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Poitiers, February 10th 2021

Object: Communication presented pursuant to article 15 of the Rome Statute, and putting forward the commission of a *crime against humanity* ***of persecution*** [defined at **article 7 h)** of the Rome Statute] linked to the use (a) of the legal aid law in France [law promulgated in 1991, ver-2017, exh. 40, and, implicitly, (b) of its decree of application, exh. 41] to deprive – *systematically* - the poor of their fundamental rights. [PDF at: http://www.pierregenevier.eu/npdf2/plainte-art-15-CPI-FR-10-2-21.pdf ; **English version at**: http://www.pierregenevier.eu/npdf2/plainte-art-15-CPI-EN-10-2-21.pdf].

Dear Madam, Dear Sir,

1. Referring (a) to my letter dated 7-10-20 (exh. 2) and 11-23-20 (exh. 1) addressed (in copy and then personally) to Mrs. Bensouda and describing *the commission of the crime against humanity* ***of persecution*** referenced above, and (b) to **your email dated 11-30-20** informing of the course of action to present a communication to the office of the prosecutor, I take the liberty of writing you (1) to present you **more formally** *the request for a preliminary examination* on the situation described in the 11-23-20 letter, (2) to bring you the documents attached to my cases and ECHR requests (that I could not send you earlier), (3) to make few additional remarks linked to my accusations, and (4) to comment the recent and dishonest (I believe) ECHR decisions on my 5 2020 requests, among others.

[**1.1 Notation,** the documents attached to my cases and ECHR requests are referenced as follow: Rx PJ y = exhibit no y attached to request x (1 to 5, the 5 2020 requests); R2016 PJ x = exhibit x attached to 2016 request (the same for the 2012 and 2001 requests); the lists of exhibits attached to each request (and case) are given in exhibits no 7 (for R1), 13 (R2), 18 (R3), 22 (R4), 26 (R5), 31 (R2016), 33 (R2012), 35 (R2001)].

A The contents of my 7-10-20 letter and my 3-18-20 and 6-23-20 ECHR requests.

2. First, my 7-10-20 letter (exh. 2 , completing my 5-15-20 letter, exh. 4) **(1) described** briefly **(a) the contents** of my 1st request dated 3-18-20 criticizing the legal aid (LA) law, the obligation to have a lawyer (OHLs), and the short delays to file certain pleadings [form exh. 5, annex exh. 6, observations on admissibility exh. 8, letter sending the observations exh. 9 , and Internet links toward the attached documents exh. 7] and second request dated 6-23-20 on the violation of article 17 linked to the dishonest LA law, among others [form exh. 11, annex exh. 12 , letter to the clerk exh. 14 , and Internet links toward the attached documents exh. 13], **(b) the LA law problems** [LA law **of 1991,** 2017 version, exh. 40, and application decree, 2017 version, exh. 41 , exh. 2, no 2-4, 13-20], and **(c) the techniques** used to rob the poor [R2-annex, exh. 12, no 1-26]; **(2) made** an estimation of the number of the LA law victims from 2000 to today (exh. 2, no 5-8); and **(3) discussed** (a) the consequences of the dishonest LA law on the maintenance of international peace and security, and (b) the UN Security Council competency to study these accusations *of crime against humanity* (exh. 2, no 21-42, 11-20) in using, among others, the proposals I made to improve the LA systems around the world

[proposals described in my letters of 7-12-17 to the UN, US Congress (…) (R1 PJ 42, no 61-65), of 3-30-3-19 to the French députés (…) (R1 PJ 40, no 73-95), of 8-16-19 to the OHCHR (job application, exh. 82), and of 2-7-20 to Clemson University's President (R1 PJ 46, no 20-21)].

3. The legal aid (LA) law problems [law promulgated in 1991 (ver-2017, exh. 40, ver-2021, exh. 40.2) and its application decree (ver-2017, exh. 41, ver-2021, exh. 41.2)], **(a) that affect** *the quality of the service rendered to the poor*, and **(b) that cause** *the systematic violations of the poor fundamental rights*, **are numerous** [they are described in details in the 7-9-19 QPC, R1-PJ 4; and in R1, exh. 5, R1-annex, exh. 6; R2, exh. 11, R2-annex, exh. 12, no 1-26; the parliamentary (and other) reports (2000, exh. 51; 2007, exh. 50; 2009, exh. 49; 2011, exh. 48 ; 2013, exh. 47; 2014, exh. 46 , exh. 45 , and my commentary, letter of 11-17-14 exh. 44; 2019, exh. 43 and my commentary 11-8-2019 exh. 42)], **and summarized here:**

- first, the poor are robed at the legal aid offices' (LAO) level **(1) because** *no investigation is done on the legal aid requests*, **(2) because** *the LAO decisions are not based on the merits of the cases* [see 2014 Senators Joissains and Mézard de 2014 report, (exh. 46, p. 30, exh. 6, no 2) :'***aucune réelle instruction n'est faite, ni aucune décision prise au regard du fond du dossier****, alors même que* ***l'article 7 …*** *dispose que 'l'aide juridictionnelle est accordée à la personne dont l'action n'apparaît pas,* ***manifestement****, irrecevable ou dénuée de fondement...* '], and **(3) because the composition** of the LAOs causes (a) obvious conflicts of interest that affect the quality of the service rendered to the poor, (b) unjustified and illegal denials of LA requests at all the levels of proceeding, and therefore (c) systematic violations *of the right to an effective remedy*, art. 13.

- the amount of money (and the number of hours) paid by the LA law to the lawyers represents only a small part [1/10, 1/20 or even less; see examples in R1-ann exh. 6, no 5-16, the 23-11-20 letter exh. 1, no 22, the 2019 QPC R1-PJ 4, no 31-32 et 25-30] of the amount of money the lawyers ask their normal customers for a similar case (and of the number of hours necessary to defend efficiently the poor), and this affects gravely the quality of the service rendered to the poor [see 2014 report, exh. 46, p. 22, '*le Conseil National des Barreaux* ***reconnaît*** *que les niveaux de rémunérations actuels ne permettent pas, en tout état de cause, d'assurer* ***correctement*** *la défense des personnes concernées*' or '***the CNB recognizes that the actual LA lawyers' remuneration level is not enough to defend efficiently the poor***'].

- the other LA system's problems [**(a) the impossibility** (*i*) to efficiently complain about the LA system, the LA lawyer (…) for the poor, (*ii*) to control the work done (and the time spent on the LA cases) by the designated lawyer, and (*iii*) to have the work done by younger and less experienced lawyers supervised by more experienced lawyers; **(b) the absence** of a common work **methodology** for the LA lawyers and LAO judges; **(c) the impossibility** (*i*) to compute the total and detailed LA costs, (*ii*) to evaluate the time necessary for a LA lawyer (and for a LAO judge) to resolve each type of typical cases (and to render a LA decision), (*iii*) to pay different hourly rates to different lawyers (…) based on the lawyer's competencies, expertise, notoriety (prominence), and experience (see R2-ann exh. 12, my commentary on the 2019 report exh. 42, no 21-22.1 ,)] affect also **the quality** of service rendered to the poor and the cost of the service rendered for the community.

4. To these problems, we must also add **(1) the fact that**, in many different types of proceedings, the poor **are forced** to use the dishonest LA system because *of the dishonest obligations to have a lawyer in court* [**OHLs ;** see QPC, R1-PJ 4; R1, exh. 5; et R1-ann, exh. 6]; and **(2) the fact that**, in certain types of proceedings (in particular in the criminal justice area), the codes of proceedings impose **short delays** to present certain pleadings or requests that deprive the poor (defending themselves alone) of their right to a due process (!, R1-PJ 4 , R1, exh. 5, and its annex exh. 6). Finally, the judges (and prosecutors), who make it possible for the LA system to work, among others, receive undue advantages from the dishonest LA system, so they have a strong interest in making the poor loose their cases, and in particular those who complain about the LA system (R1, exh. 5). And the lawyers and politicians also receive undue advantages from the dishonest LA system, which, among others, explains why the system has been maintained during about 30 years at this day (R1, exh. 5).

B The contents of my 11-23-20 letter and of my 3 11-6-20 ECHR requests.

1) The analysis of the elements necessary to justify the opening of an ICC investigation.

5. My 11-23-20 letter (exh. 1) **(1) made** few brief remarks on the United Kingdom's response (exh. 3) to my 7-10-20 letter, **(2) described** the elements *of the crime against humanity of persecution* defined at art. 7 h) of the Rome Statute, and **(3) studied –** with a fairly great precision - the elements that the ICC takes into consideration to determine if there is ***a reasonable basis*** to open an investigation, namely **the jurisdiction** (*temporal, subject-matter, territorial or personal*), **the admissibility** (complementarity and gravity), and the **interests of justice**. (exh. 1, no 19-25). This analysis (of the situation) (1) puts forward, among other, (a) ***the inaction*** of the French state (and of the successive governments) and of the (highest) judges on this situation, and even (b) ***an obvious effort*** (from politicians and high judges, among others) to dissimulate the systematic fundamental rights' violations (and *thefts*) of the poor who present themselves in front of the justice; (2) discusses the questions of the *crime's gravity* (among others, in underlying the important number of victims and the gravity of the prejudices suffered), and of the *interest of justice* to investigate the crime; and (3) gives a list of authors [or **main suspects, at least**: the leaders (political and other) of the successive governments and assemblies (Mr. Macron, Mr. Philippe, Mrs Belloubet, Mr. Le Maire, Mr. Hollande, Mr. Valls, Mrs Taubira, Mr. Larcher, Mr. Bartolone, Mr. Toubon…, Mr. Sarkozy, Mr. Fillion, Mr. Jospin, Mr. Toubon,), of administrations (Mr. Toubon,) and of the concerned courts of justice (Mrs Belloubet, Mr. Stirn, Mrs Arens, Mr. Louvel, Mr. Guérin, Mr. Soulard, Mr. Debré, Mr. Jospin, …)]. In short, this study establishes (in my point of view at least) **(1) that *la situation*** described [linked to the dishonesty of the LA law (of the OHLs and of short delays) in France] put forward '***(a)*** *a situation* ***that appears to fall*** *within the jurisdiction of the Court,* ***(b)*** *matters which are neither manifestly outside the jurisdiction of the Court nor related to situations already under preliminary examination or investigation*', and **(c)** ***therefore warrant further analysis'***, (exh. 14 no 78-79); and **(2) that there is** already **a reasonable basis** allowing the ICC to think that the alleged crimes fall under ***the subject matter jurisdiction*** of the ICC, and therefore that the phase II of the preliminary examination is justified.

2) A proof of the crime against humanity, my status of victim, and the contents of my 3 11-6-20 requests.

6. My 11-23-20 letter (exh. 1) **(1)** established also that I am a victim of the crime (exh. 1, no 31-55) in describing (a) the facts and (b) the stakes of my criminal proceeding against the Crédit Agricole (among other defenders), and (c) the contents of my 3rd, 4th and 5th (at the ECHR) on this case putting forward the violations of articles 6.1, 3 and 4.2 [3rd (exh. 16, exh. 17), 4th (exh. 19, exh. 20) and 5th requests (exh. 22, exh. 23) against France of 11-6-20], **(2)** discussed certain other related subjects (exh. 1, no 56-65), and **(3)** explained that I have also been victim of the dishonest LA law in 5 other cases (at least) since 1998, even if I only discussed the details (a) of my criminal case against the Crédit Agricole (among other defenders) and (b) of the proceeding in this case that started in 2011 and finished on 3-5-20 with the CC decision (more than 8 years of proceeding). The judges and prosecutors cheated and lied (violated my right to fair trial) in almost each decision and each act of proceeding over the 8 years of proceeding, so I needed 3 (very summarized) requests to describe all the Convention violations (art. 6.1, 3 and 4). In **the section F** (below), I come back on this case, and comments the 5 ECHR (dishonest) decisions on my 5 2020 requests; and in the next sections, I study in details my other cases in which the LA law and the OHL have been used to rob me of my right to justice [**sections C** (2016 ECHR request), **D** (2012 request), **E** (2001 request)], and I explain also how the ECHR cheated to void denouncing the dishonest LA law and OHL in France over a 20 years period.

C The 2016 ECHR request following my QPC proceeding in front of the Constitutional Court.

1) The presentation of the case and of the proceeding in front of the TA and the CAA.

7. The procedure of QPC against the LA law of 2015 was presented in the context of a proceeding against the unemployment agency (Pôle Emploi, PE) that started at the administrative court of Poitiers (TA) with my **1-10-12 request** (R2016-PJ 26). After I returned from the US, **on 2-4-11**, Pôle Emploi unfairly (I believe) refused to pay me *the allocation specific of solidarity* (**ASS**, a minimum revenue granted on the basis of various criteria), so I filed a request for legal aid (R2016-PJ 27) that was granted, and a lawyer was designated, but, after a first meeting, this lawyer did not want to help me [and did not respond to my phone call, R2016-PJ 29; **and the head of the lawyers' association (*'bâtonnier'*) refused to designate another lawyer**]. I therefore defended myself alone, and, on **7-17-13**, the TA (1) **judged** (R2016 PJ 10) that PE had made a mistake in refusing to pay me the ASS, (2) **annulled** the ASS denial decision (which is an ***excès de pouvoir*** *proceeding for which there is no obligation to have a lawyer*), and (3) **sentenced** PE to pay me the ASS, but it (4) **refused** to allow me a compensation for the prejudice suffered (linked to my refugee status in the USA) I had asked in addition to the annulment of PE denial decision (**about 50 000 euros,** equivalent to the amount of ASS not paid between 2002 and 2011) because this proceeding to compensate the prejudice suffered is considered to be a ***plein contentieux*** (*full litigation*) proceeding for which there is an obligation to have a lawyer (as opposed to ***an excès de pouvoir - excess of power - proceeding***), and because I did not have a lawyer [after the designated lawyer had withdrawn from this case; the judge asked me **to find lawyer to sign** my request, which I could not do because the *bâtonnier* had refused to designate another lawyer; but the judge ignored this fact or argument, and did not grant me the compensation!].

[**7.1** In the context of the TA proceeding, I filed an emergency request to obtain an emergency aid which was denied by the TA; then I made a legal aid request in front of the Conseil d'État (CE) to appeal this denial decision and obtain the help a lawyer (R2016 PJ 37); the impossibility to obtain the help of lawyer in initial proceeding because of the dishonest LA law was **one of the (4) arguments** I presented to obtain the LA aid (R2016 PJ 37, p. 3 (5)), and the CE granted the LA aid (**380 euros,**), and a specialized lawyer was designated (R2016 PJ 38). I immediately contacted him to send him the case's documents and to offer my help if necessary; and I also asked him to give me the possibility to read his pleading before he sends it to the Court. The lawyer wrote his appeal (R2016 PJ 42) in which he withdrew 3 of the arguments I had used to obtain the LA aid, and kept only one of the 4 arguments and without presenting any new one, but he did not give me the possibility to read his appeal before he sent it to the Court.

7.2 The 'lawyer asked a **4500 euros fee** in his pleading, arguing indirectly that it had made me a gift of **4120 euros** and that he had financed **91% of the LA aid** on this specific case. This number is consistent with the explanations and estimations that I gave in my QPC (R2016 PJ 4, no 18-26), namely the fact that the lawyers would finance **more than 60% of the LA**. We can deduct from the behavior of the designated lawyer, who did not allow me to read his appeal pleading, and who did no return my calls before filling the appeal, that he did not furnish the same service that he furnishes to his normal client; his intervention increased the cost of the CE decision for the state (without counting the justice cost) from 1800 euros to about 6300 euros because of his fee, and my appeal was denied, even though the TA eventually ruled in my favor several months later. The lawyer had the possibility and had a duty to denounce the dishonest LA law and OHLs for the poor (in filing a QPC), but he did not, and I continued to have LA problems.].

8. In appeal at the Bordeaux CAA, I tried again to obtain the compensation of the prejudice suffered that the judge had refused to grant me because I did not have a lawyer; and I requested again the legal aid, and a lawyer was designated to help me obtain this compensation, but he also withdrew from the case soon after, and the bâtonnier refused to designate another lawyer [I do not talk here about the problems I

encountered with the lawyer, the bâtonnier and the LAO, even if it is an important subject, because it would take too much time; moreover these problems are described in the attached documents (R2016 PJ 15, no 6-11, R2016 PJ 4,) and are linked to the dishonesty of the LA law]. I described to the CAA the problems that I encountered with the lawyer, the bâtonnier (...), and that prevented me from being help by a lawyer, but the CAA still asked me to be represented by a lawyer, so I filed a QPC against the LA law [R2016 PJ 4 ; explaining why the lawyers refuse to help honestly in this type of proceeding, and why the obligation to have a lawyer is dishonest; the QPC presented to the CE and the CAA are the same] at the same time of my appeal; and the CAA rejected both the appeal and the QPC against the LA law [R2016 PJ 8, R2016 PJ 9] **(a) because** the 2 proceedings were not presented by a lawyer, and **(b) because**, **supposedly,** there is **no link** between the LA law and the OHLs, **which was (and is) necessarily fasle** [as the CE has recognized it: '***le Code Administratif 2014 de Dalloz*** *explains at page 438, art. R 431-2:* ***'I Caractère obligatoire du ministère d'avocat. ... Eu égard à l'existence d'un dispositif d'aide juridictionnelle, cette obligation ne méconnaît pas l'art. 16 de la Déclaration des droits de l'homme et du citoyen';*** which means that **if the LA law is judged unconstitutional (and by transitivity contrary to the European Convention on HR), the obligations to be represented by a lawyer also violate *the right to an effective remedy*** in front of the justice, among other rights.', see QPC R2016 PJ 4, no 3]. the link between the LA law and the OHLS **is obvious**, so the judges who know it, (cheat and) ignore it to prevent the poor from denouncing the dishonesty of the LA law (which is also obvious) and to rob the poor.

2) The procedures in front of the Conseil d'État (CE) and the Constitutional Court (C-court).

a) The petition for review, the QPC against the LA law, and the 2 LA requests illegally denied.

9. I have filed 2 petitions to the Conseil d'État (CE) to appeal (a) the refusal to transmit my QPC [and presented a new **QPC**, R2016 PJ 4], and (b) the unfair denial of my appeal because of the obligation to have a lawyer [**petition for review**, R2016 PJ 15]; and I also presented 2 LA requests to obtain the help of a lawyer in each of these two proceedings [R2016 PJ 16.2, R2016 PJ 16.3]. The 2 LA requests were unfairly rejected and without a precise motivation on 3-15-15 (R2016 PJ 16), so I appealed the decision (R2016 PJ 17); and this appeal was also unfairly rejected with obvious lies by Mr. Stirn, president of the litigation section (R2016 PJ 18). For example, he pretended **(1) that** I presented my QPC in the context of the appeal of the decision denying my 2 LA requests, **although it was wrong**, I only requested the legal aid to be represented by a lawyer in this two proceedings [or more exactly ***to eventually have my two petitions signed by a lawyer***, if necessary, including my QPC **because I had already written the QPC (...)**, without waiting that a lawyer be designated!]; and **(2) that** I did not present any serious arguments, **although it was also false** because the link between the dishonesty of the LA law and the dishonesty of the OHLs is obvious, especially for the CE judges who confirmed this link, so **my petition for review** (that criticized, among others, the CAA refusal to recognize the link between the LA law and the OHLs) **was necessarily well founded**, and contained at least **one** serious argument. The denial of the LA requests by the CE would not have been so serious if the CE had judged **urgently** the QPC on the LA law (less than 3 months) that indirectly (or implicitly) resolved (or should have resolved) the OHLs problem (and the absence of the regularization of my 2 pleadings by a lawyer at the CE and the CAA). According to the law, the CE and the CC must respond to (or more exactly judge) the QPCs **within 3 months,** and, if not, the QPC is transmitted automatically (or by the petitioner) to the Constitutional Court, but here the denial of the LA request and the refusal to judge the QPC urgently had for objective to prevent an honest judgment on the merits of the QPC and of the petition

for review (Mr. Stirn was not a fair judge on this matter!), so, after 3 months without any response (or decision) on the QPC, I sent the QPC directly to the Constitutional Court, **on 6-9-15** (R2016 PJ 5).

[**9.1** ***The order to review the questions*** presented is an important subject in the justice area, and, in particular when a QPC is presented; the circular CV/04/2010 (R2016 PJ 33, sect. 2.2.2.2) linked to the presentation of QPCs discusses this subject (in **section 2.2.2.2** : '***l'ordre d'examen des questions***', *et elle explique, entre autres, '1° S'il appartient en principe à la juridiction de respecter l'ordre normal d'examen des questions qui lui sont soumises, il ne doit toutefois pas en résulter un retard dans la transmission de la QPC. Lorsque la QPC se rapporte à* ***un incident d'instance***, ***une exception de procédure***, *ou* ***une fin de non-recevoir***, *elle devra très logiquement* ***être examinée avant le fond de l'affaire***'), and confirms that the CAA and the CE (and implicitly the Constitutional court) should have studied the question of the **unconstitutionality** of the LA law, and implicitly of the **OHLs** (which are ***procedural exceptions*** and ***bar to the proceedings***), before judging my petition for review inadmissible because of the OHL, and the Constitutional court could not use the CE decision rejecting my petition because of the OHL (**and an incorrect filing date**) to refuse to judge the QPC on the LA law.].

b) The *filing date* at the Constitutional court (illegally delayed), the dishonest decisions of CE and Constitutional court.

(*i) The grave fault of the Constitutional court on the filing date.*

10. According to the law, the Constitutional court (C-court) must also judge the QPCs **within 3 months** of the QPC filing date, but here (despite this well known rule) the C-court waited until **the 7-17-15**, more than **5 weeks,** to register my QPC [see its letter (R2016 PJ 6) starting the proceeding]; no law or rule allowed the C-court to wait 5 weeks to register the QPC, and, at the same time, to violate the 3 months rule to judge the QPC. ***We*** (the prime minister representative and me) presented the requested observations [me (R2016 PJ 11, R2016 PJ 12.2) and the government (R2016 PJ 12)]; and I filed a challenge request (see request R2016 PJ 31 , based on a 2001 letter R2016 PJ 32) against Mr. Jospin, former prime minister who had closed his eyes on the dishonest LA law that I denounced in 2001 in front of the French courts and the ECHR (see 2001 letter R2016 PJ 32), and had let the Department of Essonne and the justice steal me my judgment in my illegal dismissal (as we are going to see it at **section E** here); but this challenge was rejected. Then, only 3 days before the hearing, the C-court raised the **possibility of an inadmissibility** of the QPC (PR2016 PJ 13) linked to the fact that I - purportedly – ***filed*** my QPC on **7-17-15**, after the Conseil d'État had rejected my petition for review on **7-16-15** (R2016 PJ 7), **but it was incorrect;** (as we have see it above,) I filed my QPC at the C-court on **6-9-15,** and it is the C-court that had, unfairly and illegally, waited 5 weeks (and the dishonest CE decision dated **7-16-15**, R2016 PJ 7) to register the QPC [see the PM response, R2016 PJ 14.1, and my response, R2016 PJ 14.2].

(*ii) The non-compliance with the appropriate order to study the questions and the frauds from Mrs. Fombeur and Mr. Stirn.*

11. Moreover, Mrs. Fombeur, CE judge, cheated (and **violated several legal rules**) when she used the *obligation to be represented by a lawyer* (and the fact that my petition for review was not presented by a lawyer) to find my petition inadmissible (a) because the QPC addressed this problem (the OHL are unconstitutional when the LA law is unconstitutional); and (b) because, according to the law and good sense, she **could address** this question of the unconstitutionality of the LA law **and implicitly** of the OHL **only in the context** of the QPC proceeding (see remarks and references on this subject, R1 PJ 43, no 9, 6-12, R2016-PJ 2, no 31-34); she had therefore no right to use this motive

(the OHL) - and, no honest reason - to find my petition inadmissible **before** the C-court judgment on the merits of the QPC because **more than 14 millions poor** are depending on the LA law (she had to let the C-court judge the QPC), and, again, because (the link between the LA law and the OHLs) the main question of my petition for review (and implicitly the unconstitutionality of the OHLs) was linked to the QPC on the LA law. Finally (as explained at **no 9**,) **Mr. Stirn** lied to deny my LA request [and the critic on the partiality and dishonesty of the LA offices whose composition is established by the LA law, is implicitly included in the critic of the LA law done in the QPC, see R1-ann 1-6], so my petition for review was not presented by a lawyer because of an error **on my part**, but because of a fraud of the CE LA office (!) and of the LA law unconstitutionality; and the C-court could not ignore this fact also; but it did it.

(iii) The use of an incorrect filing date by the C-court and the C-court fraud.

12. Few days after (and despite) the filing of my pleading on the possible inadmissibility of my petition, **on 10-14-15**, the C-court did not allow me to talk at the hearing, only the representative of the prime minister was allowed to talk; and it judged the QPC *inadmissible* in pretending that the QPC had been filed after the CE rendered its decision finding my petition for review inadmissible, and in making therefore an **obvious** mistake on the ***filing date*** (R2016 PJ 3), and also an obvious legal error. I filed *a request to correct a material error* (R2016 PJ 2); and, as explained in my11-23-20 letter (exh. 1, no 12), I also asked the President of the Republic and the presidents of the Senate and of the National Assembly to denounce this fraud in a similar request (R2-PJ 17,), but they did not respond; and the C-court ignored the arguments I presented and confirmed the *inadmissibility* of the QPC **on 12-11-15** (R2016 PJ 1). On 1-20-16, I wrote again to the President of the republic, to the presidents of the National Assembly and of the Senate (…) to denounce this fraud (R2 PJ 16, exh. 78), bu they did not respond. **There is no doubt (1) that** the Conseil d'État and the C-court planed and committed the fraud **together** (incorrect filing date at C-court, dishonest CE decision …) that allowed them to avoid judging the merits of the QPC on the LA law, **(2) that** the C-court deliberately refused to judge the QPC on the merits **after it** received and studied the observations on the QPC it had requested [me (R2016 PJ 11, R2016 PJ 12.2), the government (R2016 PJ 12)] and the arguments justifying the unconstitutionality of the LA law; and **(3) that** the C-court cheated to rob millions of poor **with the** consent of the President of the Republic and of the presidents of the Senate and the National Assembly. And, of course, the ECHR closed its eyes also on this fraud described in the 2016 request (request plus decision, R2016) as we are going to see it now.

3) The ECHR proceeding of 2016.

a) The questions presented to the ECHR and the grievances presented.

13. The number of problems presented to the ECHR in the 2016 request (exh. 30) were fairly limited (**3 types problems or grievances**); **(1) first**, of course, the fact that the LA law (and in particular its articles 27, 29, and 31) violates articles 6.1 (right to fair trial), 13 (right to an effective remedy) and 14 (freedom from discrimination) of the ECHR; **(2) then**, the behavior of the lawyers and of LA offices judges, that prevented me (a) either from being helped by a lawyer [because (a) of the designated lawyer refusal to help me honestly when I obtained the LA, and (b) of

the bâtonniers' refusal to designate another lawyer after the first one had withdrawn himself], (b) either from obtaining the LA [because of dishonest (without motive or badly motivated with obvious lies …) LA office judges' decisions (including Mr. Stirn's one), and of LA offices refusal to designate another lawyer when the 1st one had withdrawn], and that led to violations of articles 6.1 and 13 of the ECHR; and **(3) finally**, the dishonest decisions (a) of the CAA and of the CE on the merits of my case and my QPCs, and (b) of the C-court on my QPC, that led to violations of articles 6.1 and 13. The description of the facts (problems of the law …) and of the grievances linked to the dishonest LA law (exh. 30) was not as detailed as the one I did in 2020 [I did not write an annex or send observations in 2016, and therefore did not present the legal authorities I presented in 2020 (see R1 exh. 5, its annex exh. 6, and its observations on the admissibility exh. 8; and R2 exh. 11, and its annex exh. 12)], but the request still put forward the law's obvious problems that were also described in even more details in the (attached) QPC presented to the CE and C-court (R2016 PJ 4); and it presented the 2 decisions of the C-court [R2016 PJ 3, R2016 PJ 1] and the observations of the prime minister (representative) and my arguments in response to C-court questions and to the prime minister (representative) memorandum, that put forward the grave and obvious problems [like the fraud from the CE and the C-court on the C-court filing date (…) to refuse to admit that the LA law is unconstitutional and violates art. 6, 13 and 14], so there was a sufficient basis to justify a detailed study of the question by the ECHR or **at least** to ask France to respond.

14. Also, the LA law concerns directly **more than 14 millions poor** in France, and, because of the linked dishonest OHLs, it affects the integrity of the entire justice system (and put forward a dishonest behavior of the highest judges, among others, who helped maintained the LA system during 30 years already); so it concerns indirectly **all** French people, and there were a general interest in studying the question of the LA law's obvious dishonesty. Then, concerning the problems and grievances linked to the LA offices' decisions and to the lawyers' behavior to prevent me from being helped by a lawyer, there also I am not as precise as I am in my 2020 ECHR requests, but I still talk about (a) **the 2014 report** (exh. 46, p. 30) explaining that *no LA office's decision is based on the merits of the LA request file* (…, see no 3 here), and (b) the CE (Mr. Stirn) obvious lies to deny my LA request in front of the CE, that was critical when we read the CE decision on my petition for review. Finally, concerning the facts and grievances linked to the CAA-B and the CE, and the C-court decisions, there also it is obvious **(1) that** these **3 jurisdictions** made *obvious errors of fact and law and undeniable inexact appreciations* ***that led to miscarriage of justice***, in particular when they pretended (in writing or implicitly) that there were no link between the LA law and the OHLs, and they used the OHL without judging first the question of its unconstitutionality through the QPC proceeding [they did not respect the proper **order to review the questions**, see here **no 9.1**], and therefore **(2) that ECHR articles 6.1** and **13** were **violated**. My request to correct a material error (R2016 PJ 2, presented to the C-court) reviews in detail all the grave faults (of fact and law ...) that were committed, and it is also obvious that C-court had no honest reason (a) to wait **(more than) 5 weeks** to register my QPC, and (b) not to judge it once we had sent the necessary memorandum it had requested us to file (**and once it had studied them**); therefore the faults committed by the C-court and the CE were numerous and obvious [and the importance to judge the QPC and the stake of the QPC were also obvious.].

b) The dishonest and without precise motive ECHR inadmissibility decision, and the authors of the crime.

(i) The possible inadmissibility for non respect of the 6 months delay and non exhaustion of domestic remedies.

15. The 2016 ECHR decision (exh. 30, p. 15), that rejects the request without explaining why it is inadmissible, is without any doubt ('*surprising*' not to say) **dishonest**. First, the request was presented on **6-8-16** within the **6 months** delay after the C-court decision of **12-11-15** (R2016 PJ 1), and I filed all the possible appeals (and therefore exhausted all domestic remedies, here ***the request for a material error rectification***), so if the ECHR used one of these 2 causes of inadmissibility (and it is probable), it demonstrated a form of hate towards the poor (and toward me who has made the effort to describe the problem sufficiently clearly), among others. [As we are going to see it for the 2001 request **in no 46**, and the admissibility guide explains it,] '*L'article 35 § 1 n'est pas respecté lorsqu'un recours n'est* ***pas admis à cause d'une erreur procédurale émanant du requérant*** *(Gäfgen c. Allemagne [GC],* **translation at no46***).*' [exh. 55, no 73], so it is **possible** (and even probable) that the ECHR judged the request **inadmissible** *for (a) failure to file all the possible appeal and (b) not respecting the 6 months delay to file the request because* **(1) the Conseil d'État** (CE) had judged my petition ***inadmissible on*** **7-16-15** for failure to be represented by a lawyer (! R2016 PJ 7), and **(2) the C-court** has also unfairly judged my QPC ***inadmissible*** (on 10-14-15 and 12-11-15) for failure to file the petition before the CE final decision on the appeal [R2016 PJ 3, R2016 PJ 1]. But **if it were the case**, this would be a grave and very dishonest fault because *the failure to file all the possible appeals rule* has several important exceptions **that apply here** ['*Toutefois,* ***il convient de noter que lorsqu'une juridiction de recours examine le bien-fondé d'un recours, bien qu'elle le considère comme étant irrecevable, l'article 35 § 1 sera respecté*** *(Voggenreiter c. Allemagne). C'est le cas aussi pour celui qui n'a pas observé les formes requises en droit interne,* ***si la substance de son recours a néanmoins été examinée par l'autorité compétente*** *(Vladimir Romanov c. Russie, § 52)*']. In this case, 2 important questions of the appeal in front of the CE were the fact **(1) that** the CAA-B had incorrectly and unfairly pretended that there no link between the obligations to be represented by a lawyer (OHLs) and the LA law, **and (2) that** the unconstitutionality of the LA law **led** to the unconstitutionality of **the OHLs** that the CAA-B had used to judge my appeal inadmissible [and the CE did the same with my petition for review]; and (as seen above) the CE had the possibility (and the duty) to judge the QPC on the LA law (because of the link with the OHLs, among other reasons), and the CCo had studied the well-founded of the QPC before judging it *inadmissible* (illegally since the representative of the prime minister and me had presented the requested and necessary observations to judge the QPC); so the inadmissibility was in no way due to an error on my part.

(ii) The obligation to give a chance to the national authorities to correct the injustice.

16. Also, before filing an ECHR petition, one must give a chance to the national authorities to correct the problems encountered [it is even the objective of the exhaustion of domestic remedy rule, see exh. 55, no 70 : '*70.* ***La logique qui sous-tend la règle de l'épuisement des voies de recours internes est de ménager aux autorités nationales, et avant tout aux tribunaux, l'occasion de prévenir ou de redresser les violations alléguées de la Convention.***'], so, I could not denounce at the ECHR the fact that the LA law and the OHLs were unconstitutional (and violated art. 6.1, 13 and 14) if I had not first explained the problem at the national judges (here CAA-B, CE, C-court), and if I had not asked them first to respond to the problem [**meaning here** if I had not first presented the QPC at the CAA-B, the CE, and the C-court, and if I had not justify my reason for presenting my

memorandum without a lawyer or at least without having requested the LA to the CE that had been **rejected** because of the dishonesty (a) of the LA law and (b) of Mr. Stirn, as seen at **no 9**]. Here the Conseil d'État and the C-court used a **dishonest** rule (the OHL) that they had the duty to study and judge unconstitutional, and instead the C-court lied (on the C-court filing date for the C-court) to refuse to judge this question (on the OHLs) and on the dishonest LA law (!); and the ECHR has done the same, it seems, if it used the fact that the appeal and the QPC were judged inadmissible (illegally) to refuse study the EHR convention violations that resulted from the faults committed by the CE and the C-court to judge my proceedings inadmissible! In short, *the pretended procedural errors* that led to the inadmissibility of my CE appeal and of the QPC, were in no way due to an error on my part, so the ECHR **could not** use this motive to judge my request inadmissible [the same thing happened in **2001** and i**n 2020** as we are going to see it below], and I hope that the ICC will note the absurdity of the ECHR reasoning if it used this reason to judge the request inadmissible (it happens often as we will see it below!).

(iii) The possible inadmissibility for lack of ECHR violations, said to be of 4th instance (...) and the authors of the crime.

17. Then, concerning the other causes of inadmissibility, (a) my victim's status, (b) the gravity of the prejudice suffered, (c) the lack of violations, and (d) the *4th instance inadmissibility*, **they do not apply here** because it is obvious (1) that I am a victim of the dishonest LA law and OHLs (that prevented me from obtaining the reparation of the prejudice I suffered at the TA, among other), (2) that I suffered a grave prejudice over more than 20 years [that is not limited to the about 50 000 euros asked for the compensation of this case prejudice and that were not granted by the judge because I did not have a lawyer; there were also the prejudices suffered in 2012 and 2001 cases that I will discuss below; and the fact that more than 14 million poor (and all the LA law victims since 1991) have suffered from the CE and C-court dishonest decisions (...)], and (3) that *I did not appeal* the CE and C-court decisions, but I put forward obvious human rights violations**,** and that, concerning the part of the request dealing with the fact that the LA law violates articles 6.1, 13 and 14 (of the Convention), the violations are **continuous** (!). The judges (a) of the Conseil d'État who judged the appeal and my LA requests (**Mrs Fombeur and Mr. Stirn**), (b) of the Constitutional Court [**Mr. Debré, Mr. Jospin and Mrs. me Belloubet** who became justice minister, among others, (these 3 are also mentioned because of their position as justice minister, prime minister and president of the national assembly at different periods)], and (c) of the ECHR (**C. Ranzoni** who also judged my 5 2020 requests), and the politicians [**Mr. Hollande, Mr. Valls, Mrs. Taubira, Mr. Larcher, Mr. Bartolone**..., who had the possibility and the duty to intervene in the QPC proceeding] are therefore authors *of the crime against humanity* described here. I had already listed most of these authors in my 11-23-20 letter, but here it is easier to understand their responsibilities and the grave faults they committed.

D The ECHR request of 2012 linked to the LA request to file a complaint against the US (...).

1) The problems I encountered in the US and my unfairly denied LA request.

18. The ECHR request (exh. 32) was presented to complain about the denial of my LA request to file a *complaint* against the US (DHS, State of California, and Los Angeles county, and some if their civil servants) who rob me, harassed me during **10 years** about, and *put me in home detention* during **9 months** including 2 months with the electronic bracelet [after they granted me the refugee status, I was informed of my refugee status on **9-5-12**,

R2012-PJ 7.3], and then put me **5 days in jail** before deporting me **on 2-4-11** [with only a shirt on my back and without allowing me to pick up my belongings in my apartment!] all this with **a full of lies** deportation dated **1-11-08** (R2012-PJ 7.1) that pretended, among others, that I never asked for political asylum in the US, and that I never had any permission to stay in the US, **although** (a) I had asked for political asylum in my arrival in the US in 2002 (or more exactly one month later, **on 5-15-02, see AR** R2012-PJ 7.2), (b) I obtained the refugee status according to the immigration service (INS at the time, R2012-PJ 7.3), (c) an administrative law judge confirmed the refugee status and the right to social benefits granted to refugees (R2012-PJ 7.4), and (d) I always had a permission to stay in the US, including **refugee work permits** (! R2012-PJ 7.5 , R2012-PJ 7.6). **On 3-17-11**, I asked for legal aid (R2012-PJ 6.1) (1) to complain against the US (to file a civil or criminal complaint against the DHS, State of California, Los Angeles county), and some of their civil servants who cheated, lied and committed grave faults (**including misdemeanors and crimes**) to rob me of the social benefits granted to refugees [and to send me **more than 16 times in the street** between August 2002 and November 2003] and eventually to steal my refugee status as well (and **all my belongings when they deported me**), and (2) to obtain a compensation for the grave prejudice I suffered over 10 years [see a detailed description of the problems I encountered in my letter to the UN, the US Congress (…) of 12-7-17 (R2012-PJ 7.3)]. After unfairly and illegally asking me in which jurisdiction I wanted to file my complaint, the LA office employees unjustly and illegally pretended **on 5-19-11** that my case had no merits to deny my LA request [R2012-PJ 3], and the lawyers I contacted refused to help me in my different cases (in the context of a LA request). My appeal (R2012-PJ 8) of the LA request denial was also unfairly and illegally rejected with a denaturation of my motives [the judge wrote that *I was asking for legal aid to file a complaint against my deportation that I thought was illegal*, it was not true, I wanted to complain about the **10 years of persecutions, the robbery of my belongings …**, not just about the dishonest deportation!] and in pretending that, *without any doubt*, my case was *obviously inadmissible* **on 11-28-11** (R2012-PJ 4).

2) The ECHR request on this case.

19 The LA decisions of the Appeals Courts are final (cannot be criticized or appealed), so less than 6 months after the decision, **on 5-23-12**, I filed a request at ECHR [a summarized request dated 5-23-12 (R2012-PJ 22), then at the ECHR request, I filed a more detailed request **dated 8-8-12** (exh. 32)] to denounce the dishonest LA law and the 2 decisions denying my LA request and my appeal (exh. 32); and I used the 2007 parliamentary report on the LA law describing the LA law's problems (senator du Luart's report exh. 50) to support my arguments. My (request/) critic of the LA law was not as detailed as the one I made in my 2016 (R2016 PJ 4) and 2019 (R1-PJ 4) QPCs, and my 2 2020 ECHR requests [dated 3-18-20, form exh. 5, annex exh. 6, observations on recevabilité exh. 8, and dated 6-23-20, form exh. 11, annex exh. 12], but it left no doubt that the LA law had grave and obvious problems that deprived the poor of their rights to a fair trial (art. 6.1), to an effective remedy (art. 13) and not to be discriminated (art 14), I believe, and in particular at the LA office level. Moreover, this request (like the one from 2016) was presented by a poor who was not a lawyer, and therefore who was no supposed to know the laws in details; and the ECHR had the possibility to designate a lawyer to help a poor in front of the ECHR, and to ask **for additional details** on the request to the petitioner as it did it with me in 2001. The ECHR had therefore another possibility to address this grave French LA law problem (and in particular the dishonest decisions of the

LA offices that **are not based on the merits of the case**, see here **no 3**), but it still rejected my request without a motivated explanation (last page of exh. 32). Because of the obligations to have a lawyer, of the technical (legal) complexity of such a case, and my 2 other cases (against Pôle Emploi and against the CA) that I had to defend at the same time, I could not file a complaint on my own against the US, even though I was victim of an obvious and grave injustice and that I had suffered a grave prejudice **over 10 years about**. The dishonesty of the LA law has made me loose here **several millions euros** [in one of the proceedings I had ongoing when I was deported, **the Los Angeles County put itself twice in a default position,** and the compensation requested was **3 millions dollars** about, so I was victim of a grave injustice, see explanation and details at R1 PJ 42 no 43-44.1].

3) The other LA requests that were unfairly denied to violate art. 13 of the ECHR.

20. Two of my other LA requests were also unfairly denied (a) to prevent me from filing a complaint, and (b) to cover up the dishonesty of the LA law, of the LA offices, and of the lawyers designated to help me. First, **in January 2013**, just after the *bâtonnier* refused to designate another lawyer (**on 1-17-13**) to replace Me. Wozniak, the lawyer designated to help me in my criminal case against the Crédit Agricole who had refused to meet me and who had withdrawn from my case [when, after 2 months without response to my letters and email from him, I had finally written to him to say that it was dishonest not to respond to my letters and refuse to meet me when there were an obvious urgency in filing a PACPC in my case (!), see the problems described in R1 PJ 35 35.2 35.3 35.4]; I filed a LA request to complain about the dishonest behavior of the lawyers, the Bâtonnier (…) in my different cases, but this 1-3-13 request (R2012 PJ 15) was denied several months later (on 4-26-13, R2012 PJ 16) without any precise motive; I appealed this denial of my request (R2012 PJ 17), but my appeal was transferred to the CAA of Bordeaux that judged it was not competent for this case on 11-25-13 (R2012 PJ 18), and that the Cour of appeal in Poitiers should judge the request; the proceeding came back to Poitiers, and my request was again denied on 6-26-14 (R2012 PJ 19), and then my appeal (R2012 PJ 20) was also rejected **on 11-4-14** (R2012 PJ 21), almost **2 years** after I file my initial LA request! In between, on 7-20-14, I filed alone a **complaint** (R2016 PJ 22) at the prosecutor's office in Poitiers for (a) *abuse of confidence*, (b) *harassment*, and (c) *obstruction to justice* against the lawyers, bâtonniers and LA offices' employees who had cheated, lied and behaved badly (…) to prevent me from obtaining the legal aid in my different cases. This complaint stayed unanswered from the prosecutor's office, so I filed a new LA request on 9-7-15 to present a PACPC in front of the investigative judge (R2016 PJ 23) that was unfairly denied on 4-15-16 (R2016 PJ 24); so I appealed the denial (R2016 PJ 25) and it was also unfairly denied on 6-29-16 (R2016 PJ 25.2), violating at the same time art. 13 of the ECHR and causing me a grave prejudice. I did not present any request at the ECHR to complain about the unfairly denial of my 2 legal aid requests, but I talked about the denial of my 2nd LA request in my 2016 ECHR request; here again the prejudice I suffered (and other have suffered) because of the dishonest denial decision is important.

E The 2001 ECHR request linked to my 1993 illegal dismissal from the department of Essonne.

1) The presentation of the case and the proceeding in front of Versailles' administrative court.

a) The illegal dismissal of 1993 in the context of grave frauds from M. Dugoin, the administration's President.

21. On 1-18-93, the human resources director of the Department of Essonne informed me that I was fired (**effective on 3-31-93,** R2001-PJ 8); and, at the same time, *he threatened me to have problems **for the rest of my life** if I refused to be fired without obtaining the appropriate compensation for the grave prejudice I was suffering* [(!), *and he also told me that I should be happy because usually when the administration wants to get rid of an employee, it invents a grave fault so that the employee looses its unemployment benefits* (!), see the other explanation given on this subject at **no 31**.]. I refused to sign the dismissal letter, but I did not immediately criticize the dismissal in court (1) because I did not understand it, (2) because I immediately encountered several serious difficulties (obligation to move out of my apartment, decrease of my revenues, difficulties to find a job,), (3) because the Department paid my unemployment benefits [and not the Assedic (usual agency), so after the threats I received, I could not risk to loose my unemployment benefits!], and (4) because the lawyer I met to know if I should sue told me that I had **5 years** to sue the administration [in fact the general rule (*la déchéance quadriennale*) is **4 years starting on the 1st of January of the year following the (dismissal or dishonest) decision**, which, in this case, was a little less than 5 years, in theory; but, in practice, **almost 6 years** because the department rendered another illegal decision linked to my illegal dismissal several month later (**on 2-8-94**, R2001 PJ 26) which extended by one year the delay to file a complaint (according to the *exception of illegality rule*), I come back on this subject at **no 30-31**]. After the dismissal, I did not find a job before **September 1994** in Germany**;** then, on my return to France in 1996, the difficulties to find a job started again. I therefore sued the Department only **on 1-17-98** [request R2001-PJ 9], on the day my unemployment benefits (paid by the Department) ran out (and less than 5 years after 1-18-93).

22. In my summary request at Versailles' administrative court (TA, R2001-PJ 9), I denounced the illegal dismissal, and I asked for the salaries I did not receive **between 3-31-93 and 6-30-94**, the ***apparent*** end of the work contract I had signed [it was **a legal mistake** on my part because, even though the contract signed (R2001-PJ 28) had a limited 3 years term, **according to the law** (see **no 26.1** *art. L. 122-1-2,* R2001-PJ 34), it was in fact **an unlimited term contract**, so I should have asked (and I was entitled to, according to the law, it seems) **(1) the payment of all the unpaid salaries between 1993 and 1998 (or more exactly until my re-integration in the administration),** minus all the salaries (et indemnities) that I had received during this same period, which represented **more than** the one year and 3 months of salaries I had asked for, **and (2) my re-integration in the administration**]. The department responded (R2001-PJ 10) and criticized (1) lateness of the request (filed supposedly after the normal **2 months** statute of limitation), and (2) the absence of the fee stamp (which I had already corrected at the TA's request); and explained that (3) the dismissal was legal because the reorganization of the data processing department required to ***suppress my computer project leader post***, and because the administration had the right to suppress a post and to fire an employee in such circumstance (!). And I replied [(!) see 4-8-98 observations, R2001-PJ 11, presenting the 92 and 93 annual reports, and my 91 employee evaluation (R2001-PJ 13)], **(1) that the proofs** of the dishonesty of the dismissal (annual reports, travel expenses frauds,…) and the scope of the prejudice I suffered did not appear before several months and even years, that the department paid my unemployment benefits and that I risked loosing them if I criticized the dismissal immediately... [and I also talked about the **fault committed by the DRH** in early 1994 on the amount of income I should use on income tax return **without**

knowing that this letter/decision **of 2-8-94** (R2001 PJ 26) **extended the statute of limitation** to complain about the dismissal and made my 1-17-98 request timely (! see **no 30-31**)], and **(2) that the dismissal** was not justified (legal) because the department did **not** suppress, but **added** a position of computer project leader between1992 and 1993; and, moreover, that, between 1993 and 1998, the department increased its number of employees **by 450** (out of 1600 employees about), so it could not pretend that it was forced to fire me [me, ***a conscientious employee*** … according to my employee evaluation (R2001-PJ 13) or to fire anybody in general (not even for an honest reason!)].

b) The Versailles TA's judgment, in October 98, the judgment's formulation, and the department's refusal to pay.

(i) The judgment on Mr. Dugoin's frauds leading to my demand for an additional compensation.

23. After the criminal court sentenced **in May 1998** the president of the department of Essonne, Mr. Dugoin (and his wife), **to jail** for his frauds on travel expenses and on the fictitious employment of his wife, I explained [see additional observations of June 98, R2001-PJ 12] that I was fired (1) to facilitate the travel expenses' fraud because I was developing a computer application to control employees' travel expenses [see explanation at exh. 1, no 42-43], and (2) on the same day (almost, **on 3-31-93**) Mrs. Dugoin started to be paid for no apparent work in return (**on 4-1-93**); and I asked for an additional compensation **of 100 000 FF** [representing **unpaid salaries**] on the ground that Mr. Dugoin's frauds caused me prejudice [the suspicion to have been fired to have facilitated the frauds on travel expenses; the total amount asked **stayed lower than** what I was entitled tot (in lost salaries) in theory and according to the judgment]. Versailles' TA recognized *the excess of power fault* and a annulled the dismissal decision [**on 10-8-98**, R2001-PJ 2]; and it granted me **the 403 426 FF** compensation I had asked for [**1 year and 3 months of** salaries lost more the 100 000 FF for moral prejudice], and it used ***a calculation formula*** which **implied** (**or granted implicitly**), in addition, (a) the monthly payments for the retirement pension until the judgment's execution, and (b) **the restoring** of my unemployment benefits [see explanation at **no 24**], and that, indirectly, *encouraged* (c) **my reintegration** in the administration that I had not asked because **I did not know** I was entitled to it. I immediately tried to talk about the judgment to the Department of Essonne's managers, and I asked them to pay the compensation granted by the judges, but the persons I talked to at the Department, pretended that they did not understand the judgment, and refused to pay the compensation, although I was very poor and I received only the minimum revenue (RMI at the time, that became ASS and RSA).

[**23.1** As I just explained it, I did not ask the Court for **my reintegration** in the administration because I did not know I was entitled to it, but I had asked for this reintegration **to Mr. Chirac** on 4-30-98 (exh. 60) when I presented him the research work I had done (see Inco-Copernicus proposal of 97, exh. 84.1, exh. 84.2, exh. 84.3), and the European program's decision putting the proposal in 2nd place of the reserved list (according to what I was told by the EU commission employee in charge, exh. 2, no 28-29). I had stayed a long time unemployed because of the threats I received, the high unemployment level, and the unfair behavior of the 2 employers I had had since 1993 (I cannot give details here), **but I did not stay doing nothing**, I (a) followed precisely the recommendations of the unemployment agency (ANPE), (b) worked on my unemployment project, (c) proposed a solution to a complex problem (to potential employers, administrations, international organizations), and (d) obtained **the support form a significant number of** national and international **experts** for this solution (proposal), so the French administration had a good reason to give me a job and **to reintegrate me in the administration,** especially after Versailles TA's judgment in my favor. (As explained in the 7-10-20 letter, exh. 2, no 28-29), Mr. Chirac transmitted my letter to Mr. Strauss-Kahn, Economy Minister, who pretended he did not comprehend my request for a job, the importance of the project I presented, and the injustice I had been victim of and I had described at the same time at Versailles TA (see exh. 61 and exh. 62). Versailles'

TA, Paris CAA and the Department of Essonne were informed of the research work I had done **(a) to help me in job search**, and (b) that established the seriousness of my job search and the **competencies and qualities** put forward in my employee evaluation of 1991 (R2001-PJ 13).].

(ii) The well-founded of the judgment's formulation and the formula granting the lost salaries requested, among others.

24. The judgment's formulation (or more exactly the calculation formula that determined the compensation of the prejudice suffered and obtained) was ***typical*** for a dismissal proceeding of a civil servant, **it seems** ['*total of the lost salaries since the dismissal minus the revenues of all kind gained over the same period'*, see R2001-PJ 2: '*the department of Essonne is sentenced to pay an indemnity equivalent to the amount of salaries that the victim would have received if he had remained in his position, diminished, eventually, by the amount of revenues of all nature he may have received during this period, excluding all bonus and compensation directly linked to the effective exercise of his position, and Mr. Genevier is to report to the Department of Essonne so that it can settle (liquidate) this indemnity with a limit of **393 426 FF***']. The judgment **does not limit** the computation of the indemnity with **a term** (or a precise date) as the Department was doing it, since it writes '*salaries the victim (concerned party) would have received **if he had remained in office***' [if I had stayed in office, **I would still have been in office in 98** as my colleagues (having the same type contract as me)]; the only limit imposed is **a limit of 393 426 F**, a money limit (the amount of salaries lost requested),which implicitly should have led also to, I believe: (a) the monthly payments for the retirement pension linked to each salary lost until the date of the judgment's execution, (b) the restoring of the right to unemployment benefits (which were subtracted from the lost salaries), and (c) either the reinstatement, or, again, the payment of the unemployment benefits (as it was done starting on 4-1-93) if the reinstatement was not possible. Because I made (a) an error of law on the **nature** of the work contract I had signed, and (b) an error **(in my disfavor)** on the amount of compensation I was entitled to, Versailles' TA had **included** a money limit to the compensation [namely the amount of lost salaries I had requested, see **corrected amount on 4-8-98 of 393 426 FF** at R2001-PJ 11) **+ 10 000 FF**], but it had granted me the retirement pension's payments and the unemployment's benefits which were important and linked to **the cancellation of the dismissal.** According to the law, the administrative judge cannot grant a compensation bigger than the one the victim requested, therefore if the victim requests a compensation **inferior** to what he is entitled to**,** the judge can only grant what the victim requested.

25. Moreover, the *standard calculation formula* does not pay **any interest** since it **usually** pays all the salaries until the reinstatement (!). As the **393 426 FF** requested on 4-8-98 included **85 126 FF** in interest that the judges could not grant, they replaced these interests (which were worth around **90 000 FF at the end of 98**) by 90 000 FF of the 100 000 FF requested for moral prejudice [which represented **lost salaries**]**,** and they diminished the requested moral prejudice of 90 000 FF to reach the **10 000 FF** (granted by the judgment). The judges therefore applied the appropriate laws and rules rigorously, and granted with their formula: (1) only the amount of lost salaries requested (**not the interests**, and not what I should have obtained if I had not done an error of law), and (2) the advantages linked to the salaries (retirement pension and unemployment benefits) over all the period which are automatically granted, and the reinstatement was encouraged, but not mandatory because I had not requested it. The (**very dishonest**) refusal (**from department**) to understand and to the pay the judgment demonstrated an obvious bad faith, implied a possible (**very dishonest**) appeal, and caused me a grave prejudice in the context of my poverty and the frauds (and of the Court of accounts reports of 98 on the frauds published at the beginning of 99), so I was forced to appeal the judgment – **without criticizing it** – to request an additional compensation (several months of lost salaries)

for the prejudice caused by their refusal to execute the judgment [the monthly payments for the retirement pension lost **were implied**, I believe**,** because they are automatically included in the payments of the salaries; in fact, in the criminal trial, Mr. Dugoin did not let the department be a civil part (and request the lost salaries) **for the fictitious employment** of his wife (only for the travel expenses fraud he had admitted, and for which he had immediately reimbursed the amount of stolen travel expenses), so the judges, who sentenced Mr. Dugoin and his wife for the fictitious employment, did not order the reimbursement (to the department) of the salaries illegally paid to Mrs. Dugoin, but they **still ordered** the reimbursement of the monthly payments made for the retirement pension (linked to the stolen salaries) illegally paid to the retirement pension organism!].

2) The appeal proceeding in front of Paris CAA (Administrative Appeal Court).

a) My appeal, the department's appeal, and the proceeding requesting the execution of the judgment.

(i) The requested additional compensation representing lost salaries, and the CG91 refusal to execute the judgment.

26. My **2-25-99** appeal (R2001-PJ 14) did not criticize the judgment that was in my favor and canceled the dismissal decision, on the contrary, it justified its well-founded, but it requested an additional compensation oF 209 000 FF (linked to the worsening of the prejudice suffered) that represented lost salaries since the dismissal, and that, with the amount granted by the judgment, remained **lower** than the total loss in salaries since 3-31-93 (which I was entitled to in theory according to the judgment). The Department (**CG91**) also appealed the judgment **on 3-1-99** (R2001-PJ 15), although (a) it had **no honest reason** to appeal the judgment after the condemnation of Mr. Dugoin (and his wife) because Mr. Berson (the new president) could not be sure that my dismissal was not ordered to facilitate the travel expense's fraud of Mr. Dugoin without asking the prosecutor (…) to investigate the subject (see details at **no 37.1**); and he had an obligation to defend (in front of the criminal court) the interests of the employees victims of the frauds (as I, **I was even the number one victim of these frauds**); and, moreover, (c) the CG91 had not obtained **the permission** (the vote from the politicians, '***Commission permanente du CG***') to appeal! And, at the same time, the CG91 made a first (judgment) payment of **89 722,91** FF [paid **on 2-12-99** (R2001 PJ 31) corresponding to the calculation of formula using **the 3-30-94** as limit of time, amounting to **one year after** the dismissal, **which had no meaning at all**]; and a second payment of **13 690,03 FF** [paid **on 3-10-99**, (see letter dated 6-17-99..., R2001 PJ 30) corresponding to the moral prejudice plus the interests on the 89 722,91 FF and the 10 000 FF], instead of the **403 426 FF granted**, and has therefore made a dishonest interpretation of the judgment to refuse to pay the compensation granted.

26.1 One more time, the calculation formula for the compensation **was coherent** and did not impose **any time limit** (or a number of salaries lost) only a money **limit** because, for the TA judges **and the law** (the Employment Code), there was not doubt that the contract was an ***unlimited*** duration contract [according to **article 122-1-2 of the Emp. C**ode (R2001 PJ 34), *a contract having* ***a duration higher than 18 months*** *is an* ***unlimited duration*** *contract* (here the contract's 3 years duration was higher than 18 months), and it is also true ***if the term is not precisely specified*** *with* ***a date*** *as here*; I was hired first with 3 months contract starting in April 91 (equivalent to a trial period of an unlimited term contract, see R2001 PJ 27); then, in June 91, they made me signed another contract with a 3 years duration equivalent to **an unlimited duration contract** (R2001 PJ 28); if the TA judges had thought that the contract had **a time limit**, they would not have used a **money** limit in the judgment, they would have simply used the limit of 6-30-94 as limit in the formula; the lost salaries until 6-30-94 minus the unemployment benefits was necessarily lower than 393 426 FF, (and **they would not have withdrawn the unemployment benefits,** but paid only the lost salaries requested)], so the payment of **89 722,91 FF (**corresponding to the calculation of the formula using **3-30-94** as time limit) **was completely absurd** and put forward **a grave fault** from the department. If they considered the contract as a limited duration contract, they could not withdraw the unemployment benefits that are **a right** that employees accumulate every month in paying the unemployment organism (out of his salary), otherwise it is a theft.

(ii) The informal, then formal, request to have the judgment executed properly to the CAA President.

27. I complained about this interpretation (with the explanations presented at **no 23, 24 and 26)**, and I wrote to the CAA President to force them to execute the judgment properly and to pay the entire amount of **403 426 FF** granted; but, in his **7-9-99** letter to the department (R2001-PJ 32), he wrote that they should use **6-30-94** as time limit in the formula instead of 4-30-94; which, once again, **was very dishonest** and **was not coherent at all** [see explanations at **no 26.1**; once again, several of my colleagues had the same contract as I, and they still had their job in 98, so **if I had kept my job**, I would have still been working for the department in 99 as thy did]. **On 7-27-99**, the department made a new payment of **35 402, 43 FF** using the dishonest calculation formula given by the CAA president (R2001 PJ 33); **so** I presented **on 10-9-99** a **formal request** to have the judgment interpreted by the Court and to force the Department to comply and to pay the total compensation granted (R2001-PJ 19); and **a formal judgment execution proceeding** was opened on 9-15-99 by the CAA President [see decision, R2001-PJ 20.1, and we presented our memorandum, R2001 PJ 47, R2001 PJ 48]. As you understand it, it was critical - and followed from good sense – **to establish the judgment signification** before judging the merit of the appeal [meaning to resolve first the question of the **unlimited duration** contract according to the employment code (see Emp. code art. 122-1-2 R2001 PJ 34), **and according to the judgment**; and the monthly payments for the retirement pension and the reconstitution of the right to unemployment linked to the payments of lost salaries], but since the CAA President (Mr. Racine) had deliberately **cheated** on the judgment's interpretation (on 7-**9-99** R2001-PJ 32), this proceeding **was never judged** (as we are going to see it below), despite the memorandum that we [the Department (R2001 PJ 48) and me (R2001 PJ 47)] presented; and (the formal and legal) TA judgment's interpretation was **never** done (**the hearing was canceled 2-24-2000**, R2001 PJ 20.2), although this was a critical aspect of the case and the appeal in particular (!) and this proceeding should have been judged **immediately**.

b) My LA request, the grant of 55 % of LA, the problems with the designated lawyer and the bâtonnier.

28. On **2-25-99,** I filed a LA request, and obtained on **6-3-99** the legal aid of **55 %** (R2001-PJ 24); a lawyer was designated, and I met him, but (a) he refused to tell me what **55% of** legal aid meant or represented [in term of hours paid, among others, and to give me his point of view on the interpretation of the judgment]; (b) he did not want to hear about the ongoing and **linked criminal** proceeding, and about the fact that I was not just victim of an illegal dismissal, but also of Mr. Dugoin's travel expenses frauds and of the fictitious employment of his wife; and (c) he did not allow me to help him in the proceeding to diminish his work load [that, in theory and in practice, I had to pay in part, at least 45%], so, in the particular context of this case (the frauds judged at the criminal court, the threats I had received,), I was **forced** to ask him to withdraw. I wrote to the bâtonnier to explain him the problem I encountered and to try to know what meant 55 % of legal aid, but he did not respond; so I explained the problem to the CAA president, and I asked him to allow me to defend myself alone, underlying the fact that I had asked for help (and even paid) several lawyers, including (a) one in Poitiers to obtain the interpretation of the judgment, this lawyer had also made an incorrect interpretation of the judgment, so I could not ask him to represent me; and (b) another one, expert in administrative law to whom I paid a consultation also, who confirmed me that the contract was an unlimited duration contract [and he also explained that these contracts (for

contractual civil servants) were ***illegal***, and led to frequent legal proceedings from (the legality control service of) the prefecture (government) against the departments that used them to recruit **rapidly** civil servants without having to organize **a formal** (national) **exam**…]; this lawyer refused to help me in the LA context because he did not want to risk loosing his normal (regular) customers (the administrations; and implicitly or probably also because the LA law does not pay enough the lawyers).

29. The CAA ignored my arguments and asked me to have my memorandum regularized (countersigned) by a lawyer if I did not want that my memorandum be ignored and my appeal rejected (R2001 PJ 21.1); so I responded **(a) that** I could not present a lawyer in the context of my case (frauds judged at the criminal court, threats received, impossibility to know what 55 % of legal aid meant ...), and **(b) that, in addition to that**, according to the law (**art. 109 and 116** of the CAA-TA code, R2001 PJ 37), **there was no** *obligation to have a lawyer* for this **type** of proceeding, (*i*) an appeal proceeding on a judgment for *a excess of power fault,* and (*ii*) a proceeding linked *to a dispute between a civil servant and an administration concerning a personal matter* [see **article R. 109** (of the TA-CAA code, R2001 PJ 37), that refers to article **R. 108** (used by CAA to force me to have a lawyer, R2001 PJ 37), and lists the exceptions to the obligation to have a lawyer, including ***les litiges d'ordre individuel concernant les agents publics (3° alinéa);*** and article **R. 116** (R2001 PJ 38) explaining this also, and, that '*les requêtes dirigées contre* ***des décisions statuant sur des recours pour excès de pouvoir*** *étaient aussi dispensées du ministère d'avocat*; the TA judgment had recognized ***the excess of power fault,*** and my dismissal case was a dispute about a personnal matter of a public agent since I worked for the administration when I was dismissed.]. **My appeal,** that did not criticize the Versailles TA judgment, **was therefore a simple continuation** of the 1st instance that dealt with *the excess of power fault* and the legal compensation linked to this *excess of power fault*. (As we are going to see it below,) The CAA ignored these arguments, these laws, and many others, and stole my judgment.

c) The appeal proceeding (position of the department, my position, permission to appeal) and the 2-10-2000 hearing.

(i) The Department's arguments to appeal.

30. In its appeal memorandum (R2001-PJ 15), its 10-28-99 opposition memorandum (R2001 PJ 36) and its final memorandum of 2-1-2000 (R2001-PJ 40), the department asked (mainly) for the judgment's cancellation and the denial of my appeal, and criticized mainly **(1) the lateness** of my 1-17-98 request (17 days after the 4 years that followed the 1st of January following the dismissal); **(2) the inadmissibility** of my request for 100 000 FF in moral prejudice; **(3)** the **lack** of prior request to the Department; **(4) the analysis done** by the TA judges on the unlimited duration nature of my work contract [and it pretended that, at the date of my dismissal, I had a ***limited term contract*** *of 3 years renewable by agreement, and therefore that I* ***could not*** *pretend to have suffered a financial prejudice after the 1st of July 1994, R2001 PJ 36, p. 2* , R2001 PJ 48, p. 4]; **(5) the absence** of causality link between the fault … (the dismissal...) and the prejudice suffered; and it also pretended that **(6)** I wrote *(in one of my memorandum) that the work that I had been given was terminated*, and therefore that the modification of project leader position was justified (!), although it was not true; I never wrote that my job was terminated; and there has been no modification of my job profile (see here **no 21**). I opposed these arguments in my memorandum of 8-20-99 (R2001-PJ 17), then 10-11-99 (R2001-PJ 43), and finally 2-6-2000 (R2001-PJ 44). Concerning the department's critic on ***the lateness of my TA request,*** (as we have seen it at **no 21**, and explained

at **no 31**) the law stipulate that the request must be presented within the 4 years starting on the 1st of January that followed the contested decision, but there is a ***major exception*** to this rule that Versailles' TA **identified and used** to judge my request timely [I did not know this rule at the beginning of 98, and I did not use it in my memorandum, but I described what happened to me, and in particular I talked about the 2-8-94 Department dishonest decision on the amount of income I should put on my income tax form, and **when I read the handwritten note of** Versailles' TA Government Commissary on my case, I learned that he had used this ***exception of illegality rule*** to judged my request was presented on time.].

(*ii) On the lateness of my TA request and the* ***exception of illegality rule***.

31. ***The exception of illegality rule***, that applies when the administration takes a new illegal decision **linked to the** *initial contested decision* (here the 93 dismissal decision), allows the judge to delay the starting point of the 4 years statute of limitation to the 1st of January of the year that follows the **2nd dishonest decision**; and, in this case, the department has rendered a ***new illegal*** *decision* (linked to dismissal decision) **on 2-8-94** when it sent me the decision (R2001 PJ 26) presenting the amount of income I should put on my income tax form for the year 1993, since he incorrectly wrote that I should only use the amount of salaries I received from **January 93 to March 93**, instead of including the amount of unemployment benefits I received until the end of 93 [he (probably or possibly at least) made this mistake because he knew well that the dismissal was illegal and that he caused me a grave prejudice, and that to diminish my income could (mitigate my undeserved punishment or) perhaps help avoid that I criticize my dismissal]. This new decision made the 4 years statute of limitation start on the 1st of January of **1995**, and made my 1-17-98 timely. In this case, it was also obvious **(1) that** I could not really understand my dismissal before I learned that Mr. Dugoin was committing a fraud to steal undeserved travel expenses, and therefore that the starting point of the statute of limitation **should** push back to **May 98** [when Mr. Dugoin was first sentenced for these frauds by the criminal Court]; and **(2) that I had received** threats during my dismissal appointment, and that, since the department paid my unemployment benefits, I had to wait until the last payment of these benefits [the Paris CAA judges **knew that I did not lie** about the threats I received described at **no 20** because, during the hearing, just before my case was called, a man, who defended his case (stood up and), explained that he had been fired at about the same time as me (**in 93-94**), and that he had immediately complained at the TA and obtained his reinstatement in the administration; then, one month and a half after he was reinstated, he was fired again for **grave fault (**this time**) and** without any right to unemployment benefits (!); so he had to complain again at the TA, and, **on 2-10-2000**, he was still in appeal (as I was) to try to obtain justice. I did not lie, I was threatened, and the motive of these threats in the context of the frauds on the travel expenses (...), is not difficult to understand.]

(*iii) On the link of causality between the dismissal and the prejudice suffered, the absence of grave fault, and the link with the frauds.*

32. Concerning this critic (a) on the causality link between the dismissal and the prejudice suffered (b) on the absence of grave fault committed to dismiss me, and (c) on the absence of link between the dismissal and the travel expenses frauds and the fictitious employment, **it was obvious (1) that**, despite what the department explained, the department did not suppress my project leader position, but even created a 3rd position of project leader, so the fault was obvious; **(2) that** I was dismissed and threatened because of

the travel expenses frauds (...) [I went to install my computer application to control the travel expenses at the Conseil général (composed of elected politicians) in **mid December 1992**, and on **1-18-93 I was dismissed and threatened**; moreover, the CG91 could affirm nothing on this subject without asking first for an investigation to a prosecutor or an investigative judge because M. Dugoin had lied to the justice on this subject (see here **no 21 and 37.1**, and explanation at exh. 1, no 42-43 and exh. 2, no 27-29)]; and I stopped working on the day Mrs. Dugoin started getting paid by the Department without any work in exchange [! an employer cannot justify to fire a conscientious employee (..., R2001-PJ 13) when, at the same time, it pays another person for no work; the department's lawyer did not mention the fictitious employment in any of his memorandum!]; and **(3) that the illegal and unjustified dismissal** (together with the threats, and the frauds discussed every day in the newspapers, and their political consequences ...) led to the **loss in salaries** and the grave difficulties I had to find another employment [which eventually forced me to go look for a job in Germany (from 1994 to 1996), and then in the USA (in 2002) to ask for political asylum, see explanation exh. 1]. Concerning the inadmissibility of the 100 000 FF in moral prejudice request, these 100 000 FF represented **lost salaries** which were the direct consequence of the illegal dismissal, of the political scandal, and of the work on the travel expenses application (...) I made (...), so I was not asking anything other than the lost salaries which are usually granted in he context of an illegal dismissal. An experience lawyer would have probably obtained much more in the context of such grave frauds because the prejudice **suffered** in this type of cases **is** considerable**,** and goes beyond the sole loss of salaries[**the proof of this is obvious since I am still suffering from these frauds today !**].

(*iv) On the nature (or the unlimited duration character) of the work contract and the absence of a permission to appeal.*

33. Finally, concerning the employment contract, the Department pretended in his memorandum dated 10-28-99 (R2001 PJ 36, R2001 PJ 48) that the contract had a limited duration term of 3 years, that Versailles' TA did not take a stance on this question in its judgment, and that art. 122-1-2 of the Emp. Code (R2001 PJ 34) I used, was not applicable to this case – **without justifying** (with a law or legal authorities) why it was not applicable here, **but it was wrong**; the TA (was **forced to** take and) had taken a stance on this question of the contract duration **when it wrote its judgment**, which did not limit the calculation formula with a limited term, but with a money limit only[**no 23-24**, **the employment contract** is **the most important** document in a dismissal legal proceeding, so the judge were forced to study in details]; moreover, the is (was) no law which permit (ted) to the department not to respect the rules established in the employment code to write an employment contract; the department knew that (see **no 28**, the remark from the specialized lawyer I met), this is why, among others, they paid a lawyer to lie on this subject. And, as we saw it above (**no 24-27**), **it made no sense** to use the judgment formula as they did, and to interpret the judgment like this because, if the department ant the judges thought that the contract was a limited term contract, then they could not withdraw the unemployment benefits from the lost salaries I should have received (until the end of my contract); the unemployment benefits are **a right** (that employees accumulate every months), so, in withdrawing these benefits, **they were stealing this right** without at the same time giving me the possibility to receive them again (!). The CG91 lawyer wrote that it was important that the CAA judges address this question urgently, but they did not do it because I was right on this subject, and the department and the CAA president had cheated on this subject. In my memorandum, I

denounced the fact the Department had not presented the authorization to appeal, it only presented the permission presented in1998 for the 1st instance dated 3-18-98 (R2001-PJ 16.1, in its appeal memorandum); then it presented a permission to **defend the appeal**, but not to appeal, and this despite the CAA's ***formal notice*** to do so (! R2001 PJ 39). This is only after the hearing that this permission (R2001 PJ 16.2) was presented (!), and although the CAA had requested it within a one month delay starting on 11-30-99 (R2001 PJ 39), and not document can be accepted after the hearing (see code art. 156, R2001-PJ 41 !).

d) The hearing of 2-10-2000, the hearing's cancellation, and the dishonest CAA judgment.

(i) The presentation of the authorization to appeal after the hearing that had already taken place.

34. The hearing, which was planed on 2-10-2000 (R2001-PJ 41), took place, and the department lawyer said that he could not present the department's *authorization to appeal*, but that it would present it the following days; again, no document can be accepted after the hearing, so the CAA **canceled the hearing** (that had already taken place) to accept *the authorization to appeal* dated 2-17-2000 (**my birthday**, R2001-PJ 16.2), and although the department **had no honest reason** to appeal [this is even why they had not presented this permission before the hearing or even with their appeal memorandum; in presenting the authorization late, they only gave the possibility to the judge to rob me, and confirmed that they had no honest reason to appeal the judgment (**no 37.1**); indeed, (a) either the appeal is necessary to defend the department (its employees ...) and the tax payers interests, and the department must present **immediately** (with the appeal memorandum) an authorization to appeal **not to risk loosing the appeal**; (b) either the appeal is not justified, and then the department must authorize to defend the opponent's appeal only, eventually (!)]; then, the CAA organized another hearing, and rendered on 5-25-2000 a (very) dishonest judgment (R2001-PJ 3) (a) which uses the pretended *obligation to have a lawyer* to ignore all my arguments and memorandum, including the fact that to have a lawyer is not required in this type of proceedings (!), (b) that cancel (and steal me) the 1st instance judgment [among others (1) in pretending that **my 1-17-98 TA request** was **not timely**; and that the appeal proceeding required to be represented by a lawyer; (2) in accepting the late authorization to appeal, an (3) in refusing to interpret the judgment and to accept the fact that the contract was an **unlimited** duration contract], and (c) that makes me indebted to the department for the amount it paid me when it executed incorrectly the judgment (a non negligible amount for a poor). The refusal to recognize (1) that the request was presented on time, and (2) that my appeal proceeding and my defense of the department appeal concerned a type of dispute that did not require to have a lawyer (**see no 28**), were obvious errors of law (and of fact) and undeniably inexact appreciations that led to a miscarriage of justice, and therefore to a violation of the right to a fair trial (art. 6.1).

(ii) The obvious CAA lie on the object of my appeal.

35. In its judgment, the CAA also lied when it pretended that, in my appeal, I ***was asking to reform the TA's judgment*** because it was exactly the opposite; I did not ask *to reform* the judgment and did not criticize the judgment (see my appeal memorandum, R2001-PJ 14), but I asked to interpret it to establish that the Department and the CAA president refused illegally to pay me what the judgment had granted me (**no 25-26**); and the CAA covered their dishonesty when it refused to judge this emergency proceeding in its appeal judgment. The Department, and the CAA president and judges ignored the laws and the contents of the

judgment deliberately to rob me around **300 000 FF** (50 000 euros) in cash, plus **200 000 FF** in unemployment benefits and retirement pension's monthly payments (several other tens of thousands of FF) and the justified judgment I had obtained (!, and even made me indebted toward the administration), this is very dishonest, criminal even [like an armed robbery (in an organized band) of an armored van conveying more that **400 000 FF** from a bank] and a violation of article 6.1 [especially after having accepted the permission to appeal from the CG91 permanent commission **after the hearing** of 2-10-2000 (and when no document can be usually accepted after the hearing)]; and, in the context of Mr. Dugoin's frauds which made the permission to appeal not at all justified (**no 25-26, 37.1**, especially to rob me the 1st instance judgment wit lies), and of the dishonest LA law and OHLs, the criminal behavior of the CAA judges and of the department's top managers put forward their complicity in the *crime against humanity* because the CAA has made ***obvious errors of fact and law and undeniably inexact appreciations that led to a miscarriage of justice*****,** and violated *my right to fair trial* (art. 6.1) with the help of the department's top managers who unjustly authorized the appeal after the hearing (without any honest reason) and who refused to execute honestly the TA's judgment.

3) The procedure in front of the Conseil d'État (CE, administrative supreme court).

36. I immediately presented (1) an appeal in front of the Conseil d'État (R2001-PJ 5) and (2) a emergency petition (R2001-PJ 4) asking for the permission to present my appeal alone without a specialized lawyer because of the special context of the case (and of the dishonest LA system); in my CAA appeal, I had **(a) denounced** the dishonesty of the LA system that prevented me from being helped honestly by the designated lawyer in the particular context of the case [the designated lawyer and the bâtonnier had (among others) refused to explain me what the 55 % of legal aid represented (here **no 27-28**)], **(b) stressed** that there was no obligation to have a lawyer in this type of proceedings in 1st instance and in appeal according to the law, **(c) explained** that I had received threats during my dismissal appointment, and **(d) described** the particular context of this case which made the threats I received credible [**the frauds** (travel expenses and fictitious employment) of Mr. Dugoin linked to my dismissal, and the **criminal court trial** on these frauds at the same time that prevented me from finding the help of a lawyer; none of the lawyers I met wanted to help me honestly in the context of the legal aid system], so the obligation to have a lawyer was dishonest in this proceeding, and I had to explain it and to ask for the permission to defend myself alone (especially when you know that there was no OHL in appeal). But, in its judgment (R2001-PJ 1), the CE has also used the *obligation to have a lawyer* (a) to reject my appeal (petition for review), (b) to refuse to respond to my emergency proceeding **asking for** an authorization to defend myself alone (!), and (c) to ignore all **the arguments** presented in the emergency petition and the appeal [like the threats received, the impossibility to obtain the aid of a lawyer in appeal and even to know what 55% of legal aid represented (in terms of time, money ...)].

37. You surely understand the **absurdity and dishonesty** of this decision that judges first the appeal *inadmissible*, and later refuses to judge my (urgent) request for a permission to defend myself alone without a lawyer because the appeal is judged ***inadmissible*** on the ground that there is an obligation to have a lawyer! This means that the Conseil d'État pretends that the ***obligation*** *to have a lawyer* **cannot be criticized** and certainly not judged unconstitutional, even when the legal aid system is dysfunctional for any reason, although, **obviously,** the same Conseil d'État will judge (later) in one of its decisions that the

obligations to have a lawyer are conformed to the Constitution because we have a legal aid system [see her **no 8** : *l'article R 431-2 : '**1 Caractère obligatoire du ministère d'avocat.** ... **Eu égard à l'existence d'un dispositif d'aide juridictionnelle, cette obligation ne méconnaît pas l'art. 16 de la Déclaration des droits de l'homme et du citoyen'* ; ce qui implicitement veut dire que **si le dispositif d'AJ est jugé inconstitutionnel (et par transitivité contraire à la CEDH), l'obligation du ministère d'avocat est contraire** à l'article 16 de la Déclaration de 1789 **duquel découle** ***le droit à un recours effectif*** **devant la justice, entre autres.**']. I agree that I had not read the legal aid law and its application decree at the time, and that my critics of the LA law were based on **practical problems** of the legal aid system like the impossibility to know what meant 55 % of legal aid, the lawyer refusal to take into account the fact that I was also victim of Mr. Dugoin's frauds judged (at the same time) at the criminal court, and the impossibility to obtain (from the lawyers I had contacted to help me) an honest interpretation of the judgment, but, for me, these problems were real and grave; and it is obvious now that, even in 2016 and 2020 when I studied the LA law in details, and brought obvious proofs of its (and of the OHLs) dishonesty, the judges of the CE, CC, CCo., and CEDH cheated and committed frauds to avoid having to take these proofs into consideration and to judge my petitions (!), so the CE behavior in 2001 was inexcusable [their fraud is particularly dishonest and grave when you know that we must first explain the problem (the violation of the right to a due process and to an effective remedy) to the national jurisdictions to be able to present them at ECHR later (!)].

[**37.1** The LA system is not appropriate for this type of cases that requires an intervention at the same at the administrative court and the criminal court, but this does not excuse the behavior of the CAA judges who knew this perfectly and who could have easily corrected this injustice and compensate for the LA system shortcomings. At the same time of my CAA appeal, **(1) I informed** (the juges of) Paris Appeal Court, who judged, at the same time, Mr. Dugoin's appeal for his frauds, **of the judgment** I had obtained at Versailles' TA, and of the fact that I believed that I was fired to facilitate the travel expenses frauds; and (2) **I met** the Appeal's court attorney general who told me it was to late (in appeal) to become a civil part to the trial; **and** the appeal court judges confirmed **(a) Mr. Dugoin's jail time,** and **(b)** that Mr. Dugoin had committed the travel expenses frauds **on purpose**, despite Mr. Dugoin's position saying that *he had* 'stolen' *the travel expenses in good faith, and that he always planed to reimburse the amount of stolen travel expenses* (!). Only the criminal court judges could **say** that Mr. Dugoin had ordered **or not** my dismissal to facilitate the frauds, so Mr. Berson (**the new CG91 president**) had to ask the prosecutor or the investigative judge (and the judges of the TC) to investigate and to rule on this question **before he could appeal** my Versailles TA's judgment. Mr. Berson made a new trial for the fictitious employment fraud to try to obtain the lost salaries unfairly paid to Mrs. Dugoin (because Mr. Dugoin had also taken a dishonest position for the Department on this fraud, **no 25**), and he should have done the same for the travel expenses frauds and my dismissal to facilitate them, but instead he cheated because several other politicians (including him, Mr. Mélenchon..., **no 39.1**) cheated also to steal travel expenses (even if they stole less than Mr. Dugoin, about 200 000 FF /an) as the report of the Court of accounts of 98 noted it.].

4) The procedure in front of the ECHR.

38. My ECHR request (exh. 34) described briefly (a) the facts of the case, and (b) the faults made by the CAA and the CE that I just discussed above and that led to the violations of article 6.1 and art. 3 also (in my point of view); it criticized the LA law and the obligations to have a lawyer [and mentioned that they led to a ***violation of the right to equal weapons*** as my recent QPC does it, but into more details], and the dishonest use that the CAA and the CE made of the *obligation to have lawyer* in this case [among others, during the appeal procedure in which there was no obligation to have a lawyer, and I had requested a permission to defend myself a lone]; and it mentioned *the right to represent oneself in court*, this right exists in **criminal** cases, and here, because of the link with Mr. Dugoin's frauds, my dismissal case was indirectly a criminal case since the CAA judgment attributed me **implicitly** a responsibility in the criminal offenses, and made me (significantly) indebted toward the

Department; but, as you can read it in my 1st response to the clerk (exh. 36), the ECHR has (implicitly) judged the OHL conformed to the ECHR and refused to study the dishonest of the LA law (at this time also). The clerk pretended that the inadmissibility of my CE petition because I did not have a lawyer [that he qualified as a non respect of the conditions of form due to a fault on my part] should lead to the ***inadmissibility*** of my ECHR request for 2 reasons: (1) for ***non-exhaustion of domestic remedy***; and (2) for ***non-compliance with the 6 months time limit*** because the ***final decision*** was not the CE decision, but the appeal Court decision [(!) see exh. 36 page 6 '*en vertu de l'article 35 – 1 de la Convention, la Cour ne peut-être saisi qu'après épuisement des voies de recours internes.* ***Votre requête devant le Conseil d'Etat ayant été rejeté pour non-respect des conditions de forme, vous ne pouvez être considéré comme ayant valablement épuisé les voies de recours internes***.' et aussi plus bas '***la Cour considérerait en conséquence que la décision interne définitive au sens de l'article 35 – 1 de la Convention est la décision rendue par la Cour d'appel le 25 mai 2000, notifié le 5 juin 2000, soit plus de six mois avant la date d'introduction de votre requête devant la Cour***. *Il apparaît donc que cette partie de la requête a été soumise hors délai.*']**.**

39. This reasoning was very dishonest, of course, because, as we have just seen it, it was not my fault if I did not have a lawyer in front of the CAA and CE; I had made many efforts to obtain the help of a lawyer (and I had even paid several of them!); moreover, in appeal, the CAA had used the OHL although, according to the law, there was no obligation to have a lawyer (OHL) in this type of proceedings, so it was an obvious error from the CAA that had forced me to make an appeal in front of the CE (**no 28**); and I had asked the CE for a permission to defend myself alone because of the particular context of the case and of the dishonesty of the LA system and of the OHL in such a context. The ECHR did not pay any attention to the fact that the CE had refused to judge my request for permission to defend myself alone because of the dishonesty of the LA system (and of the OHL) in the particular context of this case; and it has, it seems (according to it questions), only noted the fact that the CE had judged my appeal ***inadmissible***, without paying any attention to the fact that this inadmissibility was or constituted a violation of the right to a fair trial [it does that often as we have seen it above, and as we will see it again now in studying the decisions on my 2020 requests]. As in my other cases, the LA law and the OHLs dishonest were therefore used (with other obvious lies and errors of law) to rob me, to harass me (*and to subject me to a degrading treatment …*), and even to make me indebted toward the administration.

39.1 The President of the Department, **Mr. Berson** [who signed the authorization to appeal on 2-17-2000, after the hearing,] knew perfectly well that what he was doing was dishonest, and that, instead, he should have defended my interests in front of the criminal court (**no 37.1**); then, he committed (**again**) a fraud on the travel expenses with **Mr. Mélenchon less than 3 years later** [see article on Mr. Mélenchon, R2001 PJ 42, and, i**n 2014**, as a senator, Mr. Berson has made no effort to correct the injustice I had been victim of and to denounce the dishonesty of the LA law despite the letter I sent him and the others senators and députés, on 11-17-14, exh. 44], he must therefore be considered an **accomplice** *of the crime against humanity* as well as **Mr. Mélenchon** [vice president of the Conseil Général of Essonne, and member of the commission permanente of the department **in 1998-2000, candidate at the presidential election in 2022, and député; but** he continues to remain silent and to cover up the dishonesty of the LA law and the injustices I was victim of, including in Essonne, so he has no excuse.]; the department' GM, **Mr. Moreau**; the lawyer of the CG91, Mr. Philippe **Thaite**; the CAA president, Mr. Racine; the Chamber president who judged the appeal, Mr. **Merloz**; and the CE Chamber president, Mr. **Laprade**. I do not have the decision of the ECHR because the USA stole all my justice's documents and belongings when they deported me in 2011 (**see no 17-18 here**).

F The ECHR decisions of 11-26-20 and 12-17-20 judging inadmissible my 5 2020 requests.

1) The reasoning behind the presentation of my 5 requests.

40. My letters of 7-10-20 (exh. 2, completing my letter of 5-15-20 exh. 4), and of 11-23-20 (exh. 1) presented you (and described the contents of) my 5 requests of 2020, but I would like to make few remarks on (a) the difficulties to present this case, (b) the different problems I encountered, and (c) the reasoning that I followed to write these 5 requests. First, it was urgent to denounce the dishonesty of - and the grievances linked to - the LA law, the OHLs, the short delays to file certain pleadings, and *the Cour de cassation* (CC, judiciary supreme court) decision of 9-25-19 on my QPC (R1 PJ 1)**,** and it had to be done before studying the merits of the criminal case [and in particular the dishonesty of the ***opinion of non-admission*** on my appeals (R5 PJ 6) and the decision on these appeals that followed (R1 PJ 45 or R3-5 PJ 1)] because of the **6 months** limit to file a ECHR request [which ended for ***this final decision on the*** **QPC, at the end of March 2020**, it seems; **unless** the ECHR used as final decision for these LA related questions the decision on my 2 appeals, see exh. 5 and exh. 8]. Then, if I studied first the LA law problems, it seemed logical to study at the same time the grievances linked to the dishonesty of the denial decisions on several of my LA requests (including the ones for my CC appeals) that had grave consequences on the proceeding, of course; and this even though the well founded of LA requests was necessarily linked to the merits of my case and different proceedings (that I could not study in detail in this 1st request), so I decided to study the grievances linked to the LA requests denial decisions in the first request [form exh. 5, annex exh. 6, observations on admissibility exh. 8, letter introducing the observations exh. 9 , and links to the exhibits exh. 7], and also all the decisions in which my previous QPC [of 2014, 2018, 2 of 2019 before the la QPC judged on 9-25-19] were rejected. Because of (a) the very small request form and of the limited pages of the annex to address these subjects, and (b) the importance of the grievances against the LA law, the OHLs (...) for more than 14 millions poor, I wrote the observations of 4-15-20 (exh. 8) that studied in details the questions **of admissibility,** and the ECHR **legal authorities** on these subjects, and I asked for a permission to present these observations (exh. 9, as the ECHR allows it to do, i seems).

41. Then, even though I had not planed to do it at first and because of the (Covid 19 linked) 3 months suspension of the 6 months limit to file a request that gave me some additional time to file my requests on this LA law subject (…) [see ECHR notices dated 3-16-20 (exh. 63) and 4-9-20 (exh. 64)], I decided to add a request to describe the violation (a) of article 17 linked to the dishonesty of the LA law, the OHLs, and the short delays (...) [and (b) of article 4.2] because **the LA law problems** are numerous, complex, and grave for the entire society, and even the international community, and it seemed important to address them in the most detailed manner possible; the 2nd request of 6-23-20 [form exh. 11, annex exh. 12 , introductory letter exh. 14 , and links to the exhibits exh. 13] studies in details other aspects of the LA law problems that are important for everyone. Finally, concerning the merits of the criminal case, I had planed to file only one request at first, but, after reading the legal authorities and seeing the number of grievances to study (including the **violation of articles 3 and 4.2**), and because of the numerous treacheries and frauds committed, and the (constant and numerous) obvious *errors of facts and law* (...), it was critical to study all the dishonest (a) decisions and (b) acts of proceeding, this is why **I had to** write **3 different** requests on the merits of the case instead of just one (and because of the small form, the grievances are very **summarized** on each form, and more **precisely** described in the annexes and

certain exhibits). The ECHR could (**and should,** I believe) have simplified my work (of presenting several request for the same case) in using art. 47, I believe (and among others), and allowed me to refer to the exhibits of the other requests as I asked it to do in the 1st request (exh. 9), and then in September (exh. 29), but it did not; and it did not respond to my demand to link the 5 requests; it seems obvious now that it had already decided to reject my requests at the beginning (as we are going to see it now).

2) The 2 decisions of 11-26-20 rejecting my requests on the LA law, the OHLs (...) of 3-18-20 and of 6-23-20.

42. The decision of 11-26-20 (exh. 10 , notified on 12-3-20) on the **1st request no 15564/20** of 3-18-20 (exh. 5) **is (very) vague** because, even if it refers to 3 ECHR legal authorities [CASE OF STAROSZCZYK v. POLAND (Application no. 59519/00), AFFAIRE DEL SOL c. FRANCE (Requête no 46800/99), AFFAIRE CENTRE DE RESSOURCES JURIDIQUES AU NOM DE VALENTIN CÂMPEANU c. ROUMANIE (Requête no 47848/08)] that, for 2 of them, address LA law's problems, it does not describe the facts, the grievances and the arguments of my request, **not even in a summary**, so we cannot point out a particular error, or more exactly it is more difficult, and it takes more time, to point out the fault committed; which is most probably the objective of course [when you rob more than 14 millions French poor of their fundamental rights, and more generally tens of thousands of victims each year of more than 40 countries, it is best to be vague!]. But I am still going to try to explain you why the ECHR committed a grave fault.
The Del Sol case cited by the ECHR is the case of a woman who complained about the denial of her LA request by the Cour de cassation (CC) that deprived her of her right to seize this jurisdiction; and the arguments presented (a) by the French government [on **the LA offices' composition** supposedly warranting the so-called **partiality (fairness)** of the LA offices' decisions …, and on the efficiency of the LA law and of the French justice system], and (b) by the ECHR [to reject the request, the ECHR '*considère que le système mis en place par le législateur* ***français offre des garanties substantielles aux individues****, de nature à les préserver de l'arbitraire …*' !] are (practically) the same arguments that were used in the ***Essaadi case*** that I commented **in details** in the annex of my request of 3-18-20 (exh. 6, no 1-4); and it is obvious that these arguments are incorrect and without any doubt contradicted by the recent parliamentary LA law reports (2014, exh. 46) that I used, and which stipulate, among others, that *no instruction (investigation) is done on the LA requests and no LA decision is based on the merits on the merits of the case file* (ici **no 3**), so this ECHR decision cannot affect the admissibility of my request and justify – honestly – the rejection of this request.

43. Concerning the decision for STAROSZCZYK v. POLAND, it judges that **article 6.1 was violated** because the LA lawyer helping the petitioners in appeal did not want to present a petition to the supreme court (that, according to him, had no chance of winning); and then the petitioners did not have enough time to obtain the help of another lawyer to present this supreme court's petition, so this case cannot at all support the rejection of my request, on contrary! Finally, for the CENTRE DE RESSOURCES JURIDIQUES AU NOM DE VALENTIN CÂMPEANU c. ROUMANIE case, it talks about a victim of violations of articles 2, 3, 5, 8, 13, et 14, but it does not address, **it seems**, any questions that could be useful to justify the rejection of my LA law request, on the contrary, it even recognizes that articles 2 and 13 were violated, so there again it is difficult to know why the ECHR mentioned this case's decision! Moreover, this case of **2008** (and

decision of 2014), and the 2 other cases were judged in 2002, 2007 and 2014, and I used LA law parliamentary reports of **2014 and 2019** that the ECHR could not have taken into consideration when it took its decisions on these 3 different cases, and that leave no doubt that the LA law does not guarantee the respect of the poor fundamental rights (a) at the LA offices' level, and, if they obtain the legal aid, (b) a the proceeding level because (**among other problems**) the amounts of fees paid to the lawyers are not sufficient to defend efficiently the poor as the lawyers' representatives are recognized it themselves(**ici no 3**). The cases cited by the ECHR have therefore no legal use to establish the fact that the French LA law does not violate the poor rights (art. 6.1, 13 et 14, see R1 at exh. 5) in general, and mine in particular in this criminal case or that the CC decision on my LA law QPC did not violate the article 6.1.

44. This decision of 11-26-20 (exh. 10) stipulate **also** that *that the admissibility criteria exposed at articles 34 and 35 were not satisfied*, without mentioning which ones, and why, although I had made the effort to write observations (exh. 8) that addressed in details all **the admissibility criteria**, and that it was therefore easy for the ECHR to point out which error of reasoning or of law I had made. The decision does not even mention if these observations were taken into consideration; and the system to follow the proceeding at the ECHR does not mention if they were received (! see Internet docket system no 15564/20 exh. 56). On this argument, I can say that this inadmissibility may be linked to the fact that the ECHR judged that my 3 requests on the merits of the criminal case were not presented within the 6 months limit, which for me is a grave **fault** [as the section 3) explains it], but that could explain why the grievances on my different unfairly rejected LA requests or the on the decisions on my previous QPCs (of 2014, 2018 and the 2 of 2019) would be considered as not presented within the 6 moths limit. Since I will study in details this grave fault in the next paragraphs, I say no further here. Here I must say that (a) *the 4th instance* or (b) the *absence of ECHR violations* inadmissibility are not at all justified (see explanations in the observations, exh. 8). **The decision of 11-26-20** (exh. 15 , notified on 12-3-20) on the **2nd request no 31394/20** of 6-23-20 (exh. 11) **is vague** also since it does not describe the grievances, the facts and the arguments of the request, **not even in a summary**, but the decision judges clearly that, for the judge, the request does not put forward any violation of the convention. The requests 1 and 2 (of 3-18-20 and of 6-23-20) **were linked**, even if the 1st request of 3-18-20 could be studied alone; but the request of 6-23-20 had to be studied at the same time and in taking into consideration the arguments of the 1st request (on the fact that the LA law violated art. 6.1, 13...), and even the 3 other requests on the merits of the criminal case, so, in ignoring my demand to join the 5 requests, the Cour has (surely or may have) tried to facilitate the dishonestly motivated rejection of each request (individually), and the one of 6-23-20 in particular because the violations of art. 17 and 4.2 were for me established (if we studied the 5 requests at the same time).

3) The 3 decisions of 12-17-20 rejecting my 3 requests of 11-6-20.

45. The 3 decisions of 12-10-20 (exh. 19 , exh. 23 , exh. 28 , notified **on 12-17-20**) on the 3rd, 4th, and 5th requests **no 50015/20** (exh. 16), **no 50018/20** (exh. 20), **no 50021/20** (exh. 24) of 11-6-20 **are also very vague** (we cannot even say at which of the 3 requests or periods of the proceeding, they refer precisely!) because, even if they explain that *The Cour judge that the decision it considers to be final in the sense of article 35.1 of the*

Convention, is anterior of more than 6 months of the introduction of the allegation for which it is seized, they do not mention the decision they consider to be final, and do not comment the arguments I presented on this subject of the 6 months limit to present a request. In my 3 requests on the merits of the criminal case [and for the allegations or grievances linked to the merits of the case's decisions studied in request 1 (and 2)], I consider that *the final decision* was the Court of cassation decision on my 2 appeals dated of **1-29-1-20**, that I received in a registered mail sent by the Poitiers appeal court prosecutor office **on 3-5-20** (R3-5 PJ 1); this decision judges the well founded or not (a) of the 2 appeals, (b) of the opinion of non-admission and (c) of the observations on this opinion and of the one from the attorney general. According to the law, it is the attorney general of the appeal court who judged the case that must notify (or signify) the CC decision, so the CC never sent me this decision, only the attorney general office in Poitiers sent it to me **on 3-6-20** [R5 PJ 1 p. 3], and this is at this date 3-6-20 (o 3-5-20) that starts the 6 months limit. Then, the ECHR **suspended** for 3 months the 6 months limit to file a request from 3-16-20 to 6-16-20 [see the notices of 3-16-20 (exh. 63) and of 4-9-20 (exh. 64)], so the end of the 6 months limit for these grievances is **12-5-20**, and my 3 requests sent **on 11-6-20** are **1 month in advance about**, and I did exhaust all the possible remedies before seizing the ECHR.

46. It seems therefore, or it is possible at least, that the ECHR (a) considered (again **incorrectly**) that ***the inadmissibility of my CC appeal*** was due to an error on my part, and (b) used the rule stipulating that '*Applicants must comply with the applicable rules and procedures of domestic law, failing which their application is likely to fall foul of the condition laid down in Article 35 (Ben Salah Adraqui and Dhaime v. Spain (dec.); Merger and Cros v. France* (dec.); .... Article 35 § 1 has not been complied with when an appeal is not accepted for examination because of a procedural mistake by the applicant (*Gäfgen v. Germany* [GC], § 143). ' [voir guide sur la recevabilité exh. 55, no 84]. But, again, this rule has exceptions and does not apply [voir guide sur la recevabilité exh. 55, no 85 : '*However, it should be noted that where an appellate court examines the merits of a claim even though it considers it inadmissible, Article 35* § 1 ***will be complied with*** *(Voggenreiter v. Germany). The Court also considers the available remedy to be exhausted when a Constitutional Court declares the complaint inadmissible when the applicant raises sufficiently in substance the complaint about an alleged infringement of Convention rights (...). This is also the case regarding applicants who have failed to observe the forms prescribed by domestic law, if the competent authority has nevertheless examined the substance of the claim (Vladimir Romanov v. Russia, § 52). The same applies to claims worded in a very cursory fashion barely satisfying the legal requirements, where the court has ruled on the merits of the case albeit briefly* (*Verein gegen Tierfabriken Schweiz (VgT) v. Switzerland (no. 2)*).]. here the CC judged the appeals ***inadmissible***, but it was not due to a procedural error on my part, it was due to the violation of art. 6.1 by the CC in its opinion of non-admission of the appeals (...) which is described precisely in the annex of request 5 (exh. 25, no 19-29), and in the observations on this opinion (R5 PJ 4 , R5 PJ 2); and, moreover, the CC has necessarily studied in details the well founded of my 2 appeals in *its opinion of non-admission* of 9-2-19 received on 10-24-19 (R5 PJ 6), and in the opinion of the prosecutor (R5 PJ 3), so the ***final decision was*** the decision notified **on 3-5-20** (R3-5 PJ 1), and (article 35.1 or) *the 6 months* limit to present the request and the *exhaustion of domestic remedy* were respected.

47. I was forced to explain to the CC why the Chamber of Instruction (CI) had violated my right to fair trial before I explained it to ECHR; and the CC studied in details these grievances **in its opinion of non-admission** (...), so it had the possibility to correct the errors or more exactly the grave faults committed by

the CI before I seized the ECHR, even if it pretends illegally that the 2 appeals are inadmissible. Finally in this case, the CC also cheated to reject my LA demands, and this fault allowed it to judge the 2 appeals inadmissible (an appeal cannot be judged **inadmissible when the LA is granted**!), so the ECHR decision of inadmissibility was very dishonest. The 5 requests' presentation, and in particular of the 3 last ones, represents several months of work after about 8 years of treacheries and lies on the part of the judges and prosecutors (and clerks) of different Courts; and the case concerns a fraud over more than 30 years that concerns one of the biggest banks in the world and its top executives (!), so the ECHR inadmissibility judgment based on *obvious errors of fact and law … (of the CC and the ECHR) that lead to a miscarriage of justice* and that cover up serious misdemeanors, is **criminal** (… and particularly severe toward me and the poor); and the lack of efforts made to give a more precise motivation is insulting and a form of contempt [**toward the 14 millions poor in France** (and billions around the world) and me]. The ECHR decisions could easily be more precisely motivated (and **without imposing and additional cost on the ECHR**, I believe); moreover, it costs nothing to give the name of the rapporteur who studies the case file; there are about 47 judges and 50 000 requests sent every year to the court, so the judges cannot study the details of each request, and some rapporteurs must do this work, it is therefore critical that the decision includes the name of the person who studied the case file (not just the judge), and its degree of implication in the judgment, among other information (here it is the same judge, **Ranzoni**, who judged my 2016 and 2020 requests, and it is possible that it is the same rapporteur as well, **A. Gillet**, and that they both have an interest in stealing me … or of making my adversaries win.**)**.

4) The authors of the crime on this case against the Crédit Agricole (...).

48. The judges and certain prosecutors, who judged this case against the CA [Mrs. Roudière and Mrs. Moscato, investigative judges; Mr. Thévenot, Mr. Garraud, Mr. Phelippeau, Mr. Petitprez, Mr. Valat, Mr. Drevard, procureur et avocats généraux; **Mr. D'Huy**, Mrs. de la Lance, **Mr. Soulard**, **Mrs. Arens**, Mr. Guerin, **Mr. Louvel, Mr. Jacob**, Mrs. Marquis, Mr. Orsini, conseillers et juges (ou anciens juges) at the CC and at the Chambre de l'instruction de Poitiers, among others; and **Mr. Ranzoni** at the ECHR], had the possibility to correct the imperfections of the LA and justice systems and to avoid that my fundamental rights be violated during 8 years, but, instead, they decided to lie and cheat (a) to violate my right to a fair trial, and, all together, (b) to harass me, to impose on me ***a forced labor and a degrading treatment*** over the more than 8 years proceeding; and they also chose to close their eyes on the dishonesty of the LA law and to prevent the referral of my QPC to the Constitutional Court (…); they are therefore **authors of the *crime***. Mrs. Belloubet [the justice minister to whom I sent my request for an administrative investigation on this case that remained unanswered; she is also mentioned as a judge of the Conseil constitutionnel, **see no 17**], Mr. Hollande, Mr. Macron (Mr. Le Maire, Mr. Valls, Mrs. Taubira, …) maintained the dishonest LA system (and ignored my letters and the injustices I was victim of with millions of poor) are also **authors *of the crime***. The CA top managers [Mr. Brassac (DG), Mr. Dumont (DG adjoint, DG CACF), Mr. Musca (DG délégué, et ancien secrétaire général de l'Elysée), Mr. Lefebvre (président du Conseil d'administration), Mr. Pierre Minor (Directeur des affaires juridiques)], who had (a) all the information and the necessary documents to resolve this case (rapidly), and (b) a legal obligation to investigate, and who, instead, took advantage of the dishonest LA law (OHLs,) and let (and even encouraged) the judges cheat to rob me and harass me, are also **authors** (**or accomplices**) of the *crime against humanity*.

G The responsibility of the COE, OHCHR in the *crime* and the retention of the dishonest justice system.

1) The possible link between the ECHR decisions and my letters of 7-10-20 and 11-23-20.

49. The decisions on the 3-18-20 and 6-23-20 requests (exh. 10 , exh. 15) linked to the dishonesty of the LA law, OHLs, short delays and several decisions on my QPCs and LA requests were rendered, it seems, **on 11-26-20** (notified by a letter **of 12-3-20,** and received **on 12-10-20**, the international day of human rights), one day before I sent **(on 11-27-11-20)** by email my letter of 11-23-20 (exh. 1) (a) mentioning the dishonest refusal of the COE human right Commissioner to discuss the French LA law problems, and (b) asking for an investigation to Mrs. Bensouda, so (if the decisions of 11-26-20 were backdated,) there may be some link between the ECHR inadmissibility decisions and the 2 letters describing *the crime against humanity;* I don't know it, but if this link exists (with any of the 2 letters), it is dishonest because **nothing** (in these 2 letters) justified the **ECHR refusal** to study the violations linked to the LA law, OHLs, short delays and my case against the CA (...). It is true that the ECHR has already studied similar problems in France (in Del Sol, Essaadi,), but my recent requests and their annexes commented **in details** the government's response on the quality of the service rendered by the French LA offices made in the Del Sol and Essaadi cases (used in my annex), and presented the remarks of the recent LA law parliamentary reports on this subject and on the quality of the service rendered by the lawyers (here **no 3**) that let no doubt that the poor rights are systematically violated. Moreover, if the ICC decided to do ***a preliminary investigation*** on the situation I described, (a) the poor fundamental rights violation (art. 6.1, 13 et 14), that results from the dishonest La law, OHLs and short delays, would be only **one of the numerous** criteria that it would study to evaluate this situation.

50. Also, it would have been useful for the ICC to be able to use the ECHR analysis (on this LA law, OHLs, … subjects) or at least France's response to my precise arguments (if the ECHR had asked France to respond); and, in the context of a large number of potential victims, (b) it could have used the ECHR detailed analysis on the cases of certain **victims** of the LA law in France, including in my cases (an analysis it unfairly refused to do for me, as we have seen it above, **since 2001**), so my 2 letters should have (instead) encouraged the ECHR to judge the merits of my requests. Finally, **the scope** of the request of 3-18-20 (and even of the 6-23-20 one) on the dishonesty of the LA law was and is **important** for the ECHR (1) because the unconstitutionality of the LA law leads to the unconstitutionality of the OHLs and short delays (as the request explains it and **no 8** here), and affects therefore the integrity of the entire French justice system (**and facilitate the corruption of society**); (2) because I had talked about the proposals I made to improve the LA system around the world which necessarily concerned the ECHR; and (3) because it was critical (or important at least) to discuss the problems of LA law (the OHLs,) in France to improve the LA and justice systems in other countries, so the ECHR should have judged the merits of the 5 requests [without talking about the fact that, for **more than 20 years,** I have denounced this problem that caused me **a grave prejudice**, and that the ECHR has had the possibility to address it several times and the injustices linked I was victim of, and it did nothing]. The ECHR behavior is there inexcusable (hateful, criminal even it seems), and put forward a wish to maintain corrupt justice's systems [especially when we know that, **on 5-15-20**, I had written (exh. 4) **to Mr. Spano** (…) to underline the gravity of this problem and in defining it as ***a perfect crime***].

2) The will of the ECHR and French High-level judges (...) to maintain a corrupt justice.

a) The use of the OHLs to facilitate the corruption of the justice.

(i) The ECHR legal authority on art. 114 and 197 of the CPP, my QPC on these articles, and the change in the law.

51. In my 2014 QPC, I denounced also the unconstitutionality **of art. 114 and 197 of the CPP** that prevented a victim (civil party) in a criminal case to have access to the case file (only the lawyers could see this case file); and France used for many years a very dishonest ECHR legal authority stipulating that these 2 articles did not violate the EHR Convention [see R1 PJ 3 p. 40 '*De son côté, la Cour européenne des droits de l'homme a jugé que* ***l'article 6 § 1*** *(seul applicable s'agissant d'une victime)* ***n'avait pas été méconnu****, dans une affaire* ***Menet c. France du 14 juin 2005****, où le requérant était une partie civile qui avait choisi de se défendre seule et n'avait pu accéder au dossier, considérant que l'objectif de préserver le secret de l'instruction constituait un but légitime et, d'autre part, que le requérant n'était pas accusé.*'], which was **wrong**. France refused study my perfectly justified 2014 QPC, but it changed the law (**CPP 114 and 197**) **at the beginning of 2015** [and I was able to have access to the case file; in parenthesis, in refusing to study my justified QPC, **the CC judges (M. Guerin,) stole the serious intellectual work** I had made to denounce the dishonesty of the 2 articles and the LA law!]. The ECHR legal authority on these CPP 2 articles is only one of the numerous proofs of the ECHR will to maintain corrupt justice system and to impose the **pervert** OHLs. It is obvious that it is (almost) always better to have the help of lawyer when one fights in court; and, as far as I concerned, I always made **numerous** efforts to try to obtain the help of a lawyer in each one my cases [including in 2001 and for my criminal case against the CA (…)], but this does not change the fact (a) that the LA system is (very) dishonest, (b) that, in most cases, the LA lawyers do not do a good and efficient job, (c) that the LA system leads automatically to violations of the poor rights , and therefore (d) that one (the poor) have often no other choice than to defend themselves alone, and (e) that the OHLS (and short delays) are very dishonest. If the LA system were honest and efficient, no poor would present themselves alone in front of the justice, or **only in certain exceptional cases** where it is better to defend oneself alone, so **we do not need to make the use of a lawyer mandatory** with an efficient LA system and in general [moreover the judges know the laws, so the **facts** are **often** sufficient to render an honest judgment like the Versailles' TA judgment was, I believe (even if no one wanted to understand it), **no 23-25**].

(ii) The OHLs (that do not exist in certain countries) are therefore maintained to facilitate corruption.

52. The judges (prosecutors and clerks) like a lot *the obligations to have a lawyer* for several reasons: **first (1) because** *the obligations to have a lawyer* facilitates the corruption of the justice [the judges (…) work regularly with the **same** lawyers, so they create privileged links with the lawyers that facilitate the obtaining **of undue advantages** in exchange of decisions or behaviors favorable to the lawyers' clients. The Court of cassation (CC) and the Conseil d'État (and CCo.) do not hesitate to maintain **the monopoly of the specialized lawyers at the Supreme courts** (that has lasted for **more than 200 years** and that is completely unjustified and insulting...) to always be in contact with the same small group of **100 specialized lawyers**!]; **then (2) because** they allow them to work only with persons who are **their equals** [intellectually, in terms of knowledge of the law; or who have a **higher** knowledge of the law and **social status** for the clerks); the judges (…, including the clerks hate the poor and the unemployed they consider as ***inferiors*** (as my experience has confirmed it)]; and **finally (3) because** the OHLs allow them to get rid of (to unfairly reject) a large number of petitions for review (of poor and others) without any risk and **without having to address the merits of the case**. The ***good administration of the justice***, that officially and supposedly justifies the existence of the OHLs, is therefore

far from being the first motive to keep the OHLs for the judges. We have seen this clearly in my procedures of 2001, 2012, 2016, and even the one of 2020, in which the dishonest LA law, OHLS and short delays were used by the CAA, CE, CC (...) to rob me of my right to justice (…); and, of course, the ECHR has also used the inadmissibility of my appeals linked to the dishonest OHLs, among others, to justify its inadmissibility decisions on my requests (!). The use of the dishonest LA law, OHLs, and short delays often comes in addition to numerous ***obvious errors of fact and law and to undeniably inexact appreciations that lead to miscarriage of justice*** for the poor [the poor have no right, no right to complain, no right to justice, and no even the right to present a legal argument, only the right to shut up, to let oneself be robed, harassed …].

(iii) The example of the USA that have no OHLs, but whose judges impose them in stealing systematically the parties without a lawyer.

53. In the USA even though there is no obligations to have a lawyer in court, the judges (and the prosecutors) impose them with decisions that rob systematically those who present themselves alone without a lawyer (poor or others). A study of Reuters on the cases presented to the US Supreme Court between 2004 and 2012 showed (a) that out of the 17 000 lawyers who presented petitions for review at the Supreme Court, a small group **of 66 lawyers** had **6 times more chances** (than the other lawyers) to see their petitions for review studied on the merits by the Court, and (b) that most of these 66 lawyers had worked in the past with the Court's justices (or at the Solicitor General office) or met regularly the justices at social events (parties, members of the same clubs …)! The US Supreme Court rejects almost 99% of the petition for review it receives with **summary** decisions [about 80 motivated opinions for 8000 petitions for review every year according to a 2008 statistic, I believe]; and the number of justices at the Court increased to **9 justices** between 1790 and 1869, and since then it has not changed although the population has been multiplied by 10, and the number of cases and of courts of justice depending on the Supreme Court has increased even more [and thousands of perfectly justified petitions for review are rejected every year with for sole motivation '*the petition is denied*'(!). The States' Supreme Courts and the federal appeals' courts work very much the same way, and have similar statistics (see exh. 90.2)]. The corruption of the justice in USA is therefore facilitated by the (filtering) admissibility system for the petition for review, the persistent bad quality of decisions, and the (almost total) immunity of judges (and prosecutors,).

b) the corruption leads to the congestion of justice and the search for immunity for judges.

(i) The reform proposals of the Court of cassation of April 2017.

54. In France, the dishonest LA law and OHLs, and the (almost total) immunity of judges (and prosecutors,) have for consequences the corruption of justice and the persistent bad quality of justice's decisions that lead to **the cluttering of justice**; and the judges of the CC (and of the ECHR) fight against this plague in putting in place (or in maintaining) filtering systems that legalize the summary decisions (and therefore **of very bad qualities**) which only worsens the problem. For example, in its report on the CC reform **of April 2017** (exh. 59), the Court of cassation proposes in particular to diminish the number of petitions for review that it must judge every year **in filtering the petitions for review** a little bit like it filters the poor LA requests to

present a petition for review [(!) ; **M. Louvel** explains (in an interview) at l'Obs : '*Il faut savoir d'abord que **le filtrage existe déjà**. Par exemple, **les justiciables qui n'ont pas de ressources et qui passent par l'aide juridictionnelle doivent soumettre leur dossier à un examen afin de savoir si leurs moyens de cassation sont sérieux**. S'ils ne le sont pas, ils **ne** peuvent **pas** accéder à la Cour de Cassation. Les autres y accèdent de façon tout à fait libre. **Il convient donc de rétablir l'égalité entre tous les justiciables qui veulent accéder à la Cour de Cassation**. Avant de s'adresser à la cour supérieure de la justice, il faut montrer que l'on a des raisons de le faire, que l'on soit pauvre ou que l'on soit riche.*] ; but you surely understand that the arguments it (or he, Mr. Louvel) presents to support their proposal are not ***serious***, not fair, and not **appropriate at all** because it (he) ignores the great dishonesty of the LA system, and in particular the great dishonesty of the decision of the LA offices that do not do any investigation (instruction) and do not base their decision on the merits of the case file [as we have seen it at **no 3** here, see a more detailed commentary on this reform proposal at R2 PJ 10 no 37-41.1 , this letter contains also a commentary on the law project to reform the justice of 2018, at **no 31-36 and 42**]. What the CC judges are looking for in fact is the possibility to get rid of a large number of petitions for review with summary decisions (**badly and dishonestly motivated** as the ECHR and **US supreme court do it**), and therefore rob thousands of people of their right to justice **without having the slightest bit of responsibility** (criminal or civil) for the grave injustices they cause, as it happens in the context of the LA system; and, moreover and unfortunately, this affects **very negatively** the quality of **inferior** jurisdictions' decisions, and it encourages them to be even more corrupt as well.

(ii) The examples of other countries that use similar solutions.

55. In its report (exh. 59, p. 242-260), the CC gives also some examples of other European countries that also added filtering systems at the supreme courts level (CC,), but all these countries do this because it is the easy way out that gives **a lot of power to the top judges** and that facilitate **the corruption of the justice**, without caring about the people who ask for justice. And, as we have seen it above, the ECHR does the same and supports, among others, France and the highest French judges when they rob systematically the poor and maintain the LA law, the OHLs, and the short delays that allow them to do that without risk and very easily. With their summary decisions, the highest level judges (CC, CE, CEDH,) cover up the dishonesty of the judges ***from the lower courts*** and **of the rich parties *riches*** ... (businesses, administrations, politicians ...) who take advantage of justice's corruption, and encourage the judges to be corrupt, which clutters up the justice even more! We see it in my 2001 and de 2020 cases, **the behavior** (1) of the department top officials (president and general manager of the department who refused to execute properly and honestly the judgment and who appealed the 1st instance judgment without any honest ground …), (2) of the CA top managers (who had all the documents and necessary information to resolve the case amicably (or out of court) in few months and who, instead, let their colleagues cheat and lie to harass me and rob me ….), and (3) of the dishonest judges and prosecutors (who covered up the dishonest of these defendants, businesses and administration, and the leaders), was an obvious cause of the disproportionate length of the proceeding, and, without any doubt, caused (in part) the cluttering of the justice.

[**55.1** I would never have appealed Versailles TA's judgment if the department had properly and honestly executed the judgment, and paid the 403 426 FF granted; and the department's **top officials** (M. Berson,), who had well understood the meaning of the judgment, who knew it was justified after the grave frauds committed, and who could not know that I was not fired to facilitate the frauds without first asking for a criminal investigation (**no 37.1**), cheated deliberately because they knew that the justice (CAA, CE,...) is corrupt, and that it would rule in their favor even if they told obvious lies. And the dishonesty of the CAA and CE

and the stealing of my judgment encouraged the President of the department, M. Berson, and Mr. Mélenchon to cheat (to fraud) again to steal travel expenses (**less than 3 years later,** R2001 PJ 42); the corrupt justice (CAA, CE,) let Mr. Berson and the CG91 rob (and destroy the life of) a poor without qualms, and it has also indirectly and in part covered up Mr. Dugoin and his wife frauds. And in my criminal case against the CA (...), the top managers had all the necessary documents and information to resolve the case in few months, and they had a legal obligation to make an investigation on the accusations I presented (and to obtain my point of view on the information they had obtained) and to give all these information and documents to the justice (…), so with an honest prosecutor or investigative judge, the case could have and **should have been resolved** i**n few months**, but, instead, after 8 year of proceeding in France and about one year at the ECHR, I am still forced to go in front of the justice.].

(iii) The difficult work of the judges (…) and the importance to make the judges accountable for the human rights violations.

56. I understand perfectly well that the work of judges (prosecutors) is difficult, and that the ECHR and the Court of cassation (CC) and Conseil d'État (CE) receive a large number of petitions and appeals every year (for a limited number of judges), but **(1) ignoring** the **main** problems that cause **the cluttering of the justice** [**(a) the corruption** of the justice, **(b) the immunity** almost total of (and the dishonest behavior of certain) judges and prosecutors (that mainly cause), ***(c) the chronic bad quality of justice decisions***, and **(d) the dishonest behavior** of certain parties to the trial (who benefit from - and encourage - the corruption of justice)], and **(2) robbing systematically** the poor, will not allow us (a) to diminish the cluttering of justice, and (b) to improve the functioning, the efficiency and the integrity of justice, on the contrary, this will only worsen the problems [see explanations on this subject in R1 PJ 43, no 24-41.2]. To diminish the cluttering of justice and improve the efficiency and integrity of justice, **we must**, among others, **(1) fight the corruption** of justice, and therefore, among others, (a) develop an honest and efficient LA system, and (b) improve the quality of justice's decisions (at all levels), in particular (*i*) in rendering the judges accountable criminally and civilly for the human rights violations they cause (and the misdemeanor they commit) in the context of the justice proceedings, (*ii*) in giving more time to the judges to judge the cases, (*iii*) in encouraging mediation and the amicable resolution of cases, et (*iii*) in improving significantly the information and computer systems of justice; and **(2) punish severely** the dishonest behavior of parties (riches, businesses, administrations,) during the trial. An ICC investigation on the situation presented here, and prosecutions against the highest judges (magistrates) in France, among others, would allow us (a) to point out the grave systemic problems of the French justice system and at the ECHR level, (b) to encourage the reforms that are in everyone's interest, and (c) to discourage the dishonest behavior (*i*) of magistrates … (like the ones we have seen during the past 30 years in France), and (*ii*) of the top managers of businesses and administrations (who benefit from them).

3) The responsibility of the COE and OHCHR in justice's functioning and integrity problems.

a) The silence of Mrs. Mijatovic and Mrs. Bachelet on the dishonesty of the LA law (the OHLs,).

57. Unfortunately, Mrs. Mijatovic (human rights commissioner) and Mr. Forst and Mrs. Bachelet (OHCHR), who are not limited by ECHR's request admissibility questions (as the ECHR is), and who could easily have put forward publicly the LA law problems [and the OHLs' one ... that I described and that are (obvious and) also described in the parliamentary reports], did not do it (either), although, recently, Mrs. Bachelet and Mrs. Mijatovic both **publicly** criticized the article 24 of the law project on the national security that is studied in

the French parliament (see articles exh. 57 et exh. 58), meaning that has **not even yet been voted** (!). Their intervention on this law is **absurd and unnecessary** because (a) several opposition political parties had already criticized this article of law (and others), (b) some protests had already taken place to request a reform of this article 24 of the law, and (c) the government had asked that this article be rewritten after the first protestation, so it is obvious that if (for some reason) the government and the députés (representatives) did not change this article (and the other potential problems of the law), the opposition political parties would file a petition to the Constitutional Court, and this article (and eventually other articles) would most probably be judged to violate the human rights (and the constitution). Mrs. Mijatovic and Mrs. Bachelet are not French députés, senators or judges at the Constitutional Court, so they should have waited that the law be voted and controlled by the Constitutional Court before eventually speaking publicly **in the event** that this article 24 be maintained in its initial form. Moreover, they could have consulted each other before speaking publicly on this subject, there is no use that the OHCHR and COE human right commissioner criticize the same dishonest behavior or law (especially when they ignore the LA law problems at the same time), there are many injustices in the world, so they should (a) consult each other to avoid any duplication of work and (b) focus on the existing injustices instead of pointing out (potential) injustices that did not happen yet and have practically no chance of ever happening!

b) The députés and senators can pass a dishonest law deliberately, but it is very unlikely without a consensus.

58. I am not saying that the French députés and senators cannot deliberately pass a law that violates human rights, or that the Constitutional Court judges cannot make an error or close their eyes on laws that violate the human rights **(a) because this is exactly** what I am accusing them of doing in the context of the dishonest LA law and OHLs, and **(b) because** the former **President** of Constitutional Court admitted that, sometimes, laws were deliberately not presented to Constitutional Court because the députés and senators knew that they were not conformed to the Constitution [see the speech of **Mr. Pierre Mazeaud**, ancien Président du Conseil constitutionnel, intitulée '*l'erreur en droit constitutionnel*' (au Colloque de l'Institut de France : 'l'erreur', des 25 et 26 octobre 2006) : *'Au demeurant,* ***nul n'ignore que, parfois, c'est précisément parce qu'elles ne sont pas conformes à la constitution que certaines lois ne sont pas déférés au Conseil****. En particulier,* ***tel est le cas lorsque l'inconstitutionnalité repose sur un consensus et qu'aucun de ceux qui, en l'état des textes, peuvent saisir le Conseil ne se hasarderait à prendre le risque d'une censure****. L'amour du pur droit pèse parfois peu face aux réalités politiques, surtout quand la paix sociale est en cause.* ***Qui voudrait juger l'injure faite à la constitution, lorsque chacun s'en accommode'***], but, at least, we must let them commit this grave fault before taking action. Concerning the LA law, the law was passed **30 years ago,** and numerous efforts are made by French politicians and judges (…) to avoid (a) judging the question of the law's unconstitutionality, and (b) admitting (publicly) that the LA law violates systematically the fundamental rights of the poor, so there can be no (more) doubt about the dishonest behavior of the French judges and politicians on this law, and the OHCHR or COE intervention is 500% justified.

c) An ICC investigation would allow us to point out the malfunctioning at the OHCHR, COE which allowed the *Crime*.

59. The public intervention of Mrs. Bachelet and Mijatovic on article 24 of the French national security law, just after they deliberately ignored the problems of the LA law that I denounced, is **(1) the**

expression of a disdain toward the poor, **(2) a communication action** to minimize their responsibility in the retention in dishonest LA law, OHLs and short delays, among others, and **(3) an obvious effort** to cover up the criminal responsibility of French politicians and judges who deliberately maintained the dishonest LA law to rob the poor and to obtain **undue advantages** during more than 30 years [**on 1-14-21,** Mrs. Mijatovic has even participated in a videoconferencing with some French senators, and proudly explained that she had intervened to have article 24 of the national security law changed (..), but she said nothing about the LA law problems that I described to her in details and that were extensively described in the French parliamentary reports on this subject, but unfortunately without having any useful consequences!]. **The investigation** on the *crime against humanity of persecution* linked to the LA law would allow the ICC (a) to point out the malfunctioning at the ECHR, OHCHR … [and the faults committed by Mrs. Bachelet, Mr. Forst, Mrs. Mijatovic, Mr. Spano, and also by Mrs. Moutchou and Mr. Gosselin, the 2 députés who wrote the 2019 report, exh. 43, ignoring my letters and remarks on the LA law problems] that allowed the commission of the crime for so long, and (b) to recall the ECHR that the violation of a fair trial (art. 6.1 and many other articles of the Convention) often put forward also the commission of a criminal offense, and therefore that its inadmissibility decisions that, potentially, cover up the commission of criminal offenses (by the judges...), must be more precisely motivated and of a much greater quality; and that its information system and docket system to follow the proceedings on the computer should also be more efficient that the one they have today.

59.1 Like the Nazis laws (of Nuremberg) allowing the persecution of Jews, and the segregationist laws in the USAs depriving the colored people of their fundamental rights, expressed the hate toward the Jews and the colored people, the dishonest LA law (OHLs, short delays) **in France** expresses the hate of politicians, judges (prosecutors,), lawyers (and of society) toward the poor (it is not just a corruption tool), we must therefore punish (severely) the behavior put forward in my letter describing the crime against humanity. I talked about the United Kingdom that makes more effort than France for its LA system (because it has population and a level of wealth similar to the ones of France), but, as explained it the recent article of the Échos (exh. 65), other countries like **the Netherlands** (that the ICC knows well), and **Sweden** spent **5 times and 7 times more per capita** for their LA system than France (see also the statistics of 2019 report exh. 43, p. 20), so France has no excuse (especially when you now the small LA budget is only **one of the many** LA law problems). The Netherlands, which hosts the ICC, may feel obligated to show the example on this LA system subject, or it realizes the critical role that the LA system plays in the **integrity of the criminal justice system** (and others), but whatever its reason may be, it does not change the gravity of the fault committed by the French politicians and high level judges.

H Conclusion.

1) My letters of 7-10-20 and of 11-23-20 describing the crime against humanity of persecution.

60. In summary, my letters of 7-10-20 (exh. 2, complementing the letter of 5-15-20, exh. 4) and of 11-23-20 (exh. 1), my different ECHR requests since 2001, their exhibits [including my QPCs of 7-9-19...] and the few additional remarks I made here [in particular on the cases in which the LA law (…) has been used to violate my fundamental rights and that led to the presentation of my ECHR requests in 2001, 2012, 2016 and 2020], **(1) bring you** all the necessary elements (a) to start a preliminary investigation, and even (b) to judge **(a) that *the situation*** described here [linked to the dishonesty of the LA law (the OHLs and the short delays) in France] **put forward** '***(a)*** *a situation* ***that appears to fall*** *within the jurisdiction of*

*the Court, **(b)** matters which are neither manifestly outside the jurisdiction of the Court nor related to situations already under preliminary examination or investigation', and **(c) therefore warrant further analysis'***, (exh. 14 no 78-79); and **(b) that the that there is** already **a reasonable basis** allowing you to think that the alleged crimes fall under ***the subject matter jurisdiction*** of the ICC, and therefore that the **phase 2** of the preliminary examination is justified; and **(2) establish** without any doubt (I believe) that I am a (one of the many) **victim** (s) of this crime against humanity linked to the LA law and that I suffered a grave prejudice over **more than 23 years.**

2) The presentation of my cases of 2016, 2012, 2001 and the ECHR decisions on my requests.

61. As the description of my criminal proceeding against the Crédit Agricole (…) in my letter of 11-23-20, and the contents of my 3 ECHR requests of 6-11-20 did it, the description of my cases and ECHR requests of 2016, 2012 and 2001, put forward (1) systematic violations of the right to a fair trial (art. 6.1, and violations linked of articles 3 and 4.2 of the Convention), and (2) an obvious disdain and hate (of judges, magistrates...) toward the poor (in general) and me in particular. And the ECHR decisions in my different cases from 2001 to 2020, and in particular the decisions on my 5 requests of 2020 (studied at **no 40-47**), showed that the ECHR has deliberately ignored its **own rules** and **legal authorities** on the admissibility of requests to avoid studying (a) the grave problem of the unconstitutionality of the LA law, OHLs and short delays, and (b) the grave injustices I was victim of (in France and in the USA) for more than 25 years and that caused me a grave prejudice.

62. These decisions put also forward a will: **(1) to cover up** the dishonest behavior of judges and politicians who maintained the dishonest LA law for 30 years and who violated the fundamental rights of millions of poor (including me), **(2) to dissimulate** the grave consequences that the dishonest LA law and OHLs have on the functioning, the integrity, and the efficiency of the justice (in the cluttering of justice), and **(3) to prevent** the improvement of the functioning on the French LA and justice systems, and, indirectly also, of the LA and justice systems around the world (because of, in particular, of the proposals I made). The supreme jurisdictions (as the CC in France, the ECHR,) make very little effort to improve the quality of their decisions and of the ones of the lower jurisdictions; on the contrary, they want to put in place (or to maintain) filtering systems that encourage corruption and lead to the total immunity of judges and prosecutors. An investigation on the crime described and prosecutions against the authors would allow the ICC to put forward (a) the graves systemic problems of the justice in France (…), and (b) the malfunctioning at the OHCHR, the COE (ECHR,) that prevented the resolution of these problems over so many years and the emergence of appropriate solutions.

3) The authors of the crime against humanity.

63. The letter of 11-23-20 (exh. 1) gives a list of the authors (suspects) *of the crime against humanity of persecution* linked to the use of the dishonest LA law; and the additional explanations brought here allow us (1) to identify the dishonest behavior of several authors, and (2) to add new names to the list. In particular, the judges of Paris CAA, the CE and the ECHR [who judged my cases of 2001 and 2016, **no 39.1** et **no 17**], the leaders of the department of Essonne in 1998 [who cheated and lied to rob my judgment (…) and to benefit from the dishonest LA law (…), Mr. Berson, Mr. Mélenchon ..., **no 39.1**], the judges, prosecutors, and attorneys general of Poitiers' courts (TGI and CI), of the

CC and the ECHR [who judged my criminal proceeding against the CA (among others), **no 48**], the politicians [Mr. Hollande, Mr. Macron …, **no 17, 48**], and the CA top managers [including Me. Brassac (DG), Me. Dumont (DG adjoint, DG CACF), Me. Musca (DG délégué...), Me. Lefebvre (président du Conseil d'administration), Me. Pierre Minor (Directeur des affaires juridiques)] are authors (or accomplices ...) of the crime against humanity [**no 48**].

4) The exhibits and conclusion.

64. With the Internet links toward the exhibits [exh. 7 (pour R1), 13 (R2), 18 (R3), 22 (R4), 26 (R5), 31 (R2016), 33 (R2012), 35 (R2001)...], you will be able to access several hundred documents (decisions, memorandum, letters, reports, articles of laws,) that are linked to my different cases, and, for some, that were attached to the 8 requests I presented to the ECHR since 2001; these exhibits will allow you, among others and eventually, to verify the accuracy of the remarks and arguments I presented here. Some exhibits (attached to my 2020 requests) are missing, but if you really need to see them, let me know, and I will email them to you [**I verified the links**, but an error is always possible, so I you have difficulties to access some exhibits with the Internet links or if a link does not lead to the appropriate document, thank for telling me so that I can send you the PDF version of the correct document by email]. Also, I would be grateful to you if you accepted to ask the ECHR to send the paper version of my 5 recent 2020 requests before they destroy them (sometimes it is easier to read the paper version of document, and it would save me the trouble of making new photocopies of these documents that are expensive in my situation).

65. I will send the letter **by mail** (signed), and **by email** to facilitate the access to the exhibits; and I would be grateful to you if you could acknowledge the receipt of the *demand for a preliminary investigation*. And, of course, I stay at you disposal to bring you all the precision you could need and to correct eventual errors or discrepancies that you will notice. This complaint put forward the injustices I was victim of over a 28 years period, and in two different countries, and make references to numerous rules of law (sometimes complex) and to numerous facts, so they represent a long and difficult work over many years, but I am only one of the many victims *of the crime* described, and the other victims did not necessarily have the possibility I had to describe relatively precisely what happen to them and how, so to inform the public of the beginning of the phase 2 of the preliminary investigation would allow numerous victims to describe the injustices they were victims of and for you to correct these grave injustices. Looking forward to your response, I remain sincerely yours.

Pierre Genevier

PS.: I had very little time to translate the letter in English, so I hope you will forgive me for the many imperfections of my translation, and that you will be able to refer to the French version of the letter in case of serious errors.

Exhibits (Internet links only).

exh. 1 : Lettre du 23-11-20, [(1.1) http://www.pierregenevier.eu/npdf2/let-CPI-UNSC-COE-reqno3-5-FR-23-11-20.pdf ;
version anglaise (1.2) http://www.pierregenevier.eu/npdf2/let-CPI-UNSC-COE-reqno3-5-EN-23-11-20.pdf].
exh. 2 : Lettre du 10-7-20, [(2.1) http://www.pierregenevier.eu/npdf2/let-pace-UNSC-EU-reqno2-FR-10-7-20.pdf ;
version anglaise (2.2) http://www.pierregenevier.eu/npdf2/let-pace-UNSC-EU-reqno2-EN-10-7-20.pdf].
exh. 3 : Réponse du Royaume Uni du 2-9-20, [http://www.pierregenevier.eu/npdf2/rep-UK-For-off-2-9-20.pdf].

exh. 4 : Lettre du 15-5-20, [http://www.pierregenevier.eu/npdf2/let-Co-EU-CEDH-reqvsFR-15-5-20.pdf].

Les 5 Requêtes à la CEDH de 2020.

exh. 5 : **1ème Requête** à la CEDH envoyée le 19-3-20, [http://www.pierregenevier.eu/npdf2/req-cedh-vs-france-18-3-20.pdf].
exh. 6 : Annexe de la 1ère requête du 19-3-20, [http://www.pierregenevier.eu/npdf2/annex-formulaire-CEDH-18-3-20.pdf].
exh. 7 : Pièces jointes à la 1ère requête du 19-3-20, [http://www.pierregenevier.eu/npdf2/lien-int-PJ-req-1-CEDH-3-2-21.pdf].
exh. 8 : Observations sur la recevabilité et le fond du 30-4-20, [http://www.pierregenevier.eu/npdf2/obs-rec-fond- reqno1-CEDH-30-4-20.pdf].
exh. 9 : Lettre envoyant les observations 30-4-20, [http://www.pierregenevier.eu/npdf2/let-fax-receva-CEDH-30-4-20.pdf].
exh. 10 : Décision de la CEDH sur la requête 1, 26-11-20, [http://www.pierregenevier.eu/npdf2/dec-no-15564-20-CEDH-26-11-20.pdf].
exh. 11 : **2ème Requête** à la CEDH envoyée le 23-6-20 ; [http://www.pierregenevier.eu/npdf2/reqno2-art-17-cedh-vsFR-23-6-20.pdf].
exh. 12 : Annexe de la 2ème requête du 23-6-20 ; [http://www.pierregenevier.eu/npdf2/Annex-reqno2-art17-CEDH-23-6-20.pdf].
exh. 13 : Pièces jointes à la 2ème requête du 23-6-20, [http://www.pierregenevier.eu/npdf2/lien-int-PJ-req-2-CEDH-3-2-21.pdf].
exh. 14 : Lettre au greffier du 23-6-20 ; [http://www.pierregenevier.eu/npdf2/let-gref-CEDH-scaned-23-6-20.pdf].
exh. 15 : Décision de la CEDH sur la requête 2, 26-11-20, [http://www.pierregenevier.eu/npdf2/dec-no-15564-20-CEDH-26-11-20.pdf].
exh. 16 : **3ème Requête** à la CEDH envoyée le 6-11-20, [http://www.pierregenevier.eu/npdf2/req-no3-cedh-vs-FR-30-10-20.pdf].
exh. 17 : Annexe de la 3ème requête du 6-11-20 ; [http://www.pierregenevier.eu/npdf2/annexe-form-reqno3-CEDH-3-11-20.pdf].
exh. 18 : Pièces jointes à la 3ème requête du 23-6-20, [http://www.pierregenevier.eu/npdf2/lien-int-PJ-req-3-CEDH-3-2-21.pdf].
exh. 19 : Décision de la CEDH sur la requête 3, 17-12-20, [http://www.pierregenevier.eu/npdf2/dec-no-50015-20-CEDH-17-12-20.pdf].
exh. 20 : **4ème Requête** à la CEDH envoyée le 6-11-20, [http://www.pierregenevier.eu/npdf2/req-no4-cedh-vs-FR-30-10-20.pdf].
exh. 21 : Annexe de la 4ème requête du 6-11-20 ; [http://www.pierregenevier.eu/npdf2/annexe-form-reqno4-CEDH-3-11-20.pdf].
exh. 22 : Pièces jointes à la 4ème requête du 23-6-20, [http://www.pierregenevier.eu/npdf2/lien-int-PJ-req-4-CEDH-3-2-21.pdf].
exh. 23 : Décision de la CEDH sur la requête 4, 17-12-20, [http://www.pierregenevier.eu/npdf2/dec-no-50018-20-CEDH-17-12-20.pdf].
exh. 24 : **5ème Requête** à la CEDH envoyée le 6-11-20, [http://www.pierregenevier.eu/npdf2/req-no5-cedh-vs-FR-30-10-20.pdf].
exh. 25 : Annexe de la 5ème requête du 6-11-20 ; [http://www.pierregenevier.eu/npdf2/annexe-form-reqno5-CEDH-3-11-20.pdf].
exh. 26 : Pièces jointes à la 5ème requête du 23-6-20, [http://www.pierregenevier.eu/npdf2/lien-int-PJ-req-5-CEDH-3-2-21.pdf].
exh. 27 : Lettre au greffier du 6-11-20 ; [http://www.pierregenevier.eu/npdf2/let-gref-CEDH-scaned-6-11-20.pdf].
exh. 28 : Décision de la CEDH sur la requête 5, 17-12-20, [http://www.pierregenevier.eu/npdf2/dec-no-50021-20-CEDH-17-12-20.pdf].
exh. 29 : Lettre à la CEDH du 25-9-20 ; [http://www.pierregenevier.eu/npdf2/let-dem-for-req-3-5-CEDH-24-9-29.pdf].

Les Requêtes à la CEDH de 2016, 2012 et de 2001.

exh. 30 : **Requête de 2016**, plus décision, [http://www.pierregenevier.eu/npdf2/req-cedh-vs-fra-et-dec-8-6-16.pdf].
exh. 31 : Pièces jointes à la requête de 2016, [http://www.pierregenevier.eu/npdf2/lien-int-PJ-req-2016-CEDH-3-2-21.pdf].
exh. 32 : **Requête de 2012**, plus décision, [http://www.pierregenevier.eu/npdf2/req-cedh-vs-fra-et-dec-2012.pdf].
exh. 33 : Pièces jointes à la requête de 2012, [http://www.pierregenevier.eu/npdf2/lien-int-PJ-req-2012-CEDH-3-2-21.pdf].
exh. 34 : **Requête de 2001,** [http://www.pierregenevier.eu/npdf2/requêteCEDH-30-3-01.pdf].
exh. 35 : Pièces jointes à la requête de 2001, [http://www.pierregenevier.eu/npdf2/lien-int-PJ-req-2001-CEDH-3-2-21.pdf].
exh. 36 : Réponse au greffier de 2001, [http://www.pierregenevier.eu/npdf2/Rep1-greffe-CEDH-9-5-01.pdf].
exh. 37 : 2ème Réponse au greffier de 2001, [http://www.pierregenevier.eu/npdf2/Rep2-greffe-CEDH-29-5-01.pdf].

La loi sur l'AJ et son décret d'application, les rapports parlementaires, et autres documents .

exh. 40 : Loi sur l'AJ version 2017, **du 10-7-91**, [http://www.pierregenevier.eu/npdf2/loi-AJ-10-7-91.pdf].
Loi sur l'AJ version 2021, **du 10-7-91** (40.2), [http://www.pierregenevier.eu/npdf2/loi-AJ-ver-2021-10-7-91.pdf].
exh. 41 : Décret sur la loi sur l'AJ …,ver 2017 **du 19-12-91**, [http://www.pierregenevier.eu/npdf2/decret-no-91-1266-du-19-12-91.pdf].
Décret sur la loi sur l'AJ …,ver 2021 **du 19-12-91** (41.2), [http://www.pierregenevier.eu/npdf2/decret-no-91-1266-ver-2021-du-19-12-91.pdf].
exh. 42 : Brouillon, remarques sur rapport Moutchou, 8-11-19, [http://www.pierregenevier.eu/npdf2/rem-23-7-19-rap-AJ-8-11-19-draft.pdf].
exh. 43 : Rapport de Mme Moutchou'et M. Gosselin, 7-23-19, [http://www.pierregenevier.eu/npdf2/rap-AJ-Moutchou-23-7-19.pdf].
exh. 44 : Mes remarques sur les rapports de 2014, lettre du **17-11-14** , [http://www.pierregenevier.eu/npdf2/let-pres-pm-etc-7-17-11-14.pdf].
exh. 45 : Rapport du Député Le Bouillonnec 2014; [http://www.pierregenevier.eu/npdf2/rapport-AJ-lebouillonnec-9-2014.pdf].
exh. 46 : Rapport des Sénateurs Joissains et Mézard 2014; [http://www.pierregenevier.eu/npdf2/rapport-AJ-joissains-7-2014.pdf].
exh. 47 : Rapport de la mission MAP 2013; [http://www.pierregenevier.eu/npdf2/rapport-AJ-MAP-11-2013.pdf].
exh. 48 : Rapport des députés Gosselin et Pau-Langevin 2011; [http://www.pierregenevier.eu/npdf2/rapport-AJ-gosselin-4-2011.pdf].
exh. 49 : Rapport Darrois 2009; [http://www.pierregenevier.eu/npdf2/rappport-AJ-darrois-3-2009.pdf].
exh. 50 : Rapport du Sénateur du Luart 2007; [http://www.pierregenevier.eu/npdf2/rapportduluart.pdf].
exh. 51 : Rapport Bouchet 2001; [http://www.pierregenevier.eu/npdf2/rapport-AJ-bouchet-5-2001.pdf].
exh. 52 : Réponse de Mme Mijatovic du 3-11-20 ; [http://www.pierregenevier.eu/npdf2/rep-COE-Com-HR-3-11-20.pdf].
exh. 53 : OTP policy paper, prelim. exam. FRA 2013 ; [http://www.pierregenevier.eu/npdf2/OTP-Policy-Paper-Preli-Exam-2013-FRA.pdf].
exh. 54 : OTP policy paper, prelim. exam. EN 2013; [http://www.pierregenevier.eu/npdf2/OTP-Policy-Paper-Preli-Exam-2013-EN.pdf].
exh. 55 : Guide de la recevabilité du 31-12-19 [http://www.pierregenevier.eu/npdf2/gui-rec-CEDH-31-12-19.pdf].
English version of the Guide de la recevabilité du 31-12-19 [http://www.pierregenevier.eu/npdf2/Admissibility-guide-EN-ECHR-2020.pdf].
exh. 56 : Suivi Internet de la procédure CEDH, R1 no 15564/20, 30-**6-20** ; [http://www.pierregenevier.eu/npdf2/suivi-proc-cedh-reqno1-au-30-6-20.pdf].
exh. 57 : Article sur l'intervention de Mme Bachelet art. 24 loi sécurité ; [http://www.pierregenevier.eu/npdf2/UN-Bachelet-vs-security-law-9-12-20.pdf].
exh. 58 : Article sur l'intervention de Mme Mijatovic art. 24 loi sécurité ; [http://www.pierregenevier.eu/npdf2/art-Mijatovic-vs-security-law-28-12-20.pdf].
exh. 59 : Rapport sur la réforme de la CC d'avril 2017; [http://www.pierregenevier.eu/npdf2/Rapport-reform-Cour-cass-4-17.pdf].

exh. 60 : Lettre envoyée à M. Chirac le 30-4-98 ; [http://www.pierregenevier.eu/npdf2/let-a-chirac-30-4-98.pdf]. ,
exh. 61 : Réponse de M. Chirac du 18-5-98 ; [http://www.pierregenevier.eu/pdf/letChirac.pdf]. ,
exh. 62 : Réponse de M. Strauss-kahn du 24-7-98 ; [http://www.pierregenevier.eu/pdf/letmineco-7-24-98.pdf].
exh. 63 : 1ère extension du délai de 6 mois CEDH, mars 2020 ; [http://www.pierregenevier.eu/npdf2/CEDH-suspend-delai-16-3-20.pdf].
exh. 64 : 2ème extension du délai de 6 mois CEDH, avril 2020 ; [http://www.pierregenevier.eu/npdf2/CEDH-prolonge-suspension-delai-9-4-20.pdf].
exh. 65 : Article les échos sur réforme AJ début 2021 ; [http://www.pierregenevier.eu/npdf2/a-echos-reform-AJ-entre-en-vigueur-4-1-21.pdf].
exh. 84 : INCO Copernicus program proposal **1997** (31 p., 84.1), [http://www.pierregenevier.eu/npdf2/incoproposal7-1-11.pdf].
EU commission evaluation and letters of interest (20 p., 84.2) , [http://www.pierregenevier.eu/npdf2/incopropandletsup1.pdf];
and (84.3) [http://www.pierregenevier.eu/npdf2/incoletsup2.pdf].
exh. 86 : CV PG, [http://www.pierregenevier.eu/npdf2/cvfr-12-8-19.pdf].
exh. 90 : UNSG application dated **4-11-16**, [http://www.pierregenevier.eu/npdf2/UN-cand-UNSG-11-4-16.pdf].
Vision statement (90.2), [http://www.pierregenevier.eu/npdf2/vision-8-4-16.pdf].
exh. 91 : Letter addressed to the UN, **23-8-16** (31), [http://www.pierregenevier.eu/npdf2/UN-cand-UNSG-3-23-8-16.pdf].
Letter addressed to the US congress, **25-8-16** (31.2): [http://www.pierregenevier.eu/npdf2/let-us-congress-23-8-16.pdf].
exh. 92 : 1st UNSG application du **6-14-06** , [http://www.pierregenevier.eu/npdf/ungeneralasseмb.pdf].
exh. 93 : Lettre envoyée à l'ONU du **11-29-05** ; [http://www.pierregenevier.eu/npdf/uscongress10-20.pdf].
exh. 94 : Lettre envoyée à l'ONU du **1-18-15** ; [http://www.pierregenevier.eu/npdf2/letunga-7-1-18-15.pdf].
exh. 95 : Article du New York Times **9-12-14** ; [http://www.pierregenevier.eu/npdf2/art-nytimes-AJ-9-25-14.pdf].

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