

Maria Padiska Distomo 1944

# September 12 –16, 2011 Germany Vs. Italy Before The International Court Of Justice In The Hague

## No State Immunity For Nazi War Crimes!

## Off To The Hague!

### Tens of thousands of civilians were murdered

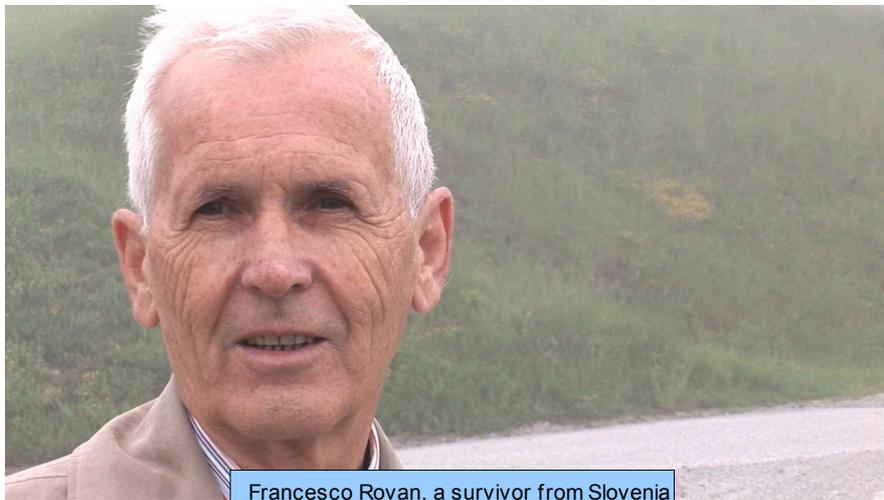
Tens of thousands of civilians were massacred or killed by the Wehrmacht or embedded SS units during the Nazi occupation of Greece and Italy during the Second World. Tens of thousands who were coerced to perform forced labor in Germany. They all remain unitedly affected by the fact that the successor state to the criminal "Third Reich", the Federal Republic of Germany, has not paid any compensation to them. Not a cent for the burned down houses, for destroyed villages, no compensation for the loss of murdered parents, children, siblings. No compensation for years of forced labor exploitation (Only a small part of a former Nazi forced laborers received symbolic payments of the Foundation EVZ). The principle of the official German "reparations" policy is: Sunday rhetoric and a culture of remembrance yes, but no acknowledgement of the legal bond - and, the money stays here.

### Germany denies any compensation

Sick of waiting, hundreds have sued Germany during the past two decades winning the suits at the highest courts in Greece and Italy. The judgements uniformly declare State Immunity (as asserted by Germany) as invalid for the criminal activities of the occupying power. Germany owes the former forced laborers, survivors and kinsmen and -women of the massacres in Distomo, Kalavryta, Civitella, Marzabotto, Falterona, Mommio, Cavarolo, Monchio, Morello many millions of Euros by now. But Germany continues to cheat the victims out of their rightful legal claim.

### Greece and Italy: there is a legal right of the victims

The survivors of the massacre committed by German SS troops in the greek village of Distomo, where on June 10, 1944, 218 people were murdered, won the case against Germany at the highest court in Greece (Areopag) as early as in 2000, according to which Germany is legally obligated to pay ca 28 million Euros plus interest to the plaintiffs. The German government prevented the implementation and coerced the Greek government to halt the forced sale of real estate (Goethe-Institute).



Francesco Rovani, a survivor from Slovenia

After a sensational decision in June 2008, the Supreme Court in Rome finally allowed the enforcement of claims by dissolving German state properties in Italy. Thusly the victims of the massacre of Distomo, Greece began with the seizure of the Villa Vigoni on Lake Como, owned by the German state. Germany, how-

ever, objected at the International Court of Justice in The Hague and demanded the court "to stop Italy's unlawful practice to further infringe on Germany's sovereignty." Furthermore, the court was requested to ascertain that private individuals had no authorization to file suits at the courts of one country against another one. With this claim Germany is attempting to counteract the independent Italian judiciary and to undermine Italy's sovereignty. Moreover, Germany is trying to extract itself from its financial obligation for its history.

### Germany is trying to get away from responsibility

Germany wants to thwart the action with the independent Italian justice with the help of the UN World Court, will undermine sovereignty of Italy and



Argyris Sfountouris, a survivor from Greece

steal yourself from financial responsibility for its history. In the proceedings before the International Court, the victims of Nazi crimes, the survivors and relatives, have no participation rights. Their arguments will not be heard and they do not have a right to motion. The process itself depicts the attempt to enforce the German hegemony: The International Court of Justice should not be responsible to allow one country to interfere with the jurisdiction of another.

It would be a devastating signal also pertaining to current wars (like Afghanistan) as well as future wars if Germany were to be declared not liable for the compensation of victims of the NS-war crimes. This is to be prevented.

Therefore we will protest at the International Court, alongside the Greek, Italian and Slovenian victims of Nazi Germany for the imminent payment of compensation.

**For the immediate compensation of all NS victims! No State immunity for war crimes!  
Dismissal of Germany's lawsuit by the International Court!**

**Preliminary program in The Hague:**  
**Sunday, September 11, 2011:**  
8.00 pm : Information and discussion event at the Autonomous Centre, Willem van Outhoornstraat 17  
**Monday, September 12, 2011:**  
9.00 am: Demonstration in front of the International Court of Justice (Carnegieplein 2)  
10.00 am - 1.00 pm : Attendance at the court and Info Point in front of the court  
**Tuesday, September 13, 2011:**  
10.00 am – 1 pm: Visit to court proceedings



Luigi Ferrini, a survivor from Italy with his lawyer Joachim Lau

For more information and event updates to to: <http://www.nadir.org/nadir/initiativ/ak-distomo/>  
For attending the court hearing an application required until 9 September 2011 here:  
<http://www.icj-cij.org/docket/files/143/16590.pdf>



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