

# Federal Constitutional Court

Federal Constitutional Court, Postfach 1771, 76006 Karlsruhe

Law Firm  
Jakob & Kollegen  
Bergheimer Straße  
69115 Heidelberg

Karlsruhe, 6 July 2016

Your reference No.: 00318-12

Dear Sir or Madam

Attached hereto is the decision with docket number 2 BvR 2214/ 12.

Yours faithfully,  
The Office of the Second Senate

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FEDERAL CONSTITUTIONAL COURT

- 2 BvR 22114/12 -

Regarding the proceedings  
on the constitutional complaint  
filed by

Mr Simon G. Jakob  
Bergheimer Straße 49, 69115 Heidelberg,

- Represented by: Jakob & Kollegen, Attorneys-at-Law  
Bergheimer Straße 49, 69115 Heidelberg -

With the petition

1. To force the Federal Government of Germany to petition the European Court of Justice on behalf of the Federal Republic of Germany under Art. 263 TFEU by the deadline of 6 November 2012 for the annulment of the European Central Bank's decision on 6 September 2012 regarding the unlimited purchase of government bonds on the secondary market.
2. To establish that the ECB's decision of 6 September 2012 on the unlimited purchase of government bonds is incompatible with German constitutional law.

and A petition for a temporary injunction

The judges of the Third Chamber of the Second Senate

Huber,

Müller

Maidowski

issued the following decision on 28 June 2016 pursuant to §93b, in conjunction with §93a, of BVerfGG (Federal Constitutional Court Act) as amended at 11 August 1993 (BGBl I p. 1473):

The constitutional complaint was not accepted for a ruling. It is inadmissible to the extent that it directly addresses the actions of the European Union.

To the extent that the constitutional complaint is directed against the participation of the Deutsche Bundesbank in the OMT programme, it is unfounded. In the interpretation provided by the European Union Court of Justice (see ECJ ruling of 16 June 2015, Gauweiler, C-62/14, EU:C:2015:400), the program is compatible with the Constitution (BVerG, Second Senate ruling of 21 June 2016 – 2 BvR 2728/13, etc. -, juris, Rn. 114 ff.).

Therefore, the petition for a temporary injunction is denied.

This decision is final.

Huber

Müller

Maidowski

***[Seal of the Constitutional Court – Stamp and signature of the Notarising Officer]***