

# Germany is the biggest debtor in Europe!

**Immediate compensation for all victims of National Socialism in Greece!**



*Demonstration of the AK Distomo with representatives of victims' associations on 05.06.2015. The demonstration went from the Greek Parliament to the German Embassy.*

**T**ighten your belts even more! - is German finance minister Schäuble demanding of the Greek people. Up with VAT, down with pensions, „emergency plan“ for the budget, „saving“ of „the economy“. Under the rule of „troika“ - now „institutions“ - 7.3 of nearly 11 million Greeks don't have any income from employment at their disposal any more. No longer the Greek governments (not to mention the Greek people) are deciding on the political and economic course of their country. Everybody's talking about Greece's debts. We're talking about Germany's guilt and German debts. Because in fact Germany is the biggest debtor in Europe.

Nazi Germany has caused more damage and evil in 12 years than the Federal Republic of Germany could ever atone for in 70 years. But only a miniscule fractional amount of the payment agreed on 1946 in the “Paris Agreement on Reparations” has been paid to the countries that have been attacked during World War II. The Federal Republic of Germany - as the legal successor to the fascist German Reich - has been and still is lacking the will to pay the reparations. Till this day any payment obligations for the many thousand civilian victims of the massacres committed by SS and Wehrmacht are rejected.

## **Greece is legally entitled to payment of reparations and repayment of the forced loan**

It is paradoxical. Greece needs money, but it has capital. This capital is in Germany and – as property of the German state abroad – in a number of (European) countries. For 70 years Germany has owed Greece a sum currently amounting to 278,7 billion Euros according to the Greek parliament 2015. On the one hand this capital stems from obligations out of the 1946 Paris Agreement on Reparations, that was fixed to 7.2 billion US dollars at the time of the agreement. This sum has not been paid back till this day. Moreover, Germany owes Greece the repayment of the so-called „forced loan“. 1942 the Bank of Greece was forced to hand over its foreign currency reserves to the NS occupation forces. At the end of WWII the sum amounted up to 476 Million Reichsmark according to the Foreign Ministry of the German Reich in April 1945 and was supposed to be paid back after an ending of the war. So the repayment of the forced loan does not constitute the payment of reparations, but the payment of a loan. Nothing has been paid so far.

## **The Greek victims of National Socialism have a separate legal title to payment of damages**

Independent of reparations and the forced loan, Germany owes compensation for the massacres committed during the NS occupation of Greece, in which at least 30.000 victims lost their lives, whole villages and thousands of livelihoods were destroyed. To this date these crimes have not been compensated.

The survivors and the relatives of the victims of the massacre in Distomo – a village which honors and remembers its 218 victims every year on June 10th since 1944 when the massacre took place – have successfully sued Germany for 28 million € compensation before Greek courts. Since the decree of the judgement in 1997 there are interests to be paid on this sum. But Germany does not pay, instead it's pleading for „state immunity“, whereupon Germany must not be convicted before foreign courts. Due to the political and economic pressure of the German

government the judgement has not been executed till this day.

But the Distomo plaintiffs did not give up and were suing for the enforcement of their titles before Italian courts. After years of fighting in Italy against the Federal Republic of Germany the Italian Constitutional Court has strengthened their position and German state property in Italy was seized. Meanwhile the whole sum of compensation for Distomo has been seized on the Deutsche Bahn account in Italy for the purpose of enforcement. But despite supreme courts' decision Germany still does not want to pay. Germany objects through representatives of the Deutsche Bahn AG, that the Deutsche Bahn AG is a company of private law and is not liable for public debts. Legally this is wrong. The Deutsche Bahn AG is a 100% property of the Federal Republic of Germany, therefore it is in itself public property and therefore is liable just like the state itself. As long as this question is not been judged by the Italian courts, the seized sum of compensation cannot be given over to the victims.

## **Claims of the Jewish Community of Thessaloniki**

Like the Distomo claims for compensation also the claims of other groups of victims of NS war crimes are also rejected: the claims of the Greek Jews. The Jewish Community of Thessaloniki was one of the oldest communities in Europe. Between March and August 1942 nearly 50.000 Greek Jews have been transported in 19 freight trains of the Deutsche Reichsbahn to the Auschwitz-Birkenau concentration camp. Some other trains went to the death camp Treblinka. Every victim of this deportation was forced to pay for the tickets into death. The Jewish Community of Thessaloniki and the Initiative „Zug der Erinnerung“ (train of remembrance) demand from the Deutsche Bahn AG the immediate refund of this criminally attained money. Also in this case the Deutsche Bahn AG refuses to pay by maintaining the view, that it is not the German state and therefore would not be liable.



*Argyris Sfountouris speaking to young people at the Memorial Day of Distomo in June 2015.*

## **The “Two plus Four”- Treaty cannot nullify neither the Greek claims for reparations nor the NS victims’ entitlements to damages**

The Greek reparation claims fixed 1946 in the “Paris Agreement on Reparations” have been deferred to the Federal Republic of Germany in 1953 at the London Debt Agreement until the conclusion of a peace treaty. But a „peace treaty” has never been signed... Instead, since 1990 the „Treaty on the Final Settlement With Respect to Germany“ - called „4-plus-2-treaty“ - entered into force, Germany argues that this treaty had settled the reparation question for good, because it has not been settled in the treaty (!). This argument is legally absurd. Aside from the fact, that treaties at the expense of third parties – Greece was not contracting party – are legally void under contract law as well as under international treaty law, it's not about reparation claims but about compensation claims of the victims of the NS reign of terror – and these are claims of individual law, which every single person concerned can bring in charge against the

German state – without being limited by international treaties.

In the last years, German President Joachim Gauck, Foreign Minister Steinmeier and the President of the European Parliament, Martin Schulz, have travelled to the sites of the biggest NS-massacres in Oradour (France), Sant’Anna di Stazzema (Italy), Lyngiades (Greece) and have professed – sometimes in moving words - Germany’s guilt. But by Germanys interpretation of the “Two Plus Four Treaty” of 1990 as eradication of the victims’ claims to damages these pretty words proof to be pure lip-services and ridicule the victims of fascist crimes.

## **Diversions of the German government**

Currently the German government is going on the offensive by establishing various associations like “Deutsch-Griechische Versammlung” (German-Greek assembly), “Deutsch-Griechisches Jugendwerk” (German-Greek youth foundation) and “Deutsch-Griechischer Zukunftsfond” (German-Greek

future fund). The objective of these associations is to shape the view of the Greek communal officials and people and convince them, that Germany is committed to promote the German-Greek peoples' friendship and therefore spends several million euros. The message to be conveyed is that Germany uses its best endeavours to rehabilitate the Nazi crimes, but that 70 years after World War II there is no longer any entitlement for the Greek claims for compensation. It is a hypocritical commitment that in fact only serves the purpose to steal away from historical and financial responsibility.

### **To enforce the claims to damages against Germany enhances peace**

The enforcement of valid individual entitlements to damages is not only a self-evident act of justice. It also serves as a warning to today's warmongers, that crimes against international law and crimes against humanity cannot be settled with sweet words and that the wrongdoer – however powerful he might have become in the meantime – has to take responsibility for the injustice and destructions done, even after more than 70 years.



*Maria Pantiska, a woman from the village of Distomo. Her family was killed by German soldiers. The photo has been taken 4 months after the Distomo Massacre.*

*Image taken by Dmitri Kessel.*

**Immediate compensation of all victims of National Socialism!**  
**No forgiveness for Nazi Crimes!**  
**Remembrance of antifascist resistance!**  
**Joint action against the renaissance of Fascism in Europe!**

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