

To the Presidium of the ECB

Ladies & Gentlemen,

Highly risky claims in the goods traffic of Euro-Europe, including unlimited purchases of government bonds of ailing national states, have brought the independence of the ECB to a state on uncertainty and shown how politics, high finance and jurisdiction.

The ESM and its conditions, which is currently still awaiting review in Germany, combines various charges, such as the manner in which the EU countries expanded EU law to accommodate the ESM by applying a simplified procedure. In view of the scope of the ESM, an international government conference would have been appropriate. Furthermore that the ESM violates the no-bailout clause, Article 125 of the EU Charter. It also brings into question whether the Euro countries were right to ratify the ESM, although the amended version of the European Treaty does not come into force until 1st January 2014. This complaint was raised by the Irish delegate Thomas Pringle in his case before the ECJ, and was rejected. The ruling made it easier for the troubled countries of the Euro community to hold their citizens responsible for the debts of its banks. It was also granted thereby that impermissible state financing via the ECB can obviously be regarded as legal.

The verdict of the judges was also surprising because economic importance was deliberately replaced by formal legal considerations. The refusal of the judges to recognise that this decision will have economic consequences is unprecedented, and shows rather that the European Union hardly sticks to its own basic agreements, in which Europeans have however placed their trust.

The verdict of the ECJ also shows however how much the judges must be considered as biased, when they pass verdicts which are primarily party-political and politically convenient in nature. This also applies to the judges of the supreme German court, the Federal Constitutional Court, which allowed the ESM to apply in principle, but ruled out illicit state financing.

We ask, therefore, where a separation can be made here in the course of the rescue of the Euro?

The judges of the ECJ take into account in their judgments all countries that are currently devaluing their currency by means of alleged rescue attempts and burdening European taxpayers with the cost of insolvency. Operations such as guarantees, warranties, cash payments, Target-II claims and other borrowing, which are used to finance all national budgets, must therefore be excluded from national budgets. In this way, debt brakes can be quickly undermined, and even easier by political will, that establishes the emergency rule that ultimately everything can be declared an emergency, and which ensures that the savings of citizens in any country are not even remotely safe from the hands of the state.

But in this respect there can only be supporting and supported countries, when the supporting countries (Germany, France, Spain, Italy and Finland) fabricate their budgets which are threatened with bankruptcy, and so keep them in line with the Fiscal Pact, and maintain the budgets of the supported countries by ongoing borrowing. This however constitutes prohibited national financing, and can in no way be regarded as being legally ensured. It nevertheless corresponds to political attitudes and the continual attempt to conceal the bankruptcy and the irretrievable failure of the Euro. Judges pass verdicts for this purpose, the ECB takes on debts and issues loans. But it does not correspond to the principles of good management.

The press and the commissions, including at the European level, who should actually supervise and control these operations, have been brought into line. The root of all evil is the lack of any insolvency regulations for countries, which apparently contributes to the legitimacy of this aid to the Euro countries, at least on the political level.

From a human perspective, it is unfathomable why citizens should be made responsible for the losses of banks and national budgets, and moreover not be informed about these facts. And when in these circumstances the German Bundestag is ousted out (ESM) and its budget

sovereignty, the budget law, is lost to the EU, then not only democracy and rule of law are endangered, but above all those people who will have to pay for such failings.

The play-acting presented by politics, the press, the judiciary, high finance and big business therefore hardly corresponds to the trustworthy Europe that people talk about. If democracy is not carefully nurtured, but is even circumvented, by the very people who are duty-bound to protect it, then supreme law is forfeited.

The ECJ has admitted with its verdict that unfounded decisions have been made in the interests of political necessity, which ignore the principle of reasonable discretion and the preservation of the appropriateness of the means. This also proves that the rule of law and jurisdiction have been relieved of their proper function, as long since practiced by politics and the press in the interests of big business.

The Alliance for Democracy will continue to draw attention to these grievances and report on that which the so-called established press would be happy to suppress. We are available at any time for further information via our website.

The Alliance for Democracy