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Eurojust  
Maanweg 174  
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Luxembourg January 24 2011

Att : To whom it may concern  
Re : Request for action on Corruption / Fraud and other serious irregularities in Luxembourg  
Case #  
Your reference  
Our reference  
Posting by : Mail, e-mail and fax  
Your fax # : +31 70 412 5005  
Numbers of pages : 4  
Attachment : 13 (including List of documents)  
Copy  
Notice : Attachments dispatched by e-mail only

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Dear Sir/Ms.

Please find enclosed a list of documents that will help you navigate. Reading these documents you will hopefully get a comprehensible preview of the case in particular as well as of an unlawful protective structure which has deprived us of all our rights as well as of our savings (+ € 500.000). We suggest that you start with our letter of January 26 2010 to the Minister of Justice / Minister of Finance as this letter will provide you with a backdrop of the case, see List of documents, **document # 1**.

\* \* \*

In regards to the protection of life, freedom and property, fostering of fundamental rights and justice, security and safeguarding liberties of citizens in the EU, Luxembourg, in 2008, received some € 11 million from the European Union, this in addition to the € 1.18 billion regarding EU administrative expenditure.

As you will understand from reading the attached documentation, the police, the prosecuting authority, the financial supervisory authority (CSSF) as well as the courts have acted – willfully it seems – in direct violation with the EU policy mentioned above. The fact is that we experience no protection at all in spite of the funds Luxembourg receives from the European Union. Basically the bank in question has through specified unlawful actions defrauded us of all our savings (+ € 500.000), the financial supervisory authority is approving the bank's actions and its unlawful activity, while the public prosecutor is protecting this system and thus covering up what under normal circumstances would be assessed as serious financial crimes. For further reading on this issue, please see List of documents, document # 1.

According to the documentation in this case, we will be able to prove that CSSF, and thus Luxembourg, most likely is one of the main reasons for the so called financial crisis. There are reasons to believe that if CSSF had performed its obligations according to law, the financial crisis could have been avoided.

Luxembourg as a nation is totally dependent on investors, and financial institutions managing the investor's savings/funds, thus it is understandable (from the "ruler's" point of view, that is) that powerful institutions as CSSF and the public prosecutor will do whatever is in their power to nurture and protect this business no matter whether its activity is lawful or not. As this scenario could be hard to believe for some readers, we would like to stress that our allegations are based on conclusive evidence (documents and voice recordings).

These EU funds mentioned above are actually allocated to national institutions which are accepting and protecting unauthorized and unlawful financial activity, thus these serious irregularities have an impact on the EU budget. Taken into consideration the situation Luxembourg has put us into, the Grand Duchy's protective approach to financial crimes, and the fact that EU is providing Luxembourg with the said funds, we are inclined to believe that these EU-funds are being used to stop us and numerous other victims of financial crimes from pursuing our rights. Our experiences from more than two years of futile correspondence with these institutions are supporting this view.

We would like to stress that we are in possession of voice recordings proving that both the police as well as the public prosecutor act – as far as possible – in compliance with a national policy of never pursue any allegations against the financial industry, large companies or renowned persons. Furthermore we are in possession of documents and voice recordings nailing the bank to the alleged crimes. Both the public prosecutor as well as CSSF have been provided with extracts of transcripts of some of these recordings. Nevertheless they consistently reject to investigate, thus incurring liability. We are also in possession of documents and voice recordings proving that the public prosecuting authority / police is obstructing investigations of crimes committed by high profile persons and/or companies, hence protecting the perpetrators and, again, incurring liability.

On August 27 2010 one of the larger constructing firms in Luxembourg, **Cardoso & Fils**, was caught in the action carrying out covert surveillance on us. A local police officer did (at first) his job in an excellent manner that Friday. He took Ms. Baranyi's statement, looked up the registration number of the car, found and called the owner asking whether one of his employees had been at our address, and whether this person had taken photos at the given time. The owner confirmed both questions (although with an excuse which does not ad up with the evident facts). This statement of the owner of the company – when pieced together with later statements from the same person – **nails the company to covert surveillance. The problem is that this police officer – shortly after telling us what he had found – seems to have been instructed to obstruct further investigation and tell us a cover-up story, hence protecting the company and whoever is behind this illegal surveillance activity. For half an hour this officer vigorously tried to mislead Ms. Baranyi not to press charges against Mr. Cardoso, instead of investigating and persecuting what obviously is assessed as unlawful covert surveillance. Our criminal complaints against this covert surveillance have been covered up by the police, and nobody knows (or wants to tell us) what the status of these complaints are.**

As far as we can see there is an inner context between this serious incident and what is mentioned in the correspondence with CSSF. Anyhow this incident could be an indication of a far more widespread problem: Covert surveillance of wealthy clients of banks in Luxembourg and of persons who are rocking and questioning the illegal crime-protective system.

This protection of financial crimes, and crimes committed by government institutions like CSSF, the Public Prosecutor office, and the courts, have inflicted serious economic as well as non-pecuniary damage upon us. For further reading on this issue, please see List of documents, **document # 9** and 13.

During a meeting with the public prosecutor on January 6 2009 the prosecutor basically stated three points which could be read as follows: 1) banks don't commit crimes; 2) if you nevertheless should become a victim of any criminal actions from a bank, then you should go and talk to a lawyer (i.e. not the police), and 3) Danske Bank International S.A. is a big bank, not an insignificant fraudster<sup>1</sup> with a small office, thus this bank can not act in violation with the law, hence there will be no investigation. 21 criminal complaints later, the public prosecutor has kept his word: All complaints have been shelved, and there will be no investigation as long as a big company is involved. Our criminal complaint of September 8 2010, see List of documents, **document # 11**, will give you a picture of how serious the situation is.

Our simple wish and expectation when we were exposed to the consequences of these crimes in 2008, was that the financial supervisory authority as well as the prosecution authority would at least investigate our allegations against the bank in question. They didn't. Quite on the contrary they started protecting the bank.

It isn't too much to ask for – or to expect – to be protected by the law and by the entities which by law were established to protect us against any threats, potential criminal actions/activity and misuse of authority. Nevertheless we have become a victim of serious financial crimes and extended misuse of authority, and in spite of citizen-protective legislation and powerful institutions established to protect us and these laws, we have faced what you could call the "national financial conduct defence system" which by all available means supports, nurtures and protects the financial business and all its activities (whether lawful or not), whereas the consequences left in its wake are put in the hands of the victims.

As a consequence of the bank's criminal actions, and the highly effective "defence system", we have been deprived not only of our right to protect and defend ourselves against this criminal activity, but also of all our savings and our right to vindicate what has been stolen.<sup>2</sup>

There is at least one reason why this could happen to us in Luxembourg: Luxembourg has refused to implement EU-regulations established to protect investors. For this lack of fulfilling its obligations towards the European Union, the European Court of Justice passed its decision (on February 5 2009 ) finding that Luxembourg has failed to:

"...adopt, within the prescribed period, the *laws*, regulations and administrative provisions necessary to comply with Directive 2005/29/EC of the European Parliament and of the Council of 11 May 2005 concerning unfair *business-to-consumer* commercial practices in the internal market and amending Council Directive 84/450/EEC, Directives 97/7/EC, 98/27/EC and 2002/65/EC of the European Parliament and of the Council and Regulation (EC) No 2006/2004 of the European Parliament and of the Council ('Unfair Commercial Practices Directive'),

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<sup>1</sup> Today we can prove that the bank is a criminal entity/organisation still – with the consent of CSSF – carrying out illegal financial service in EEA countries.

<sup>2</sup> The Luxembourg courts have deliberately held secret hearings and passed secret decisions on us. When attempting to appeal these unlawful "decisions", our appeals are flatly rejected by a bailiff (not by a court of law), stating that we are not represented by a lawyer. As no lawyer will touch these cases, we are left with the coldest unjust imaginable. Even our right to self-representation (the conventional right to defend yourself and your rights before a court of law) has been rejected by the Luxembourg courts. The elite who control Luxembourg simply don't want to face our defence or our claims.

*the Grand Duchy of Luxembourg has failed to fulfil its obligations under that directive."*

For further reading on this issue, please see List of documents, **document # 1** and **11**.

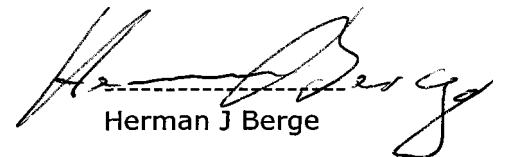
It is – let's say – unfortunate for EU as a whole (in regards to liability) to fund a country which so openly, directly and unchallenged is violating close to every single law which was established by an international community to protect its citizens.

Having said this, we petition Eurojust to set up a joint investigation team for the purpose of investigating and pursuing this matter. We will highly appreciate your soonest response to this.

Sincerely,

  
Katalin Baranyi

Luxembourg January 24 2011

  
Herman J Berge