

To the Prosecutor of the International Criminal Court

**REPORT / REQUEST**

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**FOR THE INITIATION OF A PROPRIO MOTU INVESTIGATION**

**AGAINST**

1. Christine Madeleine Odette Lagarde, Managing Director of the International Monetary Fund
2. Angela Dorothea Merkel, Chancellor of Germany
3. Wolfgang Schäuble, Federal Minister of Finance of Germany
4. José Manuel Durão Barroso, President of the European Commission
5. Herman Achille Van Rompuy, President of the European Council

In the last three years Greece has been transmuted systematically, with plan, and absolute intention into a “guinea pig” of the dominant financial elite, for a fiscally disciplined Europe. In reality what took place within the territory of Greece during the last years resulted in the outbreak of a humanitarian crisis that has long gone out of every control, immediately threatening our national existence.

The leaders of the most creditworthy European countries with Germany at the head, in cooperation with the European Commission and the International Monetary Fund, have systematically engaged in the imposition of burdensome terms on the greek society, contravening constitutional and international legitimacy. Applying a strategy of terror and blackmail against the greek public opinion (with threats regarding even the exit from the European Union and the Eurozone) the abettors and perpetrators of this humanitarian crisis, aim at substituting sovereignty with the right of the economic conqueror.

At the same time through coordinated statements of high-rank Greek and European officials, together with the cooperation of large international Media groups, the country and its citizens are been demonized, slandered and depicted ostensibly as responsible yet even for the possibility of a global economic collapse, with methods resembling those of slandering of Jews during the second World War.

There are facts proving that Greece is the victim of a plan of social and economical genocide. The practices and methods used for the success of this plan are similar to the description of the UN Convention for the Prevention and Punishment of the Crime of Genocide (“The objectives of such a plan would be disintegration of the political and social institutions, of culture, language, national feelings, religion, and the economic existence of national groups, and the destruction of the personal security, liberty, health, dignity, and even the lives of the individuals belonging to such groups”).

Taking as a starting the prescripts of the Greek Constitution, as well as the need to defend our human rights, that are constantly violated, in a manner that we, together with our co-patriots, are becoming victims of a serious, constant and ever aggravating attack against our human dignity, as well as victims of numerous cruel acts that deliberately cause great damage upon our prosperity and fundamental freedoms, we want to report to you the serial and repeated offences committed by the head of the IMF, the European Commission and the European Central Bank, which constitute the infamous “troika”.

We, the petioners, Greek nationals, appeal to you requesting the initiation of propriu motu investigation according to article 15 par. 1 of the Rome Statute of the International Criminal Court, on the basis of the following statement of facts.

## **I. Statement of facts:**

### **1. Vertical drop of GDP**

The Greek economy is trapped in a state of deep recession which results in the dramatic decrease of our national wealth and the gross domestic product. According to Hellenic Statistical Authority data the GDP in 2012 was reduced 6,5% following the 8% drop during the first trimester last year and following the total 6,95% drop in 2011. This decrease means that cumulative our GDP has already fallen about 16% compared to its pre-crisis peak and continues to collapse. The numbers are shocking. Never before has the Greek GDP fallen during the last sixty years. It is reminded that the argentinian GDP was reduced 20% at the crisis nadir. Yet given that the troika forecasts that the greek GDP diminution will continue in 2012 and 2013, with a total shrinkage within these two years of about 5-6%, it is obvious that soon Greece, though “saved”, will suffer a bigger GDP reduction compared to the bankrupt Argentina!

### **2. Rapid unemployment boom**

The unemployment rates reached 21,9% in March 2012, against 15,7% in March 2011 and 21,4% in February 2012. According to the Hellenic Statistical Authority the number of employed in March 2012 is estimated at 3.843.905 people, unemployed at 1.075.081 and the inactive population at 3.372.144. The employed reduced by 342.134 persons compared to March 2011 (8,2% reduction), and by 24.996 persons compared to February 2012. The age group that has the greater unemployment rates is the 15-24 group (52,8%), followed by the 25-34 group (29,8%). The economical inactive part of the population, meaning people not employed and not seeking to be employed, has been increased by 38.751 persons compared to March 2011 (increase 1,2%) and by 5.350 persons compared to February 2012 (increase 0,2%).

### **3. Dramatic impoverishment of the population**

Poverty threatens 3 million Greeks- The situation is worse only in 5 countries of the former eastern bloc.

According to Hellenic Statistical Authority data 27,7% of the population find themselves in serious trouble. In particular, 3.031.000 Greeks were threatened by poverty and social exclusion two years ago, meaning before the aggravation of recession and the unemployment boom. This is the largest percent within the Eurozone, as estimated according to the three Eurostat criteria, which are used in order to evaluate whether a person is at risk by poverty. In total higher rates within the European Union of 27 member-states are recorded only in countries of the former eastern bloc (Bulgaria 41,6%, Romania 41,1%, Poland 27,5%, Latvia 38,1%, Lithuania 33,4%). In regard to income 20,1% of Greeks had a lesser than 60% of the average national income, while only the Spanish (20,7%) are in a worse state within the Eurozone, and only the Latvians (20,2%), Romanians (21,1%), Bulgarians (20,7%) outside of it. 11,6% of the Greeks are facing difficulties paying their bills and rents.

#### **-In a critical state**

One out of three Greeks marginally covers his basic necessities- food and housing- and yet even in the case where a sum is spared, it is spent not for the purchase of goods/services but for the repaying of loans and cards. According to a Nielsen study Greek consumers are listed among the most pessimistic in Europe.

### **4. Increasing inability to access healthcare and medicaments.**

The inability of the Greeks to access medicaments “is assuming the dimensions of a humanitarian crisis” as the Medical Society of Athens warns in a report sent to the UN.

In its report the Society underlines that “thousands of patients find themselves in the dramatic situation, in view of the inability of the hospitals to cover their

healthcare needs and the pharmacists' denial –due to suspension of payments- to minister medicaments to the insured of the public insurance funds”.

It is furthermore stressed that “a debt-crisis suddenly turned into a humanitarian crisis, that cannot and should not leave anyone indifferent, but also should not be sealed with the loss of human life” and it is added that “the inefficient handling from the side of the responsible authorities, the lack of provision in local, and additionally the lack of understanding in a European level, regarding the sensitive field of medication, endanger human lives”.

### **The behavior of Greeks regarding medication in middle of the economic crisis.**

According to a study carried out by the Office for the educational coordination of trainees in general-family medicine of university general hospital of Patras, the economic crisis has affected in various ways the life of modern Greeks. 70,3% of the participants state that its monthly income is inadequate for the purchase of the necessary medication, thus resulting that 89,7% is facing difficulties buying it. 55,4% of the sample did not receive the medication or omitted a dose due to economic weakness. 1/3 of the sample requested that the doctor prescribes a cheaper medicament. 73,8% would accept a prescription of an equally efficient but cheaper medicament, while 36,4% think that the cheaper medicament is not equally effective. It is remarkable that 79% consider that the weakness to receive the proper medication is connected to high rates of stress, anxiety, depression and sleeping disorders.

### **5. Tragic situation in hospitals due to serious shortage in basic items**

Serious shortages of disposable materials are observed in hospitals in Attica and the Country. The doctors of the National Healthcare System clarify that the biggest problems appear in the excessively indebted hospitals, which are supplied by the dropper. Indicative of situation is the decision of the Attikon hospital administration to suspend the operation of Cardio Clinic.

In AHEPA hospital, after the shutting down of the Cardio clinic, through which the appointments were scheduled for the patient having to undergo a

cardiogram or stent placement, the Vascular clinic was also shut down since the materials used are expensive and there are no money for their purchase. Problems are expected to arise also in the Ophthalmological Clinic due to shortage of Phakic Refractive Lenses.

The administration of AHEPA hospital filed a report against those responsible in the District Prosecutor of Thessaloniki regarding the shortage. The Prosecutor Ioanna Katsi ordered a preliminary examination, in order to determine if the crime of exposure to danger and omission to prevent common danger is committed via the suspension of supplies of disposable materials.

In Chios island the patients' relatives are forced to buy on their own catheters or plaster, while the same happens in Serres and Larissa, where the patients are daily fed with chicken, as there are no money to buy fish or veal.

In Thessaloniki two blood donors clubs gave money in order to supply the Hippocrateion Blood Donor Center with blood utricles. Moreover, transplantations have been stopped hence the collected 800 blood utricles cannot be controlled due to shortage of reagents.

In Rhodes according to surgeon Vasilis Kinou the waiting period for the surgery reaches a full semester, and one year in the Orthopedics clinic, again due to shortage of material and personnel.

## **6. Patients suffering from cancer and other serious illnesses without medication**

Lack of money in healthcare as a problem is assuming large dimensions. Besides the suppliers embargo on hospitals, the administration of medication has ceased for the insured, even for the seriously ill, like cancer-patients for instance. Pharmacists, drug stores and pharmaceuticals no longer provide the needed medication due to the large debts of the National Healthcare Organization, thus endangering human lives.

23 associations of cancer patients and volunteers addressed a letter demanding that public authorities and politicians assume their responsibilities. The letter, which is acquainted to the Ministries of Health and Finance as well as to the leaders of all political parties, describes the dramatic moments of cancer-patients. Specifically it is mentioned:

We, the associations of cancer patients and volunteers signing this letter, we address you in a last effort to make the urgent situation that threatens not only the dignity but also the course of the disease and the life of cancer patients, understood, which is created on account of the discontinuation of medication distribution, that they need and are entitled to.

The cries of agony that reached the Media cannot at its least depict the despair and deadlock to which cancer patients and other seriously ill are daily led . The discontinuance of the on credit medicine-administration, is forcing cancer patients to interrupt their treatment, since they cannot cover the high costs of medicaments, relying on “god knows when” regarding reimbursement from the insurance organizations.

It should also be taken into account that unpaid bills for disposable materials (oxygen, catheters, urine collectors, tracheal tubes etc), which cancer patients have paid submitting the relevant receipts to the insurance organization, are pending for more than 6 months. So far no provision has been made for their payment, thus resulting in the financial asphyxiation of patients and their families. All the above mentioned constitute a threat for the lives of cancer patients and are assuming the dimensions of a humanitarian crisis, whose confrontation is according to the Constitution imperative.

### **7.Three suicides every 2 days in Greece**

Suicides all over the country, completed or at attempted, have met a dramatic increase from 2009 to 2011. Thessaloniki and Thessalia have the sad precedence. One person commits suicide every two days in Attika. Former minister Chr.Papoutsis has submitted shocking data about the number of suicides and attempts of such, that depict the huge social deadlocks caused by the economic crisis. According to these data suicides and such attempts from the beginning of 2009 till the 10<sup>th</sup> December 2011 have reached 1.727, with all the indicators pointing at a significant upward tendency from 2009 to 2010, while the country marched deeper into the eye of the cyclone. The increase of suicides is observed mostly in 2010 compared to 2009, given that -according to data from 14 peripheries- in 2009 there were 507, in 2010 they reached 622 and 598 in 2011. Psychiatrists emphasize that one suicide corresponds to 20 to 25 attempts. The

increase of suicides in Greece is most notable in the 45-65 age group, but also among young people that have just completed their studies and find themselves before the “now what” question.

### **8. Reports for collapse of students due to hunger!**

The congress of the Panhellenic Association of Private and Public School Canteens in cooperation with the Union of Public Schools Rent Canteens in Attika Prefecture, on the topic “The role of the Canteen in times of crisis” depicted a grim reality. One of the most dramatic features that the financial crisis gave birth to, is the issue of children malnourishment which threatens a number of areas in Greece, with children deprived of primary articles on account of high unemployment or/and low living standard. Many congress speakers underlined that “There is no State, there is no political will”, given that despite the existence of special European funds aimed at providing meals, fruits, vegetables, dairy products, these are not absorbed. The State is absent, watching apathetically students been malnourished and passing out before they eyes of co-students and teachers.

### **9. Shutdown epidemic in business**

The ratio of closed to open businesses has had an increase of about 30% compared to last year, according to a National Co-Association of Greek Commerce survey. As stated in the new survey-registry of closed businesses “we can refer to a shut down epidemic in the market, which continued and increases like an infectious disease”. In Attika the ratio of closed to open businesses is 25,6%, meaning that 2.374 businesses have been closed in a total of 9.275.

The situation in the centre of Athens remains critical and even worse compared to last semester, as the ratio of closed businesses reached 29,6%, from 24,4% of August 2011 and 23,4% of March 2011. More critical seems to be the situation in Stadiou street (an Athenian main street) where the highest ratio is recorded with about 42% last semester it reached a 31,5%, one year ago a 33,8%, while in Trikoupi street the ratio reaches a 33,8%.



Businesses shutting down as a result of lack of cash-flow in the market. Asphyxiation in the market according to an ICAP survey.

Credit provisions to companies are reduced, increasing the asphyxiation in the greek market due to lack of cash-flow according to an ICAP survey. The survey took place as part of the Trade Exchange network launching and aims at helping businesses protect themselves from credit-related dangers.

The survey (5-25 April), which included 445 financial directors of the most important businesses of all sectors, indicates a rapid increase of insecurities (bad debt). 69,2% of the businesses confirmed a rapid increase of insecurities, 45,5% reduced the credit period as opposed to just 24,3% which increased credit period, which shows that in general credit conditions are becoming more restrictive with regard to their sales. They even prefer canceling a sale when clients are unable to comply with their credit policy.

A 74% of businesses set as a priority the protection of their viability compared to a 22,4% which set growth as main goal.

Moreover, it was also accrued that 43% of companies have reduced their investment related activities, while a small 22% have increased them, a result that is definitely affected by the financing needs.

### **10. Abysmal conditions in prisons**

The situation in the greek prison system is also abysmal with the largest congestion within the EU and an occupancy rate at 129,6%!

According to EU statistics there were 11.547 imprisoned people in greek prisons during 2009-2010. From them 27,4 remain a custodial imprisonment and the rest are convicts and minors at a 4,4%.

The alarming picture observed today with regard to the imprisonment conditions, especially congestion, the increase of prison population, increase of number of foreign detainees, high percent of people under custody, the existence of prisoners with mental and psychological disorders, and the increased numbers of deaths and suicides, is underlined in the text of the Green Bible for the

implementation of European union law in the field of imprisonment, which was published by the European Commission on June 2011.

From that Green Bible data, it is accrued that prison congestion is a serious problem in 13 state-members, with the higher congestion rates observed in Bulgaria, Italy, Cyprus, Spain and Greece. Especially for Greece based on 2009-2010 data the occupancy reached a 129,6%.

Hundreds of arrests from the Financial Police.

510 citizens arrested throughout the country have a debt reaching one billion euro. From the moment that Financial Police started operating, in order to trace state-debtors, 450 men and the rest women have been arrested, while the majority of 98% are Greek citizens. Moreover the majority of arrests (300) took place in Attika and Thessaloniki.

### **11. 7 out 10 young Greeks consider migrating.**

In the last years in Greece a phenomenon forgotten for decades has been rekindled and climaxes dangerously, namely the fact that thousands of Greeks are migrating in search of a better luck. Greece, that in the post war era was an immigrant exporting country, turned after 1990 into a country of reception, and yet now in the IMF era it is turned again into a country that exports immigrants.

Analysing the reasons (unemployment, collapse and impoverishment of Hellenic economy, total sale out of the country) that feed this phenomenon is at this point redundant. In this situation of total dead-end thousands of young –especially-people are ready to flee the country.

76% of Greeks believe that migration represents an ideal solution for the confrontation of the economic crisis, while 70% state that it is better when young people leave Greece, and believe that they cannot contribute to a better society by staying. These are the results of a Focus Bari survey on the subject “economic crisis through the eyes of 20 year olds” which emphasizes the migrating phenomenon that stems from the crisis.

## **12. Crisis reduces the life expectancy of Greeks.**

Experts anticipate a rapid increase of cardio-related diseases due to the economic crisis. According to scientists the close relation between crisis and cardio diseases has been proven repeatedly in other countries, and now the “experiment” is in progress in Greece, with Greeks participating involuntarily and paying it with their health.

As exhibited at the 27th International Convention for Clinical Cardiology, it is recorded that cardio-related diseases have significantly been increased in countries struck by crisis. Unemployment, despair and frustration have contributed decisively in the rapid increase of heart attacks and strokes in Greece as cardiologists estimate, who also underline that many patients give their treatment up or delay visiting their doctor because they cannot respond to the costs (visit and medication).

Strokes and heart-strokes in Greece “reap” as a result of economic crisis, impressive increase of unemployment, closing down of thousands of businesses and the citizens’ inability to pay bills and taxes, so the president of Hellenic College of Cardiology and Professor of Cardiology in University of Athens Dr.Ioannis Lekakis.

The scientists on the occasion of the 8th Annual International Convention of Cardiology explained that also depression causes a quadruplication of heart attacks and geminates strokes, which appear in a large percent of the greek population.

They also stressed that a severe problem, which was recently recorded, refers to the inability of many patients to receive proper medication, due to the needed –financial- participation in the expenses. This fact will cause great damage in the health of many, with unforeseeable and very dangerous consequences.

## **13. Crisis and mental diseases**

The consequences of crisis are also dramatic in the psychology of the Greeks, since there has been observed a large increase in attempted suicides, while the relation of psychological diseases to financial debts is direct. According to statistics of the Ministry of Health, in the period 2007-2011 an increase of 36% has been observed with regard to suicide attempts of desperate people.

Suicides also increased dramatically, given that in the first semester of 2011 suicides increased by 45% compared to the respective period of 2010. The evidence were presented in the 9th Panhellenic Convention on Public Health by the dean of National School of Public Health, G.Kyriopoulos. He mentioned:

Given that the indicators of suicides is often used as a meter for mental diseases, the situation regarding psychological health of Greeks is especially negative. 23% of persons with mental diseases have loans. Low income and low class are connected to the appearance of psychological diseases”.

Unemployed as well as persons facing the danger of unemployment belong to the high risk groups, together with the representatives of the so called weaker sex, that in the case seem to verify the given characterization, at least in matters of psychological endurance and health. Pensioners also belong to the collateral damages of the crisis as they are especially affected by its consequences on a psychic level.

#### **14. Recent European Commission findings.**

Unemployed in Greece increased by 8,7% during the first trimester of 2012 compared to the respective period of 2011, according to a European Commission report on the social situation in Europe. 64% of Greeks between 15-35 years of age declare their readiness to settle in another country to work, while the number of homeless people is estimated at 20.000.

Jobs in our country were reduced during the same period by 400.000, by 660.000 in Spain, 210.000 in Portugal and 180.000 in Italy.

The Commission states that Greece belongs to group of countries where a deterioration of employment rates in the fields of services and constructions is expected for the second semester of 2012.

Moreover, according to the Commission report during 2008-2011 unemployment among citizens of age between 55-64 was doubled in six member-states: Greece, Denmark, Ireland, Spain, Latvia and Lithuania.

Parallel 64% of Greeks at the age group 15-35 (27% short-term and 37% middle-term) declare their readiness to settle in another european country in order to work. The European average is 53%, while respective high rates are observed in Spain and Ireland (67%) as well as Portugal (57%).

The Commission describes the dim perspectives of the situation of homeless in Greece. As underlined in the report, in 2011 homeless in Greece were increased by 25% compared to 2009, and now amount to 20.000. Over 50% of them are traced in Athens and Piraeus (11.000 in total, 8.000 of them Greeks).

The homelessness problem also appears in cities like Chania, Herakleion and Trikala, as the Commission states.

It is underlined in the report that due to the crisis the number of homeless people with academic education that had a satisfactory life standard has grown, people that did not have psychological or addiction problems and cannot make do anymore, having lost their jobs.

The Commission also stresses that 68% of the Greek population is living under conditions of poverty (meaning with an income of less than 60% than average national income) and spend most of their income on paying the rent or housing loan.

Lastly, the Commission reports that social expenses in the second semester of 2012 are expected to shrink by 18%.

## **II. Legal evaluation**

According to Article 5 of the Statute of Rome which prescribes the crimes falling within the jurisdiction of the Court ;

*“1. The jurisdiction of the Court shall be limited to the most serious crimes of concern to the international community as a whole. The Court has jurisdiction in accordance with this Statute with respect to the following crimes:*

- (a) The crime of genocide;*
- (b) Crimes against humanity;*
- (c) War crimes;*
- (d) The crime of aggression”.*

The nature of these in abstracto numerated crimes, meaning the characteristics that compose their core is extrapolated in the articles to follow, in an effort to describe

in the possible extent, the behaviors that constitute the Court's *ratione materiae*. In that sense Article 7 is defining Crimes against humanity, enumerating certain acts and furthermore setting out two additional conditions: (a) the performance of these acts as part of a widespread or systematic attack directed against any civilian population, and (b) the knowledge of the attack. According to the aforementioned article the following acts -among others- are akin to crimes against humanity:

“ [..]

(b) *Extermination;*

(c) *Enslavement;*

[..]

(e) *Imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law;*

[..]

(h) *Persecution against any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender as defined in paragraph 3, or other grounds that are universally recognized as impermissible under international law, in connection with any act referred to in this paragraph or any crime within the jurisdiction of the Court;*

[..]

(k) *Other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health”.*

For purposes of further clarity paragraph 2 is construing these terms, clearly stating that the term

*"Attack directed against any civilian population" means a course of conduct involving the multiple commission of acts referred to in paragraph 1 against any civilian population, pursuant to or in furtherance of a State or organizational policy to commit such attack;*

*“ "Extermination" includes the intentional infliction of conditions of life, inter alia the deprivation of access to food and medicine, calculated to bring about the destruction of part of a population;”*,

and moreover that

*“ "Persecution" means the intentional and severe deprivation of fundamental rights contrary to international law by reason of the identity of the group or collectivity;”*

The first thing to be noted is that a crime against humanity must be part of a "widespread or systematic attack". The attack can be disjunctive in the sense that it can be widespread or systematic or widespread and systematic. The term "widespread" refers to the scale of the attack and the number of victims. It could relate to the broad magnitude of the results of the series of acts or may even relate to one act of extremely wide effect. In the same case it was held that the term "systematic" relates to the organized nature of the conduct concerned which will very often be evidenced by planning or organization by the accused. It is clear too that the attack on any civilian population need not be part of an armed conflict. In that sense the word "attack" here does not mean a military attack and **can include laws and administrative measures**. With regard to the direction of the attack against a civilian population, and therefore single, isolated, dispersed or random acts that do not rise to the level of crimes against humanity, and cannot be prosecuted as such. The presence of a few soldiers among the civilian population is not sufficient to deprive it of its civilian character. Third, they must have been committed pursuant to "a State or organizational policy".

Mindful that the Statute was drafted so that the most serious crimes of concern to the international community as a whole do not go unpunished and that their effective prosecution be ensured, in view of the fact that such grave crimes threaten

the peace, security and well-being of the world, it is evident that the jurisdiction of the Court is deemed to be part of the implementation of jus cogens—the highest standing in international legal norms. Thus, the protection afforded in relation to crimes against humanity constitutes a non-derogable rule of international law. The implication of this standing is that these crimes are subject to universal jurisdiction, meaning that all States can exercise their jurisdiction in prosecuting a perpetrator irrespective of where the crime was committed.

It should be stressed that these crimes consist of the most barbaric atrocities and humiliations, and fall outside the legitimate realm of sovereign self-determination. Crimes against humanity assault the individuality by attacking a person solely because of the groups to which he/she belongs, and they assault sociability by transforming political communities into death traps for their members-individuals. Moreover, crimes against humanity are closely related to the crime of genocide, yet broader in scope, in that they encompass attacks on a wide range of civilian populations, whereas the crime of genocide is confined to national, ethnic, racial, or religious groups.

In the present case, which is brought to you so as to undergo the Court's duly investigation, it is evident –in view of the facts that have already been analyzed- that the Greek people have become the victims of such a crime. They suffered a systematic attack directed against their civil and human rights, property, dignity, prosperity and well-being, which assumed the form of the official EU-IMF fiscal policy, thus forced to conceive a series of violations in the name of financial and mainly statistical correction.

The attacks –as analytically displayed under the I section- have caused unprecedented recession, impoverishment, unemployment, hunger, inability to access basic and primary healthcare and medication, pauperization of seriously ill persons and their families, increase of homelessness, prison congestion under sordid conditions, the annihilation of business activity, a constant migration flow of young Greeks and have triggered a series of mental and psychic diseases that in many cases have been proven fatal in view of the multiplying suicides attempts.



In that sense the Greek people have become victims of extermination, which pursuant to article 7 of the Statue has caused the intentional infliction of conditions of life, in a serious manner that affects in many cases among others access to food and medicine. That the followed restrictive policy would bring about these catastrophic events could be foreseen and was indeed foreseen by some economists, was however undoubted and amply visible after the implementation of the first “correctional” measures. The degradation of living standards was imprinted on any serious analysis of the reality in Greece, while even the effectiveness of the fiscal plan was -with rigid arguments- questioned. It follows that the destruction of part of a population was foreseeable and in every event intended, or in other words calculated by those who conceived the grandiose scheme of our “salvation”. The statistical data provided to you depict exactly the dimensions of the extermination, which aims –having assumed various forms- the majority of Greeks.

Other than that, the Greek people have been also been *persecuted* as a whole, given that the measures enforced upon them resulted in the severe deprivation of the enjoyment of several rights such as respect of human dignity, protection of property, protection of workers rights, guarantee of existence-minimum, freedom to exercise a profession, protection of justified trust, access to healthcare, which in total led to the violent downgrading of the general level of human rights protection in Greece, forcing the majority of the population to live under derisory conditions.

It is therefore obvious that the exercised policy was aiming at the Greek population as a collective subject, since the population fell victim to this attack on the occasion only of its national identity. Moreover the attack is present and systematic as it has the characteristics of an organized and planned policy, and is implemented through the enforcement of international memoranda, dictated laws and administrative measures.

What especially should be taken into account is that: (a) the attack was launched willfully, (b) its results could and were indeed foreseen, (c) the attempted fiscal correction was from the beginning disproportionate and therefore ineffective, (d) it could be implemented with less violent measures, or during a longer transitional period that could relieve the inflicted collateral damages.

In this frame the role of the respondent persons was that they -together or individually- coerced with means of political violence the introduction and implementation of those measures that causally led to the *extermination* and *persecution* of the people of Greece, notwithstanding though knowing the consequences that would stem from their acts as well as the extent of the damage, and for that reason they are culpable for committing a Crime against Humanity, under article 7 of the Statute of Rome.

It should moreover be recognized that under the influence of the globally prevailing conditions, the concept of “attack” has been radically transformed and has assumed new possible forms. And while war, in its typical understanding, or war-like events have more or less been eradicated in the developed countries of the west world, following a consistent route of consolidation of diplomatic parley, it is however present in the form of financial warfare, which is a globalized manifestation of old-style imperialism upon domestic soil. And even though in that type of conflict there are -directly at least- no casualties, the results are equally catastrophic, affecting people, infrastructure, and causing degradation, displacement, moral and physical exhaustion, and in that sense they meet the prerequisites of atrocities, in other words of crimes against humanity.

### **III. Culpability of each of the persons against whom the present report/request is filed.**

With regard to the extent of responsibility of each of the perpetrators the following clarifications are essential.

Christine Lagarde as the head of IMF is together with the rest of the Troika members responsible for the drawing and the implementation of the plan that supposedly would bring about the country’s salvation. Even under the most optimistic scenario, the austerity measures being imposed on Greece have caused a recession so deep that the country will not be able to revive. Moreover the main principles contained in the bail-out plans are self-defeating and pointless. Forcing austerity on

Greece could cause debt levels to rise by severely weakening the economy while its €200bn debt restructuring could prevent Greece from ever returning to the financial markets by scaring off future private investors. From that follows that despite the broad and obvious inefficiency of the program to achieve the set goals, its initiators remain committed to its continuance and demand abidance to it, conscious of its devastating consequences, which are presumptuously overlooked. In that framework, Christine Lagarde's responsibility as managing director of the IMF are self-evident.

Yet almost 3 years after the first Memorandum, with the results of austerity measures visible to the whole world, Christine Lagarde while interviewed insisted that it is payback time for Greece and made it clear that the IMF has no intention of softening the terms of the country's austerity package. She even declared having more sympathy for children deprived of decent schooling in sub-Saharan Africa than for many of those facing poverty in Athens, and also that Greek parents have to take responsibility if their children are being affected by spending cuts, thus recognizing the terrible state of the Greek population, but refusing to contribute in its relief by the simple way of expanding the timeline of implementation. She then rounded up these statements after international outcry, but could not deflect the suspicion –turned into certainty- that the cruel policy followed, has solely a punitive and exemplary purpose and disregards the harm inflicted to the Greek people.

The same apply *mutatis mutandis* for German Chancellor Angela Merkel and Federal Minister of Finance Wolfgang Schäuble, who repeatedly reject protests about the rigid character of the program in an effort to enforce the spirit of fiscal discipline over the people of Europe, causing the impoverishment of an entire nation merely for symbolical reasons. Furthermore, it has been pointed out that Germany despite the transfer payments that had to operate as part of the bail-out plan in fact has benefited greatly from retaining Greece in the state of pariah, mainly for two reasons: on one hand the invasion of German capital institution in Greece is facilitated through the acceleration of privatization process, which -under the current circumstances of total depreciation of public property- cannot be advantageous for the Greek State, but would lead to a damaging expropriation of public property. On the hand the German State is benefited thanks to the zeroing of German borrowing costs, resulting from the ongoing turmoil in finance markets and the relevant hesitation of investors to trust the insolvent countries of the European South. It is characteristic that quite recently the

German State borrowed 3,9 billion euro offering a negative interest rate of -0,012%, meaning that investors actually have to pay in order to be able to loan their money(!), when on pre-crisis year 2002 the ten years bond offered a lucrative 5% interest rate. In that manner the financial benefits for Germany surpass the ostensible losses (given that the money offered to Greece represent, being a loan, a revocable transfer of financial power) thus clarifying that the continuance of the crisis is bringing about major opportunities of dominance for Germany as a creditor.

Regarding Manuel Baroso and Herman Van Rompuy, both institutional organs of the European Union, set to protect and defend the common interest of state-members, it is evident that they have derogated from their duty to stand with solidarity next to Greece, and have allowed the economic crisis to take the proportions of a humanitarian crisis through their acts and omissions. In cooperation with Christine Lagarde, Angela Merkel, and Wolfgang Schäuble they victimized the Greeks and rendered them into scapegoats of the European Union, particularly in relation to “Greek statistics” (term which prevailed in the vocabulary of the financial and political world and gained a new, autonomous meaning referring to fraud and deception), in order to provide cover for the failure of the European Statistical Agency (Eurostat) to fulfill its goals by monitoring the compliance of member-states to the existing restrictive fiscal policy. In other words they preferred to manipulate Greek people and cause their exemplary punishment and degradation so as to obviate the humiliation of the Agency.

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In view that according to Article 4 the Court may exercise its functions and powers, on the territory of any State Party and, by special agreement, on the territory of any other State.

In view that the Court applies in the first place, the Statute, Elements of Crimes and its Rules of Procedure and Evidence, and in second place, where appropriate, the applicable treaties and the principles and rules of international law, including the established principles of the international law of armed conflict. Having in mind that general principles of law derived by the Court from national laws of legal

systems of the world are also objects of interpretation, including as appropriate, the national laws of States that would normally exercise jurisdiction over the crime, provided that those principles are not inconsistent with the Statute and with international law and internationally recognized norms and standards.

Having in mind that the application and interpretation of law pursuant to Statute must be consistent with internationally recognized human rights, and be without any adverse distinction founded on grounds such as gender as defined in article 7, paragraph 3, age, race, colour, language, religion or belief, political or other opinion, national, ethnic or social origin, wealth, birth or other status.

In view of the fact the Statute applies equally to all persons without any distinction based on official capacity. In particular, official capacity as a Head of State or Government, a member of a Government or parliament, an elected representative or a government official shall in no case exempt a person from criminal responsibility under the Statute, nor in and of itself, constitutes a ground for reduction of sentence. Moreover immunities or special procedural rules, which may attach to the official capacity of a person, whether under national or international law, do not bar the Court from exercising its jurisdiction over such a person.

**F o r a l l t h e a b o v e r e a s o n s**

**W e r e q u e s t :** the initiation of an investigation against Christine Madeleine Odette Lagarde, Angela Dorothea Merkel, Wolfgang Schäuble, José Manuel Durão Barroso and Herman Achille Van Rompuy for committing individually or together, crimes against humanity as a part of an organized attack against the people of Greece.