

Criminal complaint and request for prosecution for kidnapping and persecution of innocent people<sup>1</sup>

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with reference to the quote from **Federal Minister of Justice Dr. Marco Bushman** on **freedom of the press** and and the **protection of journalists**, on 03. May 2022 to the day of the freedom of the press, literally

**Quote | Date May 3, 2022 | Person Dr. Marco Buschmann**

**"Only with a free and independent press can there be informed democratic decision-making. In times of war and crisis, this is more important than ever. Where free reporting is suppressed, democracy dies."**

Federal Minister of Justice Dr. Marco Buschmann on Press Freedom Day:

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"Only with a free and independent press can there be informed democratic decision-making. In times of war and crisis, this is more important than ever. Where free reporting is suppressed, democracy dies.

The shutting down of the free press in Russia shows the Russian leadership's fear of the truth of this war. The fact that this does not remain hidden from us is also thanks to journalists who are currently going about their work at the greatest risk to themselves and their lives, reporting on the situation of the people on the ground and the horrific atrocities in Butscha and other places.

But we must also remain vigilant in Germany. Attacks on journalists are on the rise and threaten public discourse. We must enable journalists to have the best possible protection so that they can pursue their work freely and without restriction."

Source: [https://www.bmj.de/SharedDocs/Zitate/DE/2022/0503\\_Pressefreiheit.html](https://www.bmj.de/SharedDocs/Zitate/DE/2022/0503_Pressefreiheit.html)

and referring to the **statement of the Federal Ministry of Justice on the International Criminal Code** of 23 February 2023, verbatim

**Key Points of the Federal Ministry of Justice  
on the further development of international criminal law**

Germany is a particularly efficient constitutional state. For this reason alone, it is right that its rule-of-law institutions are particularly committed to the prosecution of the most serious crimes against humanity, especially genocide, crimes against humanity and war crimes. Moreover, Germany bears a special historical responsibility. Given Germany's history, it would be intolerable if war criminals found a safe haven in Germany, of all places. This is the reason why we have enshrined in the German International Criminal Code (VStGB) the so-called world law principle for the prosecution of genocide, crimes against humanity and war crimes.

The VStGB has proven its worth. The investigative work of the Attorney General as well as the case law of the higher regional courts and the Federal Supreme Court enjoy worldwide recognition. Today, the German judiciary plays a pioneering role in the prosecution of crimes under international law. Germany is also particularly committed to the prosecution of war crimes committed in Ukraine. As early as March 2022, the Federal Prosecutor General at the Federal Supreme Court initiated a structural investigation procedure in connection with the war in Ukraine. The aim of this procedure is to gather evidence and identify possible perpetrators. German investigating authorities are currently securing and reviewing image and video material and interviewing witnesses. We must assume that the investigations will take years, but we are aware of the special importance of being able to

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punish war crimes in Ukraine. The investigations into war crimes in Syria also took a long time, but were successful in the end and led to convictions. To this end, the German investigative authorities also exchange information closely with the Office of the Chief Prosecutor of the International Criminal Court and with the prosecution offices of other states as well as non-governmental organizations.

Building on the experience gained over the past two decades and in view of the current challenge posed by Russia's war of aggression, international criminal law is to be further developed and strengthened. Specifically, the aim must be to close criminal liability gaps, strengthen victims' rights and improve the broad impact of international criminal law. To achieve these goals, the Federal Ministry of Justice proposes the following.

#### A. Expanding the Jurisdiction of the International Criminal Court

The jurisdiction of the International Criminal Court (ICC) over the crime of aggression is currently limited; it extends only to nationals of states party to the Rome Statute (Article 15bis of the Rome Statute). This limitation leads to painful gaps in punishability, especially in view of the war of aggression against Ukraine, which is contrary to international law. This is because the Russian Federation is not a party to the Rome Statute. The Federal Ministry of Justice therefore supports an expansion of the ICC's jurisdiction. This would simultaneously strengthen its position. However, an amendment to the Statute necessary for this is **probably not feasible in the short term**. Therefore, we must not close our minds to alternatives that would make the law enforceable.

#### B. Further Development of German International Criminal Law: Procedural Aspects

##### I. Right of accessory prosecution for victims of crimes under the VStGB

**Victims of offenses under Section 7 VStGB (crimes against humanity) and Section 8 VStGB (war crimes against persons) are to be newly included, with exceptions, in the list of offenses under Section 395 (1) of the Code of Criminal Procedure (StPO).** This would give victims of these offenses, which also protect individual legal interests, the opportunity to join criminal proceedings conducted in Germany for such VStGB offenses as joint plaintiffs.

Persons who have been admitted as joint plaintiffs on the basis of sections 7 to 8 of the VStGB are also to be newly included in the catalog of section 397a (1) of the Code of Criminal Procedure. This amendment is intended to ensure that **victims of these VStGB offenses are entitled, without any further prerequisites, to have a victim advocate** assigned to them as joint plaintiffs upon request, irrespective of the prerequisites for legal aid.

In Section 397b (1) of the Code of Criminal Procedure, which allows for joint representation of joint plaintiffs with similar interests, is to be amended to clarify that the standard example contained in Section 397b (1) sentence 2 of the Code of Criminal Procedure is expressly supplemented to include similar interests in VStGB proceedings.

§ Section 406g (3) of the Code of Criminal Procedure is to be amended **with the result that**

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**victims of Sections 7 to 8 of the Criminal Code who are admitted as joint plaintiffs are to be assigned a psychosocial guardian ad litem at their request without any further requirements.** Victims of VStGB crimes in particular appear to be so in need of protection that they should be granted such a particularly intensive and professional non-legal support option in addition to legal assistance.

## II. Interpretation for Media Representatives in Court Proceedings

**§ Section 185 of the German Judicature Act (Gerichtsverfassungsgesetz, GVG)** on the use of interpreters is to be **amended** to clarify **that media representatives in court proceedings may use interpretation if they are not proficient in German.** This is to ensure that foreign and non-German-speaking media can also report first-hand on the proceedings.

## III. Video recording for scientific and historical purposes

**For scientific and historical purposes,** video recordings are to be made possible in proceedings of outstanding contemporary historical significance **in addition to the audio recordings** already provided for in Section 169 (2) GVG. In order to reduce the organizational burden in criminal proceedings, Section 273 StPO-E is **to be adapted in the draft law on the digital documentation of the main criminal trial** to the effect that the **audiovisual recordings made anyway as part of the digital documentation of the main criminal trial may be used for scientific and historical purposes.**

In addition, Section 169 (2) GVG is to be amended in the sense that the prerequisite for the **admission of recordings** is merely "proceedings of outstanding contemporary historical significance", **without the significance having to relate to the Federal Republic of Germany.** This clarifies that proceedings in the field of international criminal law relating to acts committed abroad are also covered.

## IV. Translation of judgments in the field of international criminal law

In recent years, the **German judiciary** has succeeded in taking a **pioneering role** in the prosecution of crimes under international law. In particular, the conviction of an Iraqi IS member for the crime of genocide by the Higher Regional Court of Frankfurt am Main and the conviction of two Syrian intelligence service personnel for crimes against humanity by the Higher Regional Court of Koblenz have advanced the **jurisprudence in international criminal law in a historic manner.**

With the aim of disseminating **national judgments with references to international criminal law** and thus **contributing to the further development and strengthening of international criminal law** and its application, the Federal Ministry of Justice will have landmark judgments on international criminal law translated into English so that non-German-speaking judiciaries and legal scholars around the world will also have access to them.

## **C. Further Development of German International Criminal Law: Material Aspects**

### I. Adaptation of the VStGB with regard to sexualized, reproductive and gender-based violence

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The **crime against humanity** is to be adapted in § 7 paragraph 1 number 6 VStGB as follows: Due to the considerable wrongful content of the act as well as the increasing importance of the offense in the jurisprudence of the International Criminal Court (ICC), the **offense of sexual slavery** shall be included in crimes against humanity. These amendments are also to be made with regard to war **crimes against persons** in Section 8(1)(4) of the Criminal Code. These amendments serve to close gaps in criminal liability and ensure **consistency** with the corresponding norms of the Rome Statute of the ICC.

II. Adaptation of the VStGB with regard to the supplemented Article 8 of the Rome Statute  
By Act of December 8, 2022, the federal legislature approved the **amendments to the Rome Statute** adopted by the Assembly of States Parties to the ICC. The **new elements of the crime of using weapons whose fragments cannot be detected with X-rays and the use of permanently blinding laser weapons**, which were added to Article 8 of the Statute, are also to be **incorporated into the VStGB**. In this way, Germany will contribute to the formation of customary international law and **increase acceptance in the international community of states** by making its own progress in these elements of crime.

Source: [https://www.bmj.de/SharedDocs/Downloads/DE/News/PM/230223\\_Eckpunkte\\_VStGB.pdf?\\_\\_blob=publicationFile&v=2&fbclid=IwAR0Zs3qUAFDgW4fX8tHIy6i78scHd3ETeOVOTove4OqYIUVEd-PD1fCy1YI](https://www.bmj.de/SharedDocs/Downloads/DE/News/PM/230223_Eckpunkte_VStGB.pdf?__blob=publicationFile&v=2&fbclid=IwAR0Zs3qUAFDgW4fX8tHIy6i78scHd3ETeOVOTove4OqYIUVEd-PD1fCy1YI)

the author of this text files a criminal complaint with a request for prosecution

against

**all in the robbery of the author's two sons, in their alienation and abuse,**

**all those involved in the persecution, defamation, ostracism of the author, in the bringing and carrying out of all SLAPP trials against the author and in her punishment, in deliberate false statements and omissions of assistance, whether intentional or not, as**

- mother, deprived of her children and separated and (completely) estranged from her children to this day
- Educator

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- Founder and President of ARCHE
- 1st chairwoman of ARCHE e.V. Waldbronn and
- 1st chairwoman of ARCHE e.V. Weiler i.Gr.
- non-partisan over decades engaged local politician, for children, families and nature and environmental protection realizing creative personality
  - a) creator of the list "Die Grünen" in the municipality of Keltern
  - b) Founder of the Free Voters Keltern
  - c) Founder of the voters' association "WIR-IN-WEILER", ibid
- (Co-)Founder of the INTERNATIONAL ASSOCIATION OF HUMAN RIGHTS DEFENDERS (IAoHRD)
- Founder of FREE - Free Energy Work and leader of seminars and trainers of free communication courses
- Freelance journalist for the clarification of the human rights crime "child robbery [not only] in Germany - parent-child alienation - Parental Alienation Syndrome", called kid - eke - pas for short, and worldwide active networker
- Rapporteur of the ARCHE for the clarification of the human rights crime "Kinderraub [nicht nur] in Deutschland - Eltern-Kind-Entfremdung - Parental Alienation Syndrome" since
  - **2014** to the **German Bundestag (DB)**, to **Members of the European Parliament (EP)** in Brussels and to the **Petitions Committee (PETI) of the European Parliament**
  - **2018** to the **United Nations** in New York and Geneva (UN)
  - **2018** to the **Allies**, to the **U.S. and Russian military** and to the U.S. Criminal Investigation Division, in time and in part to the **embassies** of the countries represented in Germany and to the International Press
  - **2020** to the **Human Rights Council** in Geneva (UNHRC)
  - **August 2020** to the **Federal Constitutional Court in Karlsruhe (BverfG)**
  - **February 2021** to the **North Atlantic Treaty Organization (NATO)**, **Federal Criminal Police Office (BKA)** and **State Criminal Police Office (LKA)** and other **police authorities**

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- **May 2021** to the **International Criminal Court (ICC)**
- **October 2021** to the **European Commission Press Office - SLAPP lawsuits** (Strategic Lawsuits against Public Participation) and **U.S. Greenpeace anti-SLAPP coalition** (building resilience against SLAPPs in Europe)
- **November 2021** to the **National and International Press**
- **December 2021** to the **embassies of the countries represented in Germany**
- **November 2022** to the **German Armed Forces, Press Spokesman German Armed Forces Association, German Armed Forces Staff Corps, Federal Ministry of Defense, Federal Ministry of Justice, Office of the Federal President, etc., European Public Prosecutor's Office (EUSTA), English European Public Prosecutor's Office (EPPO)**
- **December 2022** to all **law faculties in Germany, etc.**
- **February 2022** to **Public Prosecutor's Office of Salzburg, to District Court Zell am See**

**parties involved**

**for**

**HUMAN ROBBERY AND ASSISTANCE TO HUMAN ROBBERY - Criminal Code**

## **Criminal Code**

Special Part (§§ 80 - 358)Section 18 - Offenses against Personal Liberty (§§ 232 - 241a)

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## **§ 234**

### **Kidnapping**

(1) Whoever seizes another person by force, by threat of a grievous evil or by trickery in order to abandon him in a helpless situation or to bring him to serve in a military or military-like institution abroad shall be punished by imprisonment from one year to ten years.

(2) In less serious cases, the punishment shall be imprisonment from six months to five years.

Source: <https://dejure.org/gesetze/StGB/234.html>

## **PEOPLE KILLING AND ASSISTANCE TO PEOPLE KILLING - International Criminal Code**

### **International Criminal Code**

Part 2 - Crimes against International Law (§§ 6 - 14) Section 1 - Genocide and Crimes against Humanity (§§ 6 - 7)

## **§ 6**

### **Genocide**

(1) Whoever, with the intent to destroy, in whole or in part, a national, racial, religious or ethnic group as such,

1. kills a member of the group, 2. inflicts serious bodily or mental harm on a member of the group, in particular of the kind described in Section 226 of the Criminal Code, 3. places the group under conditions of life likely to bring about its physical destruction in whole or in part, 4. imposes measures intended to prevent births within the group, 5. forcibly transfers a child of the group to another group, shall be punished by life imprisonment.

(2) In less serious cases referred to in paragraph 1, items 2 to 5, the punishment shall be imprisonment for not less than five years.

Source: <https://dejure.org/gesetze/VStGB/6.html>

## **CRIMES AGAINST HUMANITY - International Criminal Code**

## **International Criminal Code**

Part 2 - Crimes against International Law (§§ 6 - 14)

Section 1 - Genocide and Crimes against Humanity (§§ 6 - 7)

### **§ 7**

#### **Crimes against humanity**

(1) Whoever, in the course of a widespread or systematic attack against a civilian population.

1. kills a human being
2. with the intention of destroying a population in whole or in part, places the population or parts thereof in conditions of life likely to bring about its destruction in whole or in part
3. trafficking in human beings, especially in a woman or a child, or who in any other way enslaves a human being and thereby usurps a right of ownership over him or her,
4. expels or forcibly transfers a human being lawfully present in a territory by deporting or otherwise forcibly transferring him or her to another state or territory in violation of a general rule of international law,
5. tortures a person in his or her custody or otherwise under his or her control by inflicting substantial bodily or mental harm or suffering on him or her other than as a mere consequence of sanctions permitted by international law,
6. sexually coerces or rapes another human being, coerces him or her into prostitution, deprives him or her of the ability to procreate, or, with the intent to influence the ethnic composition of a population, imprisons a woman who has been impregnated through the use of coercion,
7. forcibly disappears a human being with the intention of removing him or her from the protection of the law for a prolonged period of time,
  - (a) kidnaps him or her on behalf of or with the approval of a State or political organization or otherwise seriously deprives him or her of physical liberty, without thereafter immediately providing truthful information about his or her fate and whereabouts when requested to do so; or
  - b) on behalf of the state or the political organization or contrary to a legal obligation, refuses to provide information without delay about the fate and whereabouts of the person deprived of his physical liberty under the conditions of letter a, or provides false information in this regard,
8. inflicts serious physical or mental harm on another person, in particular of the kind specified in Section 226 of the Criminal Code,
9. seriously deprives a person of physical liberty in violation of a general rule of international law; or
10. persecutes an identifiable group or community by depriving it of fundamental human rights or substantially restricting them on political, racial, national, ethnic, cultural or religious grounds, on grounds of sex or on other grounds recognized as inadmissible under the general rules of international law, shall be punished in the cases referred to in paragraphs 1 and 2 with imprisonment for life, in the cases referred to in paragraphs 3 to 7 with imprisonment for not less than five

years and in the cases referred to in paragraphs 8 to 10 with imprisonment for not less than three years.

(2) In less serious cases of paragraph 1, item 2, the punishment shall be imprisonment for not less than five years, in less serious cases of paragraph 1, items 3 to 7, imprisonment for not less than two years, and in less serious cases of paragraph 1, items 8 and 9, imprisonment for not less than one year.

(3) If the perpetrator causes the death of a person by an act under paragraph 1 Nos. 3 to 10, the punishment shall be life imprisonment or imprisonment for not less than ten years in cases under paragraph 1 Nos. 3 to 7, and imprisonment for not less than five years in cases under paragraph 1 Nos. 8 to 10.

(4) In less serious cases referred to in paragraph (3), the penalty for an offense under paragraph (1) Nos. 3 to 7 shall be imprisonment for not less than five years, and for an offense under paragraph (1) Nos. 8 to 10 shall be imprisonment for not less than three years.

(5) 1 Whoever commits a crime under paragraph 1 with the intention of maintaining an institutionalized regime of systematic oppression and domination of one racial group by another shall be punished by imprisonment of not less than five years, unless the offense under paragraph 1 or paragraph 3 is punishable by a more severe penalty. 2 In less serious cases, the penalty shall be imprisonment for not less than three years, unless the act is punishable by a more severe penalty under paragraph 2 or paragraph 4.

Source: <https://dejure.org/gesetze/VStGB/7.html>

due to

## UNLAWFULNESS - International Criminal Code

### International Criminal Code

Part 1 - General provisions (§§ 1 - 5)

#### § 5

##### Statute of Limitations

The prosecution of crimes under this Act and the execution of sentences imposed for them shall not be subject to the statute of limitations.

Source: <https://dejure.org/gesetze/VStGB/5.html>

furthermore because of

**FAILURE TO COMPLY WITH THE NATURAL RIGHT OF PARENTS AND THE CLAIM OF THE MOTHER TO THE PROTECTION AND CARE OF THE COMMUNITY - Basic Law**

**Basic Law**

I. The Basic Rights (Art. 1 - 19)

**Art. 6**

- (1) Marriage and the family shall enjoy the special protection of the state.
- (2) 1The care and upbringing of children shall be the natural right of parents and their primary duty. 2The state community shall supervise their activities.
- (3) Children may be separated from the family against the will of the legal guardians only on the basis of a law, if the legal guardians fail or if the children threaten to become neglected for other reasons.
- (4) Every mother shall be entitled to the protection and care of the community.
- (5) Children born out of wedlock shall be provided by legislation with the same conditions for their physical and psychological development and their position in society as are provided for children born in wedlock.

Source: <https://dejure.org/gesetze/GG/6.html>

**NON-COMPLIANCE WITH FREEDOM OF PRESS AND OPINION - Basic Law**

**Basic Law**

I. The Basic Rights (Art. 1 – 19)

**Art. 5**

- (1) 1Everyone shall have the right freely to express and disseminate his opinions in speech, writing and pictures and to inform himself without hindrance from generally accessible sources. 2Freedom of the press and freedom of reporting by radio and film

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shall be guaranteed. 3Censorship shall not take place.

(2) These rights shall be limited by the provisions of general law, the legal provisions for the protection of minors and the right to personal honour.

(3) 1Art and science, research and teaching shall be free. 2The freedom of teaching shall not release from loyalty to the Constitution.

Source: <https://dejure.org/gesetze/GG/5.html>

## **CONSTITUTION OF THE DEMOCRATIC AND SOCIAL ORDER OF THE FEDERAL REPUBLIC OF GERMANY - Basic Law**

### **Basic Law**

II The Federation and the Länder (Art. 20 - 37)

#### **Art. 20**

(1) The Federal Republic of Germany is a democratic and social federal state.

(2) 1All state power shall emanate from the people. 2 It shall be exercised by the people in elections and votes and by special legislative, executive and judicial bodies.

(3) The legislature shall be bound by the constitutional order, the executive and the judiciary by law and justice.

(4) All Germans shall have the right of resistance against anyone who undertakes to eliminate this order, if no other remedy is possible.

Source: <https://dejure.org/gesetze/GG/20.html>

## **POPULAR INJURY - Criminal Code**

### **Criminal Code**

Special Part (§§ 80 – 358)

Section 7 - Offences against public order (§§ 123 - 145d)

#### **§ 130**

**Incitement of the people**

(1) Whoever, in a manner likely to disturb the public peace,

1. incites hatred, violence or arbitrariness against a national, racial, religious or ethnic group, against parts of the population or against an individual on account of his membership of a aforementioned group or part of the population, or

2. attacks the human dignity of others by insulting, maliciously disparaging or defaming a aforementioned group, part of the population or an individual because of his membership in aforementioned group or part of the population,

shall be punished by imprisonment for a term of three months to five years.

(2) A custodial sentence not exceeding three years or a monetary penalty shall be imposed on anyone who

1. distributes or makes available to the public any content (Section 11(3)) or offers, provides or makes available to a person under the age of eighteen any content (Section 11(3)) which

a) incites hatred against a group referred to in paragraph 1 number 1, against parts of the population or against an individual because of his or her membership in a group referred to in paragraph 1 number 1 or in a part of the population,

(b) incites acts of violence or arbitrariness against persons or groups of persons referred to in subparagraph (a); or

(c) attacks the human dignity of persons or groups of persons referred to in subparagraph (a) by insulting, maliciously disparaging or defaming them; or

2. produces, obtains, supplies, keeps in stock, offers, advertises or undertakes to import or export any content referred to in number 1 letters a to c in order to use it within the meaning of number 1 or to enable another person to make such use of it.

(3) Any person who, in public or at a meeting, approves of, denies or plays down an act of the kind described in Section 6 (1) of the International Criminal Code committed under the rule of National Socialism in a manner likely to disturb the public peace shall be punished by imprisonment not exceeding five years or a fine.

(4) Anyone who publicly or in a meeting disturbs the public peace in a manner that violates the dignity of the victims by approving, glorifying or justifying the National Socialist reign of violence and arbitrariness shall be punished with imprisonment of up to three years or a fine.

(5) Any person who publicly or at a meeting approves, denies or grossly trivializes an act of the kind specified in sections 6 to 12 of the International Criminal Code against one of the majorities of persons specified in paragraph 1, number 1, or against an individual because of his membership of one of these majorities of persons, in a manner likely to incite hatred or violence against such a person or majority of persons and to disturb the public peace, shall be punished with imprisonment for not more

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than three years or with a fine.

(6) Paragraph 2 shall also apply to content referred to in paragraphs 3 to 5 (Article 11(3)).

(7) In the cases referred to in paragraph 2, item 1, also in conjunction with paragraph 6, the attempt shall be punishable.

(8) In the cases of paragraph 2, also in conjunction with paragraphs 6 and 7, as well as in the cases of paragraphs 3 to 5, Section 86(4) shall apply mutatis mutandis.

Source: <https://dejure.org/gesetze/StGB/130.html>

## FORMATION OF CRIMINAL ASSOCIATIONS - Criminal Code

### Criminal Code

Special Part (§§ 80 - 358)

Section 7 - Offences against public order (§§ 123 - 145d)

#### § 129

##### Formation of criminal organizations

(1) 1A prison sentence not exceeding five years or a fine shall be imposed on anyone who forms or participates as a member in an association whose purpose or activity is directed towards the commission of criminal offences punishable by a maximum term of imprisonment of at least two years. 2A person who supports such an association or solicits members or supporters for it shall be liable to a custodial sentence not exceeding three years or to a monetary penalty.

(2) An association shall be an organized grouping of more than two persons for the purpose of pursuing an overriding common interest, which is intended to last for a longer period of time and is independent of any definition of the roles of the members, the continuity of the membership and the characteristics of the structure.

(3) Paragraph 1 shall not apply,

1. if the association is a political party which the Federal Constitutional Court has not declared unconstitutional
2. if the commission of criminal offences is only a purpose or activity of secondary importance, or
3. insofar as the purposes or activities of the association relate to criminal offences under sections 84 to 87.

(4) The attempt to found an association referred to in subsection 1 sentence 1 and subsection 2 shall be punishable.

(5) 1In particularly serious cases under paragraph 1, sentence 1, a custodial sentence of six months to five years shall be imposed. 2As a rule, a particularly serious case shall be deemed to exist if the perpetrator is one of the ringleaders or backers of the association. 3In the cases referred to in subsection 1, first sentence, a term of imprisonment of six months to ten years shall be imposed if the purpose or activity of the association is to commit criminal offences referred to in section 100b (2) number 1 letters a, b, d to f and h to o, numbers 2 to 8 and 10 of the Code of Criminal Procedure, with the exception of the criminal offences referred to in section 100b (2) number 1 letter h of the Code of Criminal Procedure under sections 239a and 239b of the Criminal Code.

(6) The court may refrain from imposing punishment under paragraphs (1) and (4) in the case of participants whose culpability is minor and whose participation is of minor importance.

(7) The court may, at its discretion, mitigate the punishment (Section 49 (2)) or refrain from punishment under these provisions if the offender

1. voluntarily and seriously endeavors to prevent the continued existence of the association or the commission of an offense in accordance with its objectives, or
2. voluntarily discloses his knowledge to an office in such a timely manner that criminal acts, the planning of which he knows, can still be prevented;

if the offender achieves his objective of preventing the continued existence of the association or if it is achieved without his effort, he shall not be punished.

Source: <https://dejure.org/gesetze/StGB/129.html>

## NECESSITY - Criminal Code

### Criminal Code

Special Part (§§ 80 - 358)

Section 18 - Offences against personal liberty (§§ 232 - 241a)

#### § 240

#### Coercion

(1) Any person who unlawfully coerces a person to perform an act, to tolerate an act or to refrain from an act by force or by threat of a serious evil shall be liable to a custodial sentence not exceeding three years or to a monetary penalty.

(2) The act is unlawful if the use of force or the threat of evil for the intended purpose is to be regarded as reprehensible.

(3) The attempt is punishable.

(4) 1 In particularly serious cases, the penalty shall be imprisonment from six months to five years.

2 As a rule, a particularly serious case shall be deemed to exist if the offender.

1. coerces a pregnant woman to undergo an abortion, or
2. abuses his authority or his position as a public official.

Source: <https://dejure.org/gesetze/StGB/240.html>

## **ABUSE OF OFFICE AND LAW ENFORCEMENT - Criminal Code**

### **Criminal Code**

Special Part (§§ 80 - 358)

Section 30 - Offences committed in office (§§ 331 - 358)

#### **§ 339**

##### **Perverting the course of justice**

A judge, another public official or an arbitrator who, in conducting or deciding a case, is guilty of bending the law in favor of or to the detriment of a party, shall be punished by imprisonment from one year to five years.

Source: <https://dejure.org/gesetze/StGB/339.html>

## **ABUSE OF OFFICIALS - Criminal Code**

### **Criminal Code**

Legislation taken into account: 04.04.2023

#### **§ Section 302 of the Criminal Code Abuse of official authority**

(1) A public official who, with the intent thereby to damage another's rights, knowingly abuses his authority to conduct official business in the name of the Federation, a Land, an association of municipalities, a municipality or another person under public law as its organ in execution of the laws, shall be punished by imprisonment from six months to five years.

(2) Whoever commits the act while conducting official business with a foreign power or a supranational or intergovernmental body shall be punished by imprisonment

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from one to ten years. Likewise, whoever causes damage exceeding 50,000 euros by the act shall be punished.

Source: <https://www.jusline.at/gesetz/stgb/paragraf/302>

## **INTENTIONAL AND NEGLIGENT ACT - Criminal Code**

### **Criminal Code**

General part (§§ 1 - 79b)

Section 2 - The offense (§§ 13 - 37)

Title 1 - Fundamentals of Criminal Liability (§§ 13 - 21)

#### **§ 15**

##### **Deliberate and negligent action**

Only intentional acts are punishable, unless the law expressly punishes negligent acts.

Source: <https://dejure.org/gesetze/StGB/15.html>

## **NON-Compliance with the Judges Act - German Judges Act**

### **German Judges Act**

Part One - Judgeship at Federal and State Level (Sections 1 - 45a)

Section Five - Special Duties of the Judge (Sections 38 - 43)

#### **§ 38**

##### **Oath of a Judge**

(1) A judge shall take the following oath in open court:

"I swear to exercise the office of judge faithfully to the Basic Law for the Federal Republic of Germany and faithfully to the law, to judge to the best of my knowledge and conscience without regard to person, and to serve only truth and justice, so help me God."

(2) The oath may be administered without the words "so help me God."

(3) The oath may include a commitment to the state constitution for judges in the state service and may be taken in public in another manner instead of before a court.

Source: <https://dejure.org/gesetze/DRiG/38.html>

## FAILURE TO FULFILL OBLIGATIONS - Civil Service Status Act

### Civil Servant Status Act

Section 6 - Legal status in civil service (§§ 33 - 53)

#### § 47

##### Failure to perform duties

(1) 1Civil servants shall be deemed to have committed an official misconduct if they culpably fail to perform the duties incumbent upon them. 2Conduct outside the service shall only constitute a misconduct in the service if, under the circumstances of the individual case, it is particularly likely to impair confidence in a way that is significant for their office.

(2) 1In the case of retired civil servants or former civil servants with pensions, it shall be deemed to be misconduct on the part of the civil servant if he or she acts in opposition to the free democratic basic order within the meaning of the Basic Law or participates in activities aimed at impairing the existence or security of the Federal Republic of Germany, or if he or she culpably violates the duties specified in sections 37, 41 and 42. 2For other former civil servants, it shall be deemed to be an official misconduct if they culpably violate the duties specified in Sections 37, 41 and 42. 3For civil servants in accordance with sentences 1 and 2, further acts which shall be deemed to constitute misconduct in the line of duty may be specified by Land law.

(3) Further details on the prosecution of official misconduct shall be regulated by the disciplinary laws.

Source: <https://dejure.org/gesetze/BeamStG/47.html>

## OPPOSITION TO THE DECISION OF THE FEDERAL CONSTITUTIONAL COURT in 1 BvR 444/13 of July 24, 2013, literally:

„ ... in this context, it must be taken into account in particular that it is **PART OF THE CORE AREA OF FREEDOM OF OPINION to be allowed to criticize measures of public authority WITHOUT FEAR OF SANCTIONS, even sharply.**“

### Decision of July 24, 2013 - 1 BvR 444/13

„Admittedly, a presumption in favor of freedom of opinion applies in all matters of public interest and in the political battle of opinions, and in this context it must be taken into account in particular that it is part of the core area of freedom of opinion to

Criminal complaint and request for prosecution for kidnapping and persecution of innocent people<sup>1</sup>

be allowed to criticize measures of public authority even sharply without fear of sanctions.“

Source: [https://www.bundesverfassungsgericht.de/SharedDocs/Entscheidungen/DE/2013/07/rk20130724\\_1bvr044413.html](https://www.bundesverfassungsgericht.de/SharedDocs/Entscheidungen/DE/2013/07/rk20130724_1bvr044413.html)

## **NON-COMPLIANCE WITH THE RIGHT TO A FAIR TRIAL - European Convention on Human Rights**

### **European Convention on Human Rights**

Section I - Rights and Freedoms (Art. 2 – 18)

#### **Art. 6**

#### **Right to a fair trial**

(1) 1Every person shall have the right to a fair hearing by an independent and impartial tribunal established by law, in public and within a reasonable time, in disputes relating to his civil rights and obligations or to criminal charges against him.

2The judgment must be pronounced publicly; however, the press and the public may be excluded during all or part of the proceedings if this is in the interest of morals, public order or national security in a democratic society, if the interests of juveniles or the protection of the private life of the parties to the proceedings so require or, to the extent that the court deems it absolutely necessary, if in special circumstances a public trial would prejudice the interests of justice.

(2) Any person charged with a criminal offense shall be presumed innocent until proven guilty according to law.

(3) Every person charged with a crime shall have at least the following rights:

(a) To be informed, within the shortest possible time, in a language he or she understands, in full detail of the nature and cause of the accusation against him or her;

(b) To have adequate time and opportunity to prepare his or her defense;

(c) To defend himself or herself, to be defended by counsel of his or her own choosing, or, if he or she lacks the means to pay for it, to have the assistance of counsel free of charge when the interests of justice so require;

(d) To ask or cause to be asked questions of prosecution witnesses and to obtain the summoning and examination of exculpatory witnesses under the same conditions as those applicable to prosecution witnesses;

(e) to receive free assistance from an interpreter if he or she does not understand or speak the language of the court hearing.

Source: <https://dejure.org/gesetze/MRK/6.html>

**NON-DEFICIENCY OF THE DIGNITY OF HUMAN BEINGS - Charter of Fundamental Rights**

**Charter of Fundamental Rights of the European Union**

**Title I**

**Dignity of the human person**

**Article 4 - Prohibition of torture and inhuman or degrading treatment or punishment**

No one shall be subjected to torture or to inhuman or degrading treatment or punishment.

Source: <http://fra.europa.eu/de/eu-charter/title/title-i-dignity>

**USE OF TORTURE according to the statutes of the of the United Nations (UN): A/HRC/43/49**

- **Unedited Advance version - Human Rights Council Forty-third session.**
- **Report on torture et al. to the Human Rights Council**
- **United Nations - General Assembly - Human Rights Council**

**Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment**

Translation A/HRC/43/49 into German.

Human Rights Council - Forty-third session - 24 February to 20 March 2020

Quoted from:

**The Consequences of Torture 22**

**Bullying 34**

**Prohibition of family contact 41**

**Targeting of psychological needs 43**

Criminal complaint and request for prosecution for kidnapping and persecution of innocent people<sup>1</sup>

**Torture environment 45**

Withdrawal of control 49

Participation in one's own torture e.g. through forced court proceedings 49 (d)

Learned helplessness 50

Slander, character assassination 51

Humiliation 52

**WITHDRAWAL of social and emotional relationships 56**

Mobbing 58

Damage from torture 59

Isolation 60

Corruption and torture 62

**Government error, arbitrary detention, judicial or administrative arbitrariness 63**

**Arbitrariness of the judiciary 66**

Torture as a single act or as a combination and accumulation of multiple acts 68

Systematic state-sponsored defamation 69

Systematic surveillance, telephone calls 74

**Criminal prosecution 78**

Torture environment 86

Source: <http://www.archeviva.com/bericht-des-sonderberichterstatters-ueber-folter-und-andere-grausame-unnenschliche-oder-erniedrigende-behandlung-der-bestrafung/>

**A/HRC/43/49 - Unedited preliminary version - Human Rights Council Forty-third session**

Quelle: <http://www.archeviva.com/wp-content/uploads/2020/03/2020-03-07-d-a-hrc-43-49-deutsch-01-24-20200307230933-25.pdf>

**Report to the Human Rights Council on torture et al.**

Source: <http://www.archeviva.com/kooperationen/united-nations-vereinte-nationen/uebersetzung-a-hrc-43-49-ins-deutsche/>

**United Nations - General Assembly - Human Rights Council**

Source: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G20/070/73/PDF/G2007073.pdf?OpenElement>

and all other applicable and legally binding paragraphs of all relevant and valid legal texts from all legally valid and binding national and international law books

at

Criminal complaint and request for prosecution for kidnapping and persecution of innocent people<sup>1</sup>

the Pforzheim Criminal Investigation Department, with the order of forwarding to the - due to the responsibilities of power over the legislature, jurisdiction and executive in Germany, which are not historically legally transparent and thus not secured for the author - police authorities of the state and/or the federal government and/or the international police and/or the national or international military, which are responsible beyond that.

If some legal texts do not apply, they must be deleted.

### **Evidence documents for the acts/crimes at hand**

The evidence documents for the acts and/or crimes at hand

have been with the Federal Constitutional Court in Karlsruhe (BVerfG) since 06 August 2020,  
previously sent to the United Nations (UN),  
then largely to the Atlantic Alliance (NATO),  
to the military and to the military and criminal police of the Allies,  
to the Human Rights Council (UNHRC),  
to various police authorities, to the (state and federal) criminal police, etc.

either

delivered personally with confirmation of delivery / receipt,  
by fax, with a transmission report, or  
by registered mail with acknowledgement of receipt, or  
by email, for the most part sent with confirmation of transmission and reading at the email addresses already included in the author's reporting to the German Federal Government and others.

**Possible claims against the author**

If further evidence documents are required, they can be sent within the shortest possible time upon request.

If (important) elements are still missing in the criminal complaint with request for prosecution, point this out to the author so that she can send them, so that the implementation of the prosecution can be carried out lawfully and consistently.

Weiler, 13 June 2023



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Author: Heiderose Manthey

14 Jun 2023 0:52

Letzte Transaktion

Datum	Uhrzeit	Typ	Station-ID	Dauer	Seiten	Ergebnis
Digitales Fax						
13 Jun	23:29	Fax ges.	030185809525	11:29	23	OK
13 Jun	23:40	Fax ges.	072311865050	0:00	0	Keine Antwort
13 Jun	23:42	Fax ges.	072311861050	12:51	23	OK
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14 Jun	0:51	Fax ges.	072311864095	0:00	0	Keine Antwort