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April 3, 1961

THE WEST GERMAN AUTHORITIES HAVE CLOSED THE MERTEN CASE

1. The known Attorney Panos SOTIROPOULOS, who was Emmanuil BAKLATZIS' legal advisor in Greece against MERTEN -- against whom BAKLATZIS filed a law suit in Germany (HAMBURG) -- today passed on to me the following information, which he had had from BAKLATZIS, and which I consider interesting from many points of view. Here it is:
2. Mr. SEGELKEN, BAKLATZIS' attorney in HAMBURG, wrote to him that the German Government -- based on a clear provision of the German Penal Law -- a similar one exists in the Greek Penal Law, copied from the German -- prohibited all the German court authorities from taking any further action against MERTEN -- even if it should as a result of Greek action -- on the excuse that any further action on the part of the German courts against or for MERTEN could disturb the relations between Greece and West Germany.
3. Therefore, pursuant to this order of the German Government, all the dossiers of the MERTEN case in Germany -- made on his accusations against members of the Greek Government -- will be closed and will be put in the files. Consequently, no statement will be received from MERTEN, the Hamburg Echo or Spiegel, and no witnesses will be asked to make statements. MERTEN's appeal to the Supreme Court of Appeals of KARLSRUHE is at a standstill. According to the information from Germany, MERTEN is supposed to have received money in exchange, as well as promises from the German Government that his conviction as a war criminal will be reviewed, in order that thus he consent to keep silent also in the future, when his accusations against Greek ministers will be

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completely hushed up.

4. The above information appears to be accurate in every respect because the

Greek papers yesterday published cabled information -- which was confirmed also by Greek official circles (KALLIAS) -- in accordance with which the German courts have ceased complying with the Greek courts' request for assistance and Greece's request that statements be taken from MERTEN and his accomplices (Spiegel, etc.) is being returned to Prosecutor KRETSIS, without any action taken. This turn in the MERTEN case is considered a success on K. KARAMANLIS' part in view of the next elections.

5. According to BAKLATZIS' information from West Germany, this final closing of the MERTEN case is considered to be the result of a favorable outcome of the economic talks the Greeks and the Germans held in Athens a few days ago, when the Germans got everything they wanted.