



PRESS RELEASE

Europolis puts German Constitutional Court in the Dock

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The Constitutional Court of Germany will have to face a judicial review of its proceeding in the case of the financial aid for Greece and the European Financial Stabilisation Mechanism before the European court for human rights. This action seems unavoidable to the plaintiff group *Europolis* after the Constitutional Court of Germany had not admitted the constitutional complaint of June 29th 2011. *Europolis* regards this negligence as an infringement of the constitutional rights to a hearing and statutory judge.

“Appealing to the European Court for human rights is the one and only option for us” declares *Professor Markus C. Kerber*, the attorney of the *Europolis* group consisting of more than 50 petitioners. This step is necessary because the Constitutional Court decided on the request for preliminary injunction of the Portugal financial aid only after the German government’s approval. Moreover the group argues that questions concerning European law have not been submitted by the Constitutional Court to the Court of Justice of the European Union for preliminary ruling. This infringes article 267 TFEU.

The oral proceeding on July 5th 2011 was not in line with the common legal requirements. The Court had clarified that the crucial questions of the economic suitability of the European financial rescue plan would not be under consideration. Also, the alleged voidness of the loan facility agreements because of infringement of European law as well as the illegal purchase of government bonds by the European Central Bank system had been ignored by the Constitutional Court.

“The refusal to allow the complainants to realise constitutional claims infringes the right of due process and a fair trial guaranteed by the European Convention on Human Rights. That requires a legal clarification by the European Court of Human Rights” declares *Kerber*.

For more information go to www.europolis-online.org

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Europolis is a German initiative aiming at a new kickoff of European policy. *Europolis*’ ambitions are: daring more competition, ensuring institutionally the stability of currency and prices, promoting the consolidation of public finances and giving priority to the principle of subsidiarity.