ (p. 132). Unfortunately, Budhoo does not say, if for this surprisingly high number of 27 states, which the IMF has subjugated also under completely unlegitimated banks, these bank had at all (as the 16 billion \$ in 1986 and 1987) to give from themselves new loans to the respective countries . This way, banks could straightly put through conditions, they could

„care after their own number one“ (p. 132). For the accumulation of interests of private banks in view of the IMF, as a result, i. a. the International Institute of Finance and the Japan Centre for International Finance have been founded (p. 132). The IMF even sends, by order of banks, within the scope of the „enhanced surveillance“ commitment, delegations to the debtor countries in the South (p. 132).

So it is depicted, that already the obligation to a strictness according to the „practice“ of the IMF means the

informal contribution by the private creditors of conditions for the Troika or the EU Commission within the mechanisms connected to art. 136 par. 3 TFEU.

The term „Vienna initiative“ for the enforcement of political conditions, which have been formulated by big private banks, has come into existence not before the beginning of this century, when the IMF has done this for Austrian banks against Eastern European states.

V.5 strictness of the „practice“ of the IMF at the service of big banks

The book „Die Chancen der Globalisierung“ (Pantheon publishing house) by Joseph Stiglitz, a former chief economist and former vice-chairman of the World Bank, exposes that also the IMF has served more for banks in their quality as creditors of the states, than for its official task, for which the IMF had been created, namely to help states, which are experiencing a lack of liquidity, with loans.

As far as in this part of this text English quotations are in quotation signs, this is the non-authorized (as wordly as possible) translation from German into English by my husband (Volker Reusing, same address as Sarah Luzia Hassel-Reusing), which possibly is not exactly identical to the English original, because we have only the complete German version.

At page 272, he says:

„At crises, the IMF granted to debtor countries, which were unable to pay, loans within the frame of a so-called bail-out – but the money did, in the end, not benefit the country, but the Western creditor banks, whose claims have been covered with it. At Eastern Asia as well as at Latin America, these supportive loans have served the purpose to pay foreign creditors, who were released of the necessity to carry the costs of the loss of their claims from the loans the had given carelessly. In some cases, governments have eben bailed out private debts and have this way, in fact, socialized private risks. They have helped the creditors out of their uncomfortable situation, but the money of the IMF has not been a gift, but only a further credit- and the developing country had to pay for it. In fact, the tax payers of the poor country paid for the unreliable policy of the rich countries regarding giving credits.“

The parallel to Greece and to the recapitalization of banks from tax payer money within the scope of EFSF and ESM is obvious.

On page 58, Stiglitz says in a chapter on the Asia crisis:

„Critiques of the IMF claim, that its conditions serve, in principle, not the aim to protect countries against recession, but to protect the interests of its creditors. Behind this stands the purpose, to refill the foreign exchange reserves as soon as possible, in order to be

able to fulfill the claims of the creditors.“

Stiglitz shows the extent of the one-sided-ness of the IMF for the benefit of the creditors at the example of Ethiopia, where the IMF has, for the question, whether the budget was balanced, not counted the foreign aid as revenue (p. 66). As a result, the Ethiopian government did not dare to use the foreign aid for the purposes it had been given for, but added it to the country's foreign exchange reserves, thus alienating these aids from their purpose, so that the possibility was left open, to use these funds later for the payment to the creditors of the country.

At page 279, Stiglitz shows at the example of Argentina, that this country had to choose in its acute debt crisis, if it took new IMF loans, just in order to pay back old IMF loans. The money would just have been transferred from one IMF banking account to another IMF banking account. Argentina, however, would have got additional condition for this by the IMF, which would have further aggravated the recession. Argentina at that time really managed to get a partly debt cut by the IMF, and to reject any new IMF conditions, in turn for paying back the rest of the debts, the country had to the IMF. The IMF had already forced Argentina before to privatize its public pension insurance and to increase the prices for water and electricity (p. 278).

Argentina has made the experience, that the IMF intentionally delayed the state bankruptcy of the country, in order to be able to put through before as much conditions as possible (p. 281):

„When Argentina admitted to a particular condition, the IMF posed new conditions, in order to prolong the agony of Argentina, and to make the default of the debt servicing as expensive as possible.“

Stiglitz shows the one-sided-ness of the IMF also on p. 279-280:

„A former IMF employee explained, that his institution just represents the interests of the creditors (of whom the IMF has been the biggest), and these were oriented to create fear of a state bankruptcy. The IMF wanted, that every sovereign country, which considers declaring its default, thinks for a long time and intensively, before it takes this step. No court can force a sovereign country to fulfill its debt service; normally, there are no or only few assets, which can be confiscated (in contrast to private insolvencies, where the creditors can liquidate an enterprise or objects given to them as securities). Only fear has driven them to the debt service; without fear, loans would not be payed off, the bond market for the debts of states would simply dry out.“

The fear of getting separated from the capital market is, according to Stiglitz, shown particularly drastically at Moldova, where $\frac{3}{4}$ of the state budget go into the debt servicing (p. 281).

At Botswana, the IMF put through the increase of the interest rate in the private economy to 60%.

See German translation of an interview of Emperor's Clothes with Prof. Dr. Michel Chossudovsky:

<http://notgroschen.blogspot.com/2012/01/internationaler-wahrungsfonds-iwf-und.html>

The most extreme example of one-sided-ness of the IMF on the side of the creditors,

happened in 1992 at Brazil, where the IMF insisted, that the government first had to reach an agreement with the big private creditors, before an IMF loan came into consideration – that's what via art. 12 ESM Treaty (part V.4 of this letter) is going to be entrenched for the first time in the primary law of an international organization. That had the result at Brazil, that the government consented to an increase of the interest rate towards its biggest private creditors from 30% to 50% (p. 192 and foot note 2, „The Globalization of Poverty and the New World Order“, Prof. Dr. Michel Chossudovsky).

In 1999, the IMF enforced, in connection to a „preventive“ credit, the increase of the Brazilian base rate to 39%, what led to interest rates for the Brazilian private economy between 50% and 90% and for private credits between 150% and 250%. And Brazil has been ordered by the IMF, to use the currency reserves of its central bank to defend the Brazilian currency against speculators, who tried next after the Asia crisis, to speculate down the Brazilian currency. This way, the reserves of the central bank shrunk from July 1998 to January 1999 from 75,- billion \$ to 27,- billion \$ (p. 349+350, „The Globalization of Poverty and the New World Order“, Prof. Dr. Michel Chossudovsky).

Prof. Stiglitz mentions Russia as a positive example, which has got again access to loans on the financial market only 2 years after its default, which the country has managed in 1998 in a sovereignty respecting way (p. 282), because financial markets evaluate future risks and less the behaviour to the creditors in the past. For this purpose, it is important, that the debt reduction is high enough, to give new creditors confidence in the ability of the country to pay off future debts.

In the Asia crisis, the IMF has received direct counselling by some banks regarding the credit conditions on the states, which the IMF gave loans at that time (p. 325, „The Globalization of Poverty and the New World Order“, Prof. Dr. Michel Chossudovsky“). Among them were, according to Prof. Dr. Chossudovsky, i. a., Chase, Bank America, City Group, J.P. Morgan, Goldman Sachs, Lehman Brothers, Morgan Stanley, and Salomon Smith Barney, independently from the question, which of these banks might have contributed to the Asia crisis by means of currency speculations.

In 1998, the IMF forced several Asian countries, among them Indonesia, to loosen their restrictions on capital movements including making easier the speculation with currencies. And at the same time, the IMF forced them to use large amounts of their national currency reserves for the purchase of their own currency with the aim to prevent the devaluating speculation of the domestic currency, while at least the waste of the currency reserves for the support of the currency exchange rate had been recommended to the IMF before by the international private bank association IIF (p. 325+326, „The Globalization of Poverty and the New World Order“, Prof. Dr. Michel Chossudovsky“).

In 1998, there has even been an initiative of some world's biggest private banks, in order to give their influencing and their insider businesses with the IMF a legal appearance. In a „Private Sector Advisory Council“, which was going to be filled with private banks, they want to surveil the correctness of the work of the IMF, and they would have harvested at that opportunity insider knowledge to an unprecedented extent (p. 326, „The Globalization of Poverty and the New World Order“, Prof. Dr. Michel Chossudovsky“).

At South Korea, the issuing bank has been restructured under direct control by IMF and Wall Street banks (p. 328, „The Globalization of Poverty and the New World Order“, Prof. Dr. Michel Chossudovsky“).

VI. further considerations regarding the subjective part

VI.1 mögliche Spuren anhand der Entstehungsgeschichte des Art. 136 Abs. 3 AEUV

The history of the creating of art. 136 par. 3 TFEU is of crucial relevance not only objectively for the proof of the systematical nature and of the large scope, but also for the subjective part for the investigation of the question, which persons are responsible for the attempt to orientate the EU law and the states of the eurozone to such an extent to the safeguarding of banks, while pretendingly referring to an alleged „safeguarding of the euro“, and to even obligate that to a strictness according to the „practice“ of the IMF.

The „Eurogroup“ is a body, in which the economic and financial ministers of those EU member states, whose currency is the euro, can discuss confidentially with exclusion of the public questions, on which they decide later in the EU Council of Ministers. Sometimes, the results of the „Eurogroup“ are published, as it has been after the session of the 28.11.2010. According to the explanation of the „Eurogroup“ of the 28.11.2010, Herman van Rompuy (President of the European Council) should present the draft of art. 136 par. 3 TFEU at the following summit of the European Council (EU body of the Prime Ministers of the EU member states). As a result, the Prime Ministers concluded at the summit of the European Council at the 16./17.12.2010, to initiate art. 136 par. 3 TFEU. It seems, that Herman van Rompuy has earlier and better informed than most or even than all of the Prime Ministers and financial ministers of the countries of the eurozone, who has drafted art. 136 par. 3 TFEU for which objectives.

link to the declaration of the Eurogroup of the 28.11.2010

http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ecofin/118051.pdf

link to the conclusions of the summit 16./17.12.2010 of the European Council and draft + considerations of art. 136 par. 3 TFEU

http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/118578.pdf

EU regional commissioner Johannes Hahn had commissioned the Austrian economic research institute WIFO with a study, which has been published by the WIFO institute in May 2010 under the name „Funktionsfähigkeit und Stabilität des Euro-Raumes“.

http://karl.aiginger.wifo.ac.at/fileadmin/files_aiginger/publications/2010/eurostabilitaet.pdf

The study says on art. 136 par. 3 TFEU (these sentences authorized translated from German into English by the husband of Sarah Luzia Hassel-Reusing):

„So the Commission is working on proposals for the gradual realization of a kind of 'economic government', by which the economic policy of the community can be better coordinated. The basis for this will deliver the new prescriptions of art. 136 TFEU. There, measures are planned for the members of the eurozone, in order to 'strengthen the coordination and the surveillance of their budgetary discipline'. This shall allow crisis interventions, but they should be as unattractive as possible.“

The WIFO expert opinion proves, that art. 136 par. 3 TFEU has already been discussed before May 2010 as the legal basis in EU primary law for the European financing mechanism (Greece support, EFSM, EFSF, and ESM) and for the enabling of the EU

Commission as the EU economic government (via tightened Stability and Growth Pact, Imbalance Procedure, and Budgetary Surveillance), and that there even had already been at that time concrete deliberations regarding the wording for art. 136 par. 3 TFEU. The same WIFO expert opinion also includes the proposals, most of which have been used by the EU Commission for the drafts in September 2010 of the EU regulations for the tightening of the Stability and Growth Pact and for the introduction of the Imbalance Procedure.

The EU regional commissioner as well as the WIFO expert seem to be important witnesses of the history of the creating of art. 136 par. 3 TFEU. Also of significant importance seems to be, when the expert opinion has been commissioned. In addition to that, significant further findings on this might be delivered by inter-viewing the the President of the EU Commission, Jose Manuel Barroso.

VI.2 responsibility for the systematical extent of the strictness

The suspected objective part regarding art. 7 par. 1 lit. k Roman Statute refers to the fact, that the interventions of the conditions into nutrition and into health are too deep, have lost any human bounds.

So it is crucial to investigate, who is responsible for the fact, that the economic and financial ministers (Ecofin) in the EU Council of Ministers have, at the 10.05.2010, demanded a strictness as in the „practice“ of the IMF, whereas most of them probably have not been aware of the scope of this statement (part III.2 of this letter).

Apart from that, the investigation of the question is crucial, who is responsible for that in no. 49 of the report of the „Task Force“ (part III.2 of this letter) of the 21.10.2010 even „very“ strict conditions are demanded, and the clarification, how „very strict“ has been meant at that time regarding areas like food and health, which are relevant for art. 7 par. 1 lit. k Roman Statute.

VI.3 concrete procedure of the creation of the conditions to Greece

Greece has received financial assistance for paying its existing creditors since 2010 via the „Greek support“ and after that via the EFSF. The conditions, which have led to the humanitarian catastrophe in the Greek health sector, come, as explained in part III.1 of this letter, from February 2012, and they have been made within the frame of the EFSF. Like also in the other mechanisms of the European financing mechanism, the draft of the conditions has been introduced in the frame of the „Troika“ by the EU Commission, supported by the IMF and the ECB. So it makes sense, to interview not only IMF and EU Commission, which are involved anyway in this procedure because of the charges against Mrs. Lagarde and Mr. Barroso, but also the responsible representatives of the ECB.

Since, as shown in part III.5, already at 2009 many Greeks have lived below the poverty line, one can presume, that the starvation at Greece has not only been aggravated by the EFSF, but also by the „Greek support“ Regarding the conditions, which led to hunger, the interviews should also contain interviewing the ECB, the EU Commission, and the IMF, also regarding the „Greece“ support.

The decision on the conditions takes place in the frame of the „Greece support“ by the financial ministers of the member states, and in the EFSF by the financial undersecretaries (the highest financial officers at the national level) in the European body of the financial

undersecretaries with the name „Eurogroup Working Group“. For Germany, Dr. Jörg Asmussen has been financial undersecretary until the end of 2011; he has also, in the past, worked for Goldman Sachs und could therefore interesting for an interview.

VI.4 CDS bets as a further possible motive

With credit default swaps (CDS), banks bet, that a particular claim will not be lost. Creditors often use these CDS in the way, that they bet, that their own claims get lost. If they lose their claim, the at least win their bet instead and then get the money for the won bet. That's why CDS often are also regarded as credit insurances. But they are rather speculative financial products, because one can with them also bet on the loss of claims of other creditors. According to the Financial Times Deutschland article „Die Angst der Amerikaner“ of the 03.11.2011, the volume of CDS for state bonds has been for Italy 218,8 billion €, for Spain 121,1 billion €, for Greece 100,- billion €, for Germany 84,1 billion €, for Portugal 48,7 billion €, and for the USA 21,8 billion €.

These numbers, however, become relative for the banks insofar, as they themselves also emit CDS, they are themselves big creditors of the states, and they secure their own claims on states also with CDS of other banks. The balance of these claims (according to Financial Times Deutschland) on Italy and of the CDS emitted by banks for the securing of these claims is 15,- billion €. That, however, still says nothing about the distribution of the numbers among the banks.

The five biggest US banks (Bank of America, Citibank, Goldman Sachs, JP Morgan Chase, and Morgan Stanley, here neutrally in alphabetical order) alone sell, according to Financial Times Deutschland, allein 97 % of all CDS traded in the USA.

Since banks have, as a result, their significant own interests as creditors of the states and as emitters of CDS, the real role of such bankers, who have a strong counselling influence on policy and on the EU institutions in connection to the financial crisis, be most closely regarded, especially if and which influence their counselling may have had on the conditions, which have led to the humanitarian crisis at Greece.

VI.5 direct influence by bank lobbyists on Prime Ministers and financial ministers

According to the taz article „Die Rettung ist nah“ of the 22.07.2011, Josef Ackermann (former chairman of the board of directors of Deutsche Bank) and Baudouin Prot (BNP Paribas) have, in their quality as official counsellor of the German respectively the France government, for the first time participated in the summit of the 21.07.2011.

www.taz.de/!74941/

Josef Ackermann has not only been chairman of the board of directors of Deutsche Bank, he is also active for the international private bank association IIF (International Institute of Finance) and for the preparation committee of the Bilderberg network.

This suggests, that particularly for her political actions, external counselling plays a big role, and Mr. Ackermann is possibly not the only one with influence on her actions in the financial crisis.

Dr. Jörg Asmussen has, in former times, been working for Goldman Sachs. Already before the assumption of office of the current German federal finance minister Dr. Wolfgang Schäuble, Dr. Asmussen has been under- secretary of finance, also already at the time, when under the then German federal financial minister Peer Steinbrück the German bank safeguarding institution Soffin with funds of up to 480,- billion € has been created. Until the end of 2011, he represented Germany in the „Eurogroup Working Group“, the EU body, which decides on the conditions of the EFSF. Since the 01.01.2012, he is member of the

board of the ECB instead.

In my quality as a German, it is important to me that, as a matter of fairness, also the question is investigated, how much of the responsibility, which the Greeks, who have filed the charge, attribute to the German Chancellor and to the German federal minister of finance, possibly is to be attributed directly to particular banks.

VI.6 the particular influence of Goldman Sachs

The political power of Goldman Sachs in Europe relies to a significant degree in the positioning of its own former or even current employees at leading political positions. In addition to that, Goldman Sachs, as e. g. also the Deutsche Bank, belongs to the bank represented in the Bilderberg network.

The powerful role of Goldman Sachs within Bilderberg is also documented by the long-standing membership of Goldman Sachs counsellor Mario Monti in the steering committee of Bilderberg. He is member of this committee today and has already been member of it at the Bilderberg conference 1989, on which the question has been discussed in the network, if at that time only the euro or even already a „sovereign Europe“ should be created.

[Www.bilderbergmeetings.org/governance.html](http://www.bilderbergmeetings.org/governance.html)

[Http://publicintelligence.net/1989-bilderberg-meeting-participant-list/](http://publicintelligence.net/1989-bilderberg-meeting-participant-list/)

According to the article of the Deutsche Mittelstandsnachrichten „Italien: Monti ist im Nebenjob Berater bei Goldman Sachs“ of the 14.11.2011 the (not elected by the people) Italian Prime Minister Mario Monti is, according to the annual report of this big bank, member of the „international advisory committee“ of this bank. According to the same article, it has also been Goldman Sachs, who have counselled Greece, when Greece has achieved the accession to the euro by incorrect pieces of information towards Eurostat. In addition to that, ECB President Mario Draghi has been, in the years 2002 to 2005 vice president of Goldman Sachs. Also the former US finance minister Hank Paulson seems to have connections to Goldman Sachs, because he has able to sell his shares of this bank early enough before the crisis for 500 million \$, before the share price has made inroads. The same Mr. Paulson has been the US finance minister, when the 700,- billion \$ bailout has been concluded; of the 700,- billion \$, however, Goldman Sachs itself seems to have gained, according to the Deutsche Mittelstandsnachrichten, only with 13,- billion \$.

And even though all this Goldman Sachs is counselling „the European governments and the EU regarding the management of the debt crisis“, thus seems to play an even more central role in orchestrating the bank safeguarding in the name of the safeguarding of the euro than the Deutsche Bank.

www.deutsche-mittelstands-nachrichten.de/2011/11/11670

The importance of the control over the ECB and over the Italian government is also shown in the article „Goldman: 'Neuwahlen in Italien sind das Schlimmste!' “ of the Deutsche Mittelstandsnachrichten of the 09.11.2011. According to the article, Goldman Sachs has lobbied for a technocrat government and for new elections not before January, better spring 2012 – successful, meanwhile His Excellency, Mr. Mario Monti, governs Italy. And Goldman Sachs really ask the ECB to to carry on buying in big style Italian bonds; a

crucial piece of evidence, that Goldman Sachs also seems to be involved in bets regarding an Italian state bankruptcy.

www.deutsche-mittelstandsnachrichten.de/2011/11/31177

As the article „Goldman Sachs empfiehlt Wetten gegen Europa“ of the Deutsche Mittelstandsnachrichten of the 15.11.2011 shows, this bank meanwhile offers credit default swaps, with which one can speculate against banks and insurance companies, at whom risks of the loss of credit claims are assumed. In addition to that, Goldman Sachs strategist Alan Brazil recommends to speculate against the euro, because the euro is significantly weakened, if further rescue packages are made. The article also says, that Goldman Sachs counsels „many European governments“ regarding the debt crisis. Just in the week before the 15.11.2011, Goldman Sachs has, at a meeting with the Spanish economic minister Jose Manuel Campa and with creditor banks, presented concrete „proposals“ „for further austerity measures at Spain“. This shows at the same time the elevated power position in comparison to other creditor banks.

www.deutsche-mittelstands-nachrichten.de/2011/09/24129/

That the Italian Prime Minister, His Excellency, Mario Monti, means, that particularly Goldman Sachs governs Italy, is also shown by the article „Italien – die Monti-Euphorie ist bereits vorbei“ of Alles Schall und Rauch of the 17.11.2011. According to the article, already thousands of Italians are protesting against the „government of the banker“ and shout sentences like „We do not want a government of the banks“ or „Monti makes beggars of us all.“ Alles Schall und Rauch prognosticates that, His Excellency, Mr. Monti does not only want to „fulfill the promises to the EU and drastical austerity measures, but also to rigorously push forward the privatization, and to drastically restrict the use of cash in the every day payments transactions. What the Greeks already experience, now will approach the Italians, wages down, taxes up, with the impoverishment of the society, resulting from that.“

<http://alles-schallundrauch.blogspot.com/2011/11/italien-die-monti-euphorie-ist-bereits.html#ixzz1e0APyoln>

Goldman Sachs also earns as „Betreuerbank“ of the EFSF, while the EFSF does not say, how much these „Betreuerbanken“ finally earn at the cost of the tax payers for their service to the EFSF (article „Wie Goldman Sachs am EFSF mitverdient“ of the Deutsche Mittelstandsnachrichten vom 06.10.2011)

www.deutsche-mittelstands-nachrichten.de/2011/710/27148/

Meanwhile, Dr. Jörg Asmussen is a counsellor of the SPD chancellor candidate Peer Steinbrück

<http://jasminrevolution.wordpress.com/2012/11/13/ifd-leak-die-steinbrueck-goldman-connection>

The actual decisive influence of Goldman Sachs on the ECB and on the Italian government, and for a long time, on the German government, as well as the significant influence of Goldman Sachs in the steering committee of the Bilderberg network, combined with significant own interests as a creditor of states and especially as a tenderer of CDS, make urgently necessary an investigation, if and, if yes, in how far this bank has

influenced the behaviour of Germany, of Italy, and particularly of the ECB regarding the conditions on Greece and regarding the creation of the European financing mechanism.

At least the gentlemen Mario Draghi, (His Excellency) Mario Monti, and Dr. Jörg Asmussen should be interviewed on this.

VI.7 the role of the Bilderberg network

The Bilderberg network is named after a hotel in the Netherlands, where in the 1950ies, it has had its first meeting. At the annual Bilderberg meeting under exclusion of the public, representatives of big banks, insurance companies, industrial and media corporations have the opportunity to impress their interests on politicians. Only the items of the agenda and the guest lists are published. Regarding closer contents and results of the meetings, silence is yet remaining.

The political power, which Bilderberg makes feasible for banks, relies in first line on the possibility, that the media embedded with Bilderberg can give their attention to politicians and put bank-friendly issues on the media agenda, and they can do censorship against issues and politicians, which / who are uncomfortable for banks.

The politicians, who are newly invited as guests are most often, such politicians, whose career goes up after their visit to Bilderberg. Giorgos Papandreou has been at the Bilderberg conference 2009 at Greece and has been elected as Greek Prime Minister only months after. Peer Steinbrück, who had already been minister of finance until 2009, when the German bank safeguarding umbrella Soffin has been concluded, has been at the Bilderberg conference 2011 at Switzerland and now is chancellor candidate of the second-biggest German party Socialdemocratical Party of Germany.

The official guest lists of the three most recent Bilderberg meetings are at the following link:

www.bilderbergmeetings.org/meetings.html

One of the links with all guest lists of the hitherto Bilderberg meetings is:

www.flegel-g.de/index-bilderberg-teilnehmerlisten.html

According to the article „Where the influential people meet and talk“ of the economic magazine „The Economist“ of the 20.01.2011, Etienne Davignon, a former Vice President of the EU Commission, has been that chairman of the Bilderberg group at the time of that article. And Josef Ackermann (former chairman of the board of directors of the Deutsche Bank and officially most important external counsellor of the German Chancellor regarding the financial crisis) is in the preparatory committee of the Bilderbergers. By the membership in the preparatory committee exists, in additio to that, a crucial influence on who is allowed to participate at the respective following Bilderberg meeting. And as Mr. Davignon himself admits to The Economist, the Bilderberg meeting 2010 at Spain has dealt with the financial problems of Europe and with the question, if the currency euro would survive.

The Economist article is at the link

<http://www.economist.com/node/17928993>

The Bilderberg conference 09.-12. 06.2011 at Switzerland has taken place short time before the election of the current IMF CEO Christine Lagarde. The first two items of the Bilderberg meeting agenda 2011 „Innovation and Budgetary Discipline“ and „the Euro and Challenges for the European Union“ suggest the assumption, that art. 136 par. 3 TFEU and the mechanisms, that one wanted respectively wants to base on that article, have been discussed there in the sense of a briefing for the session of the Ecofin Council at the 20.06.2011 and for the summit the European Council at the 23./24.06.2011.

The Bilderberg meeting agenda 2011 is here:

http://www.bilderbergmeetings.org/meeting_2011

Also the participants of the Bilderberg conference 2011 show, that there must have taken place a preliminary discussion, undemocratical and intransparent because of the exclusion of the public, for the behaviour at the summit of the European Council at the 23.+24.06.2011, that the decision of the European Council, also the decision on the ESM Treaty, must have been partly preshaped at the Bilderberg conference 2011.

http://www.bilderbergmeetings.org/participants_2011.html

Herman van Rompuy, as the President of the European Council, the man with the biggest power over the agenda and the publications of the European Council, has been there, supported by Frans van Daele, the head of the personnel department of the European Council. Also the then ECB President Jean-Claude Trichet has been at the meeting. The connection to the EU Commission has been secured by Etienne Davignon (the then chairman of the Bilderbergers), Joaquin Almunia (Vice President of the EU Commission), and Neelie Kroes (Vice President of the EU Commission). Also Pascal Lamy (general director of the WTO) and Robert Zoellick (president of the World Bank) have been there. Of the financial ministers of that time, George Papaconstantinou (Greece), George Osborne (Great Britain), and Giulio Tremonti (Italy) have participated.

Of particular importance of the banking sector has been Josef Ackermann as participant of the preparatory committee, but also the chairmen of the national banks of Canada and of Belgium, a former chairman of the US issuing bank Federal Reserve, and representatives of further big private banks like, e. g., Goldman Sachs and Chase Manhattan Bank, have been there.

Since Herman van Rompuy has brought the draft of art. 136 par. 3 TFEU at 16./17.12.2010 into the European Council, it needs to be investigated urgently, if and in how far the corporations, which are involved with Bilderberg, have participated in creating the draft.

How undemocratical the European financial mechanism is, now also is depicted by the democracy index 2011 of the economical magazine „The Economist“. Even though this economical magazine participates at Bilderberg, the results of the European financing mechanism and of the „Greece support“ are criticized in clear words on p. 20:

„The main reason for the decline in democracy scores in 2011 in the region has been the erosion in sovereignty and democratic accountability associated with the effects of and responses to the euro zone crisis (five of seven countries that have experienced a decline in their scores--Greece, Italy, Portugal, Spain and Ireland). Most dramatically, in two countries (Greece and Italy) democratically elected politicians have been replaced by technocrats at the head of governments. Six euro zone governments collapsed in 2011

and there have been growing public protests and a proliferation of new political parties and movements. Policy in some countries is no longer being set by national legislatures and elected politicians, but is effectively set by official creditors, the European Central Bank, the European Commission and the IMF. The severity of austerity measures has tended to weaken social cohesion and diminish further trust in public institutions, which had already been declining since the 2008-09 economic crisis.“

www.vedomosti.ru/cgi-bin/vedomosti_15-12-2011.pdf?file=2011/12/15/0_1951216671

Yours sincerely,

Sarah Luzia Hassel-Reusing

Attachments:

- FTD article „Die Angst der Amerikaner“ (in German, only on paper)
- proof of the German citizenship (photocopy, only on paper)
- article „IFD-Leak – die Steinbrück – Goldman – Connection“ (in German)
- EU regulation 2011/0276 (COD) (only on CD)
- EU regulation 2011/385 (COD)
- EU regulation 2011/0386 (COD)
- ECJ judgement on C-203/03
- law on the modification of the BSchuWG (file number 17/9049)
- statement on the euro summit 09.12.2011
- EFSF memorandum of understanding on Greece, February 2012 (file number 17/8731) (only on CD) (in English and German)
- initiation Art. 136 (3) TFEU + conclusions summit of the European Council 16./17.12.2010
- Bildenberg guest lists 2011, 2010, and 2009
- conclusions summit of the European Council 24./25.03.2011
- conclusions summit of the European Council 23./24.06.2011
- WIFO study (in German)
- Eurogroup 28.11.2010
- Davison Budhoo's resignation from the IMF (only on CD) (in German)

Contents

- I. the connection between the Roman Statute and the universal human rights
- II. On the definition of a crime against humanity
- III. The systematical attack on the health at Greece
 - III.1 how the conditions against Greece systematically destroy the Greek health system
 - III.2 the humanitarian catastrophe in the Greek health system
 - III.3 human rights expert criticizes Greek austerity measures
 - III.4 the attack on the nutrition at Greece
 - III.5 drastical cuts at Portugal and Spain and hunger at Spain
 - III.6 further destruction of the health sector at Romania
- IV. proof of the systematical nature of the attack by means of the „little treaty change“ (art. 136 par. 3 TFEU)
 - IV.1 safeguarding the financial sector as the real cause of the excessive strictness
 - IV.2 the obligation to the „strictness“ as the system of inhumanity
 - IV.3 the Budgetary Surveillance and the instrumentalization of EU funds
 - IV.4 political power partly in the hands of the private creditors via the state insolvency procedure of the ESM
 - IV.5 how art. 136 par. 3 TFEU threatens to oust the universal law
 - IV.6 how art. 136 par. 3 TFEU would lay the axe on the EU itself
- V. examples for the strictness of the „practice“ of the IMF, reaching on to art. 7 par. 1 lit. k

Roman Statute

V.1 prognosticable conditions against the food supply

V.2 IMF conditions one of the main reasons for the rise of tuberculosis und further diseases

V.3 proof of the inhumanity of the „practice“ of the IMF at the example of the UNICEF study „Adjustment with a Human Face“

V.4 „Vienna initiative“ older than anticipated and systematical abuse of power of the IMF at the favour of specific big banks

V.5 strictness of the „practice“ of the IMF at the service of big banks

VI. further considerations regarding the subjective part

VI.1 possible tracks according along the history of the creating of art. 136 par. 3 TFEU

VI.2 responsibility for the systematical extent of the strictness

VI.3 concrete procedure of the creation of the conditions to Greece

VI.4 CDS bets as a further possible motive

VI.5 direct influence by bank lobbyists on Prime Ministers and financial ministers

VI.6 the particular influence of Goldman Sachs

VI.7 the role of the Bilderberg network

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