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H.E. Dr. Ali Abdussalam Treki, President of the UN General Assembly
H.E Mrs./Mr. Permanent Representatives of UN Member States
Mr. Ban Ki-Moon, Secretary-General of the United Nations

Los Angeles, June 23 2010

Object: My previous letters, the platform of proposals to be presented during the United Nations Secretary-General (UNSG) selection process in 2011; my legal cases against the US Administrations; and disarmament issues and other international issues [this letter is at <http://pgeneviev.110mb.com/npdf/letunga6-23-10.pdf> to use the Internet links more easily].

Dear H.E. Dr. Ali Abdussalam Treki, President of the UN General Assembly,
Dear Mrs./Mr. Permanent Representatives of UN Member States,
Dear Mr. Ban Ki-moon,

Referring to my previous letters of 3-25-08 [[exh. 3](#), [exh. 4](#)] and 2-5-09 [[exh. 1](#), [exh. 2](#)] concerning the platform of proposals to be presented during the 2011 UNSG selection process, I take the liberty of writing you again (1) to make few additional comments on the platform in light of Copenhagen's agreement; (2) to talk about the disarmament issues and ongoing related international problems; and (3) to make few comments on the US justice system in light of the recent decisions in my lawsuits against US administrations. This letter is a little bit longer than the previous ones and I apologize for that, but I had to address several important subjects into a little more detail.

A Copenhagen's great failure, our democracy's problems, and Jeffrey Sachs' flaws.

The New York Times published an article on 12-23-09 entitled '*EU blames others for great failure on climate*' in which it analyzes some countries' or their officials' reactions to the agreement reached in Copenhagen, and other newspapers have also published similar articles, so I will review Copenhagen's agreement and some of these officials reactions which, I believe, reinforce the need to develop further the platform I presented you. I will also make some comments on 'our' democracy system, and review Jeffrey Sachs' book [*Common Wealth: Economics for a Crowded Planet* 2008, I referred to it here as CW xx; I also refer to Mr. Obama's book '*The Audacity of Hope*' 2006 few times as AH xx].

1) Mr. Ban's report to the UNGA dated 12-21-09.

The missing issues or objectives.

First, Mr. Ban's report to the UNGA dated 12-21-09 states: '*Among the decisions of the Conference, the Copenhagen Accord marks a significant step towards the first truly global agreement that can limit and reduce greenhouse gas emissions, support adaptation for the most vulnerable, and help to establish a new era of environmentally sustainable growth.*'; *and later*: '*Through the Accord, countries agreed to work towards a common, long-term goal to limit global temperature rise to below 2 degrees Celsius. They also agreed to review this commitment in 2015 to take account of new scientific evidence.*'. The agreement to work towards a goal to limit global temperature rise to below 2 degrees Celsius, is good of course, even though we should try to do better than that, but this objective is undissociable from **how we achieve this result** as you surely understand. If we limit the temperature rise to 2 degree Celsius by keeping 3, 4 or more billions persons living under \$2 a day or less by 2050, then this agreement will be a complete failure. We must therefore **absolutely include** in our agreement to limit the temperature rise **an objective to end poverty** in a near future 2030 (or earlier) at this year's meeting in Cancun, Mexico.

Second, Mr. Ban writes: '*Developed countries have committed to establish and implement targets for greenhouse gas emissions. A number of developing countries, including major emerging economies, have agreed to implement nationally appropriate mitigation actions and communicate their efforts every two years. Countries also agreed on the importance of acting to reduce emissions from deforestation and forest degradation.*', but here again you understand that there are 4 key missing issues or objectives: **(1) the speed at which rich countries will decrease their gas emissions** (Europe offered to limit its gas emissions to 30% of its 1990 level by **2020**, and other rich countries - in particular the US - must absolutely offer equivalent limits in Mexico); **(2) the efforts that will be imposed on poor countries** to take their people out of poverty with green projects, green technology and green attitude [including population control efforts for certain countries that have a high TFR., I talk about the financial support given below], and **the mixed efforts imposed on emerging countries** [including carbon intensity reduction and poverty reduction with green projects...]; **(3) an agreement to design and implement a the strategy** that we will help us reach our objectives; and **(4) an agreement to design and implement a new 'system'** to enforce compliance with the proposed gas emission limitation targets and other objectives [the Security Council (terror council as Mr. Kaddafi calls it) with its sanctions is not the proper 'tool' to address the issue, and since rich countries have failed to pay the promised 0.7% of GNP in ODA for 4 decades, it is obviously important].

The offers from emerging countries (in particular China) to decrease significantly **their carbon intensity** was and is the only **fair offer** (in the CO2 emission area) **we can ask them to make now** because they still have to take quite a lot of people out of poverty, and will have to do serious efforts and accept objectives to reduce poverty with green projects, and because their pollution level per inhabitant is still much lower than rich countries' [China will also have to do efforts in other related areas like stop eating so much rare frogs, turtles, snakes, bears and tigers (see CW p. 151) and that's tough!]. The situation might change in 2020, if China, India, Brazil,, do not do enough efforts to use 'green technologies...', **but right now we can only ask them for carbon intensity decrease and a 'green strategy' to take their people out of poverty.** The targets of greenhouse gas emissions **by 2050** cannot be done precisely enough **now**, for several reasons I give you below, so we must agree to reevaluate these 2050 targets in few years when we will be able to evaluate more precisely the efforts required on emerging countries and poor countries to reduce poverty including population growth control objectives, and to associate greenhouse gas emission targets in rich countries with poor and emerging countries efforts. I believe we should be able to come up with an optimum average pollution level per inhabitant and determine precise objectives for each country based on this average and the population growth prediction.

The need to pay the promised 0.7% of GNP in ODA.

Thirdly, Mr. Ban stated: '*Another significant feature of the Accord is the agreement to provide comprehensive support to the most vulnerable to cope with climate change. The Accord provides a mechanism to provide the financial resources for mitigation and adaptation activities in developing countries. Countries pledged up to \$30 billion a year between 2010 and 2012 to be disbursed through the Copenhagen Green Climate Fund. It will be a total of \$30 billion. Countries also backed the goal of mobilizing \$100 billion a year by 2020 for developing countries*'. This agreement also is too imprecise because it does not say for example if the \$30 billions of aid and/or pledge of \$100 million per year by 2020 is/are in addition to the 0.7 % of GNP in ODA **that have already been pledged by rich countries** [*In 1970, rich countries of the OECD agreed at the United Nations (Resolution 2626) to give 0.7% of their GNP (now GNI) as aid to the developing countries*'], **but never completely paid for most of them** [*'the accumulated total shortfall in their aid since 1970... amounts to \$4.01 trillion (at 2008 prices).*]. As explained below, rich countries have significantly decreased their ODA between the 60s and 2000s, and never fulfilled their promises and obligations to pay 0.7% of GNP in ODA [to prevent **poor**

countries from developing and polluting more!], so the financial offer - in addition to being imprecise - is uncertain to say the least, especially when we know that neither MM. Obama, Sarkozy, Brown... will be in office in 2020 and that we will still have to deal with the US Congress flaws if we do not address this problem too [see 3)]. 0.7 % of GNP was in 2006 (according to Jeffrey Sachs) about \$ 90 million a year just for the US (see CW 286) and about \$245 billion for all rich countries (see CW 245), so the objective to mobilize **\$100 billion a year by 2020**, does not have a great meaning if rich countries do not pay immediately their 0.7% of GNP in ODA.

Moreover, we don't know exactly how much money we will need by 2020 – in fact how much money we will need in 2020 is **directly dependent on how we will act and behave during the next ten years**, and to plan on giving \$100 billion by 2020 is a very bad sign because it means **(1)** that we assume very little progress on our environment problem (and related poverty problem) will be made by 2020, **(2)** that the promised 0.7% of GNP in ODA will not be paid, and **(3)** that the situation will have significantly worsen by then. If we act appropriately **in several different critical areas** to resolve our global problems [economic reform, use of the internet, link development and environment problems, justice reform in rich countries, and gas limitations targets in the order 30% below the 1990 level for rich countries] during the next ten years, we may not need to give any money to poor countries to deal with global warming by 2020 because the environment situation will have improved significantly and poor countries will be already prepared to tackle the poverty and environment issues on their own or with the normal 0.7% of GNP in ODA and with a redesigned economic system and a better use of the Internet [Jeffrey Sachs writes '*Africa could graduate from aid by the year 2025*' CW 246, but he does not take into consideration the possibility to better use the Internet and to reform our economic system,]. Here again we must clarify this financial agreement in Mexico and make sure that **rich countries agree to pay the promised 0.7 % of GNP in ODA immediately**. [Rich countries should not promise any additional money **before complying with resolution 2626**, and if they do give additional money, they should do it to decrease the \$4.01 trillion shortfall of the past 40 years.]

The imprecise meaning of 'legally binding' and the population growth issue.

Finally, Mr. Ban also states: '*Going forward, we have four tasks. First, I urge all Governments to formally sign on to the Copenhagen Accord by registering their support through the UNFCCC Second, we need to convert the commitments enshrined in the Copenhagen Accord into a*

legally binding climate change treaty as soon as possible in 2010. **Third**, we must ensure that the Copenhagen Green Climate Fund becomes fully operational as soon as possible. ... **Fourth**, I will urge all to implement their commitments as soon as possible, while the legally binding agreement is being developed. I will also urge countries to increase their level of ambition. Current mitigation commitments fail to meet the minimum commitment to keep global temperature rise to below 2 degrees Celsius above pre-industrial levels. We must close the gap or face serious consequences.'. After the many 'calls' that Copenhagen's agreement **was a failure** and given the obvious imprecision mentioned above, it may **not** be as urgent to '... *convert the commitments enshrined in the Copenhagen Accord into a legally binding climate change treaty as soon as possible in 2010*', as it is to define the problem more precisely and to agree on a strategy and a timetable for the important steps to resolve the precisely defined problem. To reach some kind of '*legally binding agreement*' on the Copenhagen's commitment by 2010 when '*legally binding*' does not mean very much if we don't define at the same time the way to enforce the '*legally binding agreement*', **may be very difficult to do intelligently also**. Who is going to 'punish' the US (or Israel) if it does not respect the agreement, the UN Security Council will certainly not be able to vote any resolution against the US or Israel since the US usually vetoes every proposal of resolution against Israel. And no-one was able to force rich countries to pay the 0.7% of GNP in ODA they promised to pay since the 70s also although their failure killed without any doubt 100s of millions of people over the 4 decades.

It is also obvious that any greenhouse gas emissions targets **for 2050** should be based on some kind of prediction of the 2050 population size, and as explained above, on the fact that we should have resolved the poverty problem long ago by then, so legally binding targets for 2050 are not meaningful until we have addressed other import issues like how we are going to control the population growth, and to resolve poverty, and **we cannot do that by the end of 2010** (we must first agree on a strategy and agree on more precise targets in different other areas). If the total fertility rate (TFR) stays the same in every country, the population of the earth will be about **11.7 billion in 2050** (see CW 166); with a medium TFR prediction, the population will be about 9.1 billion in 2050, and finally about 7.8 billion with a low TFR prediction, so there is an almost 4 billion persons difference in 2050 depending on the TFR prediction and this difference could have a huge impact on our need to decrease our CO2 and other gazes emissions by 2050. We must also understand that China - that has made a tremendous effort to control its

population growth over several decades and has achieved an outstanding result on this matter - be very concerned about accepting any type of obligations of gas reduction by 2050 without taking into consideration 'our' obligation to control the world's population growth. The greatest the world's population will be in 2050, the greatest the efforts required on countries including China will be also. Would it be fair to impose on China additional CO2 reduction by 2050 because some countries made no effort to reduce their TFR over the next decades and the world population has increased by 5 billion people too much, when we know all the efforts China has made in this matter and it must take 300 million or more people out of poverty (or extreme poverty)? (!) – NO, of course.

So it remains critical to ask rich countries **to increase their level of ambition** in particular the US (as **Mr. Ban states**) - rich countries must accept targets in relation with the European Union offer of 30 % decrease from 1990 levels in 2020 (meaning not less than 25% from 1990 levels). If '*current mitigation commitments fail to meet the minimum commitment to keep global temperature rise to below 2 degrees Celsius above pre-industrial levels*' in a world with 3 billion people living with less than \$2 a day or less, as **Mr. Ban states**, they will surely fail in a world free of poverty, and we must talk about objectives in a world free of poverty. Mr. Ban also states '*We must examine the lessons of the Copenhagen Conference, and consider how to improve the negotiations process. We need also to encompass the full context of climate change and development in the negotiations, both substantively and institutionally. Early next year, I will **establish a high-level panel on development and climate change to address such issues.***' To address the two problems, climate change and development (poverty), together and efficiently, **is critical obviously** [to create fair objectives for rich, emerging and poor countries], but it must be done in the context of a common (to all countries) strategy including a better use of the Internet, a reform of our economic systems, and an improvement of our justice as I explained you in my previous letter. So we will need **more than** a panel on development and climate change in a very near future, we will need also a common strategy, and the project to develop further platform of proposals I presented you can help. To plan on defining the problem more precisely in this year Mexico meeting is now critical also. I don't know the amount of work or thinking you put into my proposal, if any, but you obviously know the issues very well, so there is still enough time to act before Cancun's meeting (from 11-29-10 to 12-10-10).

2) Individual reactions to the agreement and responsibilities in Copenhagen's 'great failure'.

The impossibility to impose now honest limitations' targets by 2050.

The New York Times article mentions the European Union's disappointment about the agreement: *'Andreas Carlgren, the environment minister of Sweden, ..., said that the summit meeting had been a "great failure" partly because other nations had rejected targets and a timetable for the rest of the world to sign on to binding emissions reductions. The E.U. went into the conference with a strategy of leading by example on emissions cuts, ... It was obvious that the United States and China didn't want more than we achieved at Copenhagen.'* The obstacles created by those countries were "part of what we regretted,". And later *'The result was a bitter disappointment for European leaders, who had insisted, by offering to cut their emissions by 30 percent by 2020 compared with 1990 levels, that they could pry more concessions from China and the United States. In the end, that offer cut no ice with the Americans and the Chinese, who offered nothing new.'* **Mr. Calgren should not put the US and China in the same basket, it is very unfair and prevents the resolution of the problem.** Even though they both pollute (in term of CO2) almost as much, China is more than 4 times more populated than the US, it has hundreds of millions of people to take out of poverty or extreme poverty, and the US has a much greater responsibility in the actual concentration of CO 2 in the atmosphere than China has because the US was the number one polluter for decades before China eventually reached this spot. So right now, Europe can only ask **rich** countries, in particular the US, to follow its offer to reach a 30 % gas reduction (about) from the 1990 level **by 2020**, and ask emerging countries like China to reduce **their carbon intensity**. The EU is therefore partly responsible for this Copenhagen's failure (despite its '30% gas reduction offer'), and it must learn from this Copenhagen's failure and make sure the problem is well defined this year in Mexico.

Later the article states: *'Meanwhile, an official in Beijing shot back at criticism by a senior British official that China and a handful of other countries at Copenhagen had thrown up insurmountable barriers to a more far-reaching accord' ... and 'At the core of the dispute between China and advanced economies like Britain is the responsibility that Western countries have for putting the vast majority of the gases blamed for global warming in the atmosphere,...* ". The article also states *'... Jiang Yu, a spokeswoman for the Chinese Foreign Ministry, suggested that Britain was seeking to "shirk the obligations of developed countries to their developing counterparts and foment discord among developing countries, but the attempt was doomed to fail."* The Chinese were apparently reacting to an article in The Guardian newspaper by Ed Miliband, In the article, Mr. Miliband contended that China vetoed agreement on including the need for large reductions in emissions by 2050 in the accord, despite support for those targets from a coalition of developed countries and a vast majority of developing

countries. Ms. Jiang, the Chinese spokeswoman, said those responsible for the article should “**correct their mistakes, fulfill their obligations to developing countries in an earnest way, and stay away from activities that hinder the international community’s cooperation in coping with climate change.**” Again to make plans to limit the greenhouse gas emissions **by 2050 (1)** without planning to take out of poverty the 3 or more billions of people living under \$2 a day or less by 2030 (or earlier), **(2)** without planning to control the population growth over the next 40 years, and **(3)** without agreeing on a strategy to achieve these related objectives **is absurd** and very unfair for China that has made many efforts to control its population growth over decades for example and still has to take 100s of millions of people out of poverty, **so Mr. Miliband should understand China’s point of view, not criticize it, and support the solution I propose.**

It is also obvious that ‘we’ (rich countries) have known about the greenhouse gas problem for a longtime [in the 70s there were already problems with the CFC gas that destroyed the ozone layer of the atmosphere, so rich countries were warned about the negative effect of industrialization], and **that nothing was done to address the issue**, except decreasing the level of ODA paid to poor countries to prevent them from developing and from polluting which is very dishonest [the US that produces the most greenhouse gas per inhabitant still continues to refuse to take serious actions on industrial and economical efficiency ground!]. So ‘**Western countries must admit their responsibility for having put the vast majority of the gases blamed for global warming in the atmosphere**’, and they must admit also that colonization and slavery in the US,, have slowed down the development in poor countries while speeding up the development in rich countries. Rich countries must also make sure that they do not do the same mistake during the next 40 years, by integrating the welfare of the poor in their previsions, by urgently agreeing to significantly decrease their greenhouse gas emissions by 2020 like Europe proposed and by accepting to pay the promised ODA immediately.

The responsibilities in Copenhagen’s failure.

An article from Le Monde dated 12-21-09 ‘A la recherche du bouc emissaire de Copenhagen’ also gives some individual reactions like the one from President Lula who believes that the US was mainly responsible for Copenhagen’s failure because, among other reasons, it did not offer greater CO2 gas emission reduction. President Evo

Morales argues that rich countries had prepared an ‘agreement document’ without discussing it with other countries before the meeting. Finally, Mr. Jean-Louis Borloo, the French environment’s minister, argues that the UN had been incapable of presenting any document to facilitate the reaching of an agreement, and that **the real Copenhagen problem** was the **US Congress** that prevented President Obama to go further. It is a little easy to exonerate Mr. Obama of any ‘wrongdoings’, but Mr. Borloo has a point on the US Congress’ responsibility, I believe, as I explain below in 3). And, obviously, the problem is complex, so the UN could not have prepared an honest solution without joining the two problems - development (poverty) and environment - together, and without preparing a common strategy to resolve the two problems which requires the UNGA and countries support and a serious preparation work as the one I described, and the UN cannot be the only one responsible for not presenting a document to help reach an agreement. The platform of proposals I presented you **makes sense**, and France more than any other countries should have supported it, and should now support it.

To conclude, Copenhagen’s failure was not the failure to reach a ‘*legally binding agreement*’ on greenhouse gas emission limitation targets, I believe, certainly not gas emissions limitation targets **by 2050** or gas emission limitation targets for poor countries. **It was more the failure to have all countries agree on (1) a precise and ‘human’ definition of the entire problem (environment, poverty,), agree on (2) a path (strategy and timetable) to resolve the precisely defined problem, and (3) to have the US and other rich countries admit their ‘*responsibility for putting the vast majority of the gases blamed for global warming in the atmosphere*’, and offer significant decrease of gas emissions by 2020 (as Europe did). So, everyone is partly responsible for Copenhagen’s failure. Europe’s proposal to reduce its gas emission by 30% of its 1990 level **without explaining the importance** of addressing the two problems - environment and development – **together** and **the importance** of having a common strategy to resolve them at the same time, **was not enough** [even if it is a very good start because if Europe can do it (and Japan offers a 25 % reduction), **then the US should be able to do it too**]. Of course, **the country that has the greatest responsibility** in Copenhagen’s failure **is the US** (as President Lula stated) since they again made no effort to present significant reduction of gas emissions **by 2020 which is one critical point now**, and they did not encourage a precise definition of the problem either.**

3) Some democracy problems, and the US Senate flaws.

The US Senate flaws.

Mr. Borloo's remark on the US congress and the US failure to offer significant decrease of greenhouse gas emissions **by 2020** point out serious weaknesses in 'our' political system – democracy - and highlight the problem posed by the US Senate flaws. The idea of democracy is that the people of a country are the ones who decide what is good or bad for their country and what path must be followed to resolve the problems, but as we see it in the US, what the people think is good for (or at least what the senators think is good for) their country is not necessarily good for the world. In fact what the Senators may see as good for their country **can even be very (very) bad for the world** as the US senators' refusal to significantly decrease the US greenhouse gas emissions **by 2020** establishes. Obviously the US senators have made every possible effort to prevent significant greenhouse gas emissions decrease for the US **for quite sometimes now** (see CW 108-109, US Senate resolution on the Kyoto protocol in 1998...) although the US is the number one polluter per inhabitant by far and the US effort is critical for the world to limit global warming. Imposing on the US a significant decrease of greenhouse gas emissions **by 2020** is **critical** because **the US action (with Europe's action) will have the most significant immediate impact on the situation,** and **it is also a very important fairness issue for poor countries (and the world) as seen above.**

The US democracy system is worsened by the fact that one senator can hijack the democratic process and impose its view on a majority of other senators and a majority of representatives (and even on a majority of his fellow party members!) as it happened recently on the health care reform. You surely have heard about the 'filibuster' in the US senate, a rule that allows a party (with a minority of senators) to require the party with the majority to have 60 votes (instead of just a simple majority of 51) to pass a law. This is an extremely dishonest and anti-democratic rule that makes it even more difficult to improve the US society and **therefore that concerns everyone around the world**. As you know, democracy is based on the 'general rule' that elected officials are chosen by the majority (50% +1) of electors and that laws are passed by the majority (50% +1) of elected officials (senators,) with some variant. In the US Senate and House, the majority (50% +1) of senators and of representatives is sufficient to pass a law, but sometime in the US history (in 1806 to be precise, I believe), the senate dropped the possibility to close the

debate on the voting of a law with only a 50% +1 majority, and later some senators used this grave error (in the US democracy) to prevent the passage of new laws (by a majority of senators) by making very long speeches during the debate over the law.

After few evolutions, in the senate the rule is now that to start and close the debate on a law, a party needs a majority of 60 votes while to vote the law the majority required is only 50% +1 (in the house of representative, the requirement to start or close the debate has always remained a 50% +1 majority, it seems!). This undemocratic rule is used now regularly or even often by **both parties** to prevent the other side from voting new laws (from reforming the country) if they don't have the 60 votes needed to start and end the debate even when they have the 50% + 1 votes to pass the law (!), and is **one** of the US institutions' flaws the US should change because this rule makes it harder to significantly reform the US society, especially when you add to this, the fact that senators can stay in office well beyond 65, and that many US senators are actually older than 65, 70 or even 75 [the age average in the Senate is 63.1 years, I believe, with the oldest senator, Senator Byrd, a **former Ku Klux Klan member** (AH 75), being 92, with 52 years in the Senate]. We know that older people are resistant to change [they also tend to be convinced that the systems they have developed over the years are the best they can be, regardless of the impact new technologies and new knowledge may (or could) have on the improvement of our systems and society!], so reforming significantly the US society is difficult and this is one of the reasons the US behaves so badly in several important areas including the protection of environment, justice, and the fight against poverty.

'A tool to protect the wealthy from the rabble, and assure slaveholders of non-interference with their peculiar institution' (AH 75).

I explained you in my previous letters that we must pay a more careful attention to what is going on in rich countries to resolve our global problems, and since Mr. Borloo discussed the US Congress problem in the context of Copenhagen's failure, I had to point out the pertinence of my earlier remark and of the proposals I presented you. One trend in the US (and other rich countries) politicians behavior is also to turn around what they do bad into the greatest thing the world has ever had or into something extraordinary and good for the people. Mr. Frist, a former majority leader in the senate, eventually said on this filibuster issue (**after first criticizing the rule**) that *'the right to talk – the right to debate – is a tradition as old as the senate itself, it's unique to the institution. It shapes the character of the*

institution. *It is why the United States Senate is the world greatest deliberative body*' [but senators are no longer required to make long speeches to prevent the passage of a law, they can just invoke the filibuster rule]. I believe on the contrary that this rule is an evidence that **the US Senate is one of the 'world's most not-so-honest deliberative bodies' on the planet**, and that we must pay a more careful attention to what it is going on in the US. Mr. Obama explained in his book that the Senate was created to be, among others, '*a tool to protect the wealthy from the rabble, and assure slaveholders of non-interference with their peculiar institution*' (AH 75); and we see now that it still actively plays this role as the imbalance in remuneration (see AH 62 '*in 1980, the average CEO made forty-two times what an average hourly worker took home. By 2005, the ratio was 262 to 1.*'), the Senators incapacity to reach an immigration's agreement that maintains 11 million illegal aliens (the modern slaves), and the refusal to take significant measures to diminish greenhouse gas emission (that hurts the poor first) show.

Mr. Obama also talks extensively about the filibuster (in his book) without condemning the system - probably because he understands the power the rule gives to each senator (he was a senator at the time he wrote the book). For example, he describes how in 2005 the republican threatened to use what he calls the '*nuclear option*' (AH 98) and which consisted of permanently ending the filibuster rule, if the democrats did not end their filibuster on several judicial nominees, and how senators **Byrd** (87 at the time, D) and Warner (78, R) '*have kept the republic*' (AH 99) after they, together with 7 democrats and 7 republicans, found an agreement to confirm most of the judicial nominees and prevent the end of the filibuster rule. The US democracy has many grave flaws that have grave consequences for the world and we must encourage the US politicians to admit these problems and reform their system. This is difficult, of course, and giving the Nobel Peace Prize to 3 US president, former president and former vice-president within the past 8 years is not helping us to do that, on the contrary it is an effort to transform the US very bad behavior into something extraordinary, so it is very bad for our effort to resolve the global problems **because it does not help us to change the wrong perception the US politicians and people have about their institutions and work methods**, unfortunately. I discuss the issue further below in part B 4) below.

Just as it is difficult to encourage the US to decrease significantly its greenhouse gas emissions by 2020, it is very difficult to encourage certain countries (democracies) to

decrease their TFR or to control the growth of their population although it is critical for them and for everyone. In democracy it would (probably) be difficult for a political party to be elected if it planned to ask by law that each family have only one (or 2 or 3) child, even though this rule or law would surely help tremendously that particular poor country to develop faster, and help the world to fight global warming and poverty (see CW 177). Even if rich countries have seen their TFR decrease significantly (too much for some) as they got richer, some poor countries have failed to resolve the problem of high fertility rate for various reasons explained at CW 169-176. China is the only nations (I know of) that adopted a law limiting the number of children per family, and they have obviously achieved an outstanding result both in term of population growth control (which is a relief for everyone given the size of their population) and in term of development, poverty reduction (sadly it is only one of the few significant successes we have had in this area). Their achievement is outstanding, I believe, because they have controlled their population growth while they were still being a very poor country [Jeffrey Sachs explains well the reasons why such a result is difficult, but sadly although he makes an incredible case for TFR control, he forgets to talk about China's effort and achievement, and only talk about voluntary effort]. These remarks show that certain specific changes in our democracy system would help us to resolve our global problems faster.

4) What is wrong with Jeffrey Sachs?

The scandalous US behavior.

This last remark on population growth control brings me to make some comments on Jeffrey Sachs' book because he has been the advisor to 2 UNSGs [and for sometime already], so we must understand what it is wrong (and right) in his reasoning to better understand our global problems, I believe. If you have not read his book, I strongly recommend it because it is well written and contains a lot of important and useful information to find the best strategy possible to resolve our global problems. If you do read the book (or have read it already), you may notice (or have noticed) first that **Jeffrey Sachs often criticizes the US for its (scandalous) policies** (this is not wrong of course, on the contrary). For example on page 10 he talks about the '*unethical*' role of the CIA [*'Notorious acts of US unilateralism include the CIA-led overthrows of several governments ...the assassination of countless foreign officials ... The United States has thrown elections through secret CIA financing, put foreign leaders on CIA payrolls ... (including Saddam Hussein and Osama Bin Laden, both once on the CIA payroll)'*]. Later, he talks about the US Congress refusal to sign the Kyoto

protocol in 1998 [the Byrd-Hagel resolution passed by 95-0 vote (Byrd again)! He writes in 109 ‘*the resolution exemplifies **the declining sense of global responsibility felt by US politicians**, because it conveniently and even self-righteously puts aside the small detail that the United States , with just 5 % of the world’s population, account for a quarter of the world’s emissions! Here is the US, far and away the biggest contributor to greenhouse gas emissions, **indignantly telling poor countries bearing the consequences in famines, droughts, increased malaria transmission, and more , that the US will not even start on emissions control because the developing countries are not yet bound to do so.**’].*

Later he writes about the US scandalous refusal to sign the CBD Convention on Biological Diversity (CW 115 and 153, see ‘*The absence of the US is a scandal and a tragedy*’), about the failure to pay the promised .7% of GNP in ODA over several decades several times (CW 52,286,), and about the ‘*war on family planning*’ launched by Mr. Bush ‘junior’ (CW 197), that is another obvious proof of the US effort to prevent poor countries from developing and freeing themselves from poverty if the failure to pay the promised ODA, and the failure to quickly decrease the greenhouse gas emissions did not convince you already [as seen above Jeffrey Sachs makes a big case of the need to control the population growth (CW 174) to come out of poverty and of course to fight global warming even if he is not completely fair about the possible ways to achieve this]. The US dishonest effort to hurt the poor, in general, is coherent with the way the US treats its own poor as Jeffrey Sachs explains it at CW 260-261 ‘*the US among the richest of all the countries in per capita GNP, also has the highest poverty rate by far, at 17.1 percent of households living on 50 % or less than the average household income.*’, and CW 264 ‘*Countries like the US with very low social spending at home are also the countries with low levels of international development aid...*’.

I had phrased this differently in my 2006 letter of application for the UNSG post ([exh. 8](#)) when I wrote that ‘*you can be sure that as long as there is one homeless in the US or France, you won’t have a full commitment from the US or France in the fight against poverty*’, but it is definitely coherent with my proposal **to pay a more careful attention to what is going on in rich countries to resolve our global problems** (in particular poverty, environment,). Jeffrey Sachs’s critics toward the US prove that the US is well aware of its dishonest behavior and of the impact it has on the suffering of billions of people around the world, even if, of course, the US tries to minimize it or

simply ignores it. This is important because, as explained below in part B 2), the US dishonest behavior explains the need to spend outrageous amount of money in military expenditure (the US behaves so badly toward the world during the past 50 years that it is afraid of everything and everyone)! Jeffrey Sachs also rightfully denounces **the outrageous US military expenditure at CW 272-273**, and **talks about the fact that the US has given about as much aid to Israel as it has given aid to Africa that is 100 times more populated** (CW 241), but he does not explain the link between (or does not link) the US dishonest behavior and (to) the need for high military expenditure.

Real estate does matter and some humility could help.

Similarly, he talks about the US (and Europe,) wealth in comparison to sub-Saharan Africa's [CW 31: '***In 1820, the richest country in the world, the UK, had an average income per person that was roughly **three times** greater than that of the poorest region, sub-Saharan Africa. By 2005, the richest country in the world, the US, had a per capita income that was roughly **twenty times** larger than that of the poorest region, still sub-Saharan Africa. For past generation, sub-Saharan Africa has failed to achieve a rise in income per person.***'], but he does not clearly explain how we reached such a situation (slavery, colonization, massacre of the Indians in the US, segregation, exploitation of the poor, ...) even though he describes fairly precisely the 4 steps development process (CW 222). We must analyze how (and understand why) rich countries became so rich in such a short time in comparison to poor countries to be fair in our evaluation of the situation, and also to have a better appreciation of what the US considers a successful society. The problem is not just that the US behaves badly (as Jeffrey Sachs points it out), the problem is also that the US is convinced that it has developed a perfect society and that its politicians are extraordinary honest individuals who are responsible for developing honestly this great and very rich society, and that **they do and can do no wrong** as we will see below in part B 3).

One of Mr. Obama's book statements evidences this fact: '*America may have been blessed with some of the planet's best real estate, but **clearly** it's not just our natural resources that account for our economic success. **Our greatest asset has been our system of social organization, a system that for generations...***' AH 150; the US is rich, advanced technologically,, but it has **not** build a **successful** society, it has build

unsustainable society that depends on the suffering of billions of people (Mr. Obama *'conveniently and even self-righteously puts aside the small detail that the United States , with just 5 % of the world's population, account for a quarter of the world's emissions!* CW 109), and the US has built this *'economic failure'* (with the knowledge of the old world) 'on the back' of the slaves it used to develop the country and over the bodies of the Indians it robbed and massacred ...; and *'real estate'* does play an important role as Jeffrey Sachs explains it [*'Geography helps shape economic development for clear and understandable reasons.'* CW 212, and later *'Geography is not destiny. **But** geography shapes economic costs and the investment needed to move from one rung of the economic ladder to the next'* CW 213, meaning it facilitates development significantly (the people in Darfur are not so lucky with their 'real estate', and the failure to pay 0.7 % of GNP in ODA for decades hurts them even more)], **so some humility would help us too to resolve our global problems.**

The omission and the defeatism.

Despite Jeffrey Sachs's rightful critics toward the US, he forgets to talk about China's effort, method and success in controlling its population growth at least in the past few decades although, as explained above, he stresses the importance of reducing the TFR to resolve our environment and poverty problems [CW 159-202]. He only talks about **voluntary** reduction of fertility rates and forgets the possibility to pass a law limiting the number of child per family as the Chinese have done which I think is wrong and terribly unfair for China and the Chinese people who have done the effort of limiting at one the number of child per family **for everyone's benefits**. As seen above, we need to plan for and achieve significant decreases of greenhouse gas emissions by 2020 and then by 2050, and our failure to control the population growth in the next decades could lead to a 11.7 billion world population by 2050 which would seriously endanger our chance of success in controlling the temperature rise and the greenhouse gas emissions, and in defeating poverty. And again if we impose on countries significant effort to reduce poverty and greenhouse gas emissions (and we must do so), we cannot let the population growth parameter to the good will (or voluntary efforts) of several billions people, when other (a large number) have done mandatory efforts for everyone benefits.

I am not saying that we must impose the one child per family rule on every Sub-

Saharan countries, but may be a 3 or 2 children limit in some countries could help them to come out of poverty faster while help us to meet our objective. And China could play a special role in helping some of these countries to implement their population control effort, but for that our experts (especially the ones advising the UNSG) must not close their eyes on this possible solution. Jeffrey Sachs' *'optimistic vision'* of the future on the convergence issue also shows pessimism. He explains in detail what convergence is all about – the economic growth in poor countries that will help them *'catch up'* with rich countries, but his optimistic vision by 2050 with the US that has an average income of \$90 000 a year while poor countries that have *'converged'* have an average income of \$40 000 a year [CW 22] is to me not a very optimistic view of what convergence should be. And certainly not what it should be if we reform our economic system (capitalism that creates such imbalance within a country like the US or around the world) and if we use the internet efficiently. **I certainly don't want to see** the US become poor or even less rich than it is now, **on the contrary**, but the US can continue to grow its wealth with an economic system that remunerates the citizens more in proportion with their contribution to society's progress, that redistribute the wealth more fairly and that does not take so much advantage of poor countries and poor people as it happened for the last 2 or 3 centuries.

To conclude Jeffrey Sachs omits China's effort in the population control area, he shows 'pessimism' (even defeatism) in his optimistic vision of convergence, and even though he rightfully criticizes the US in several areas, he seems to have given up on fairness (as his country of citizenship) as you can read [CW 112 *'nor should we wait for a perfect standard of fairness and efficiency, since no such standard exists...'*]. I don't think we should give up on fairness even if it is difficult to talk about fairness when countries can be so unfair to their citizens or inhabitants as we see it happens in the US and other countries of the world. We must look at each country effort toward our common goals (in environment, poverty reduction, population growth, justice,) and not discard a policy because it does not look politically correct where we live, and we must look at the past and try to correct the errors or exaggerated behaviors as much as possible and to develop a common strategy to resolve our problems that will help us reduce international tension and build trust among nations which leads me now to make some comments on our disarmament problems.

B Disarmament issues and the US positions and objectives.

The confrontation between P5+Germany and Iran over Iran's nuclear program raises important intellectual issues that are closely related to the proposals I presented you, and disarmament is, of course, an important subject to be discussed with the UNSG candidates in the context of the UNSG selection process, so I have to give you a brief general point of view on the issue and on the going problems in this area.

1) Iran's right to enrich Uranium, the International Community's interest in Iran's effort to develop its civil nuclear program, and the NPT violations.

The 'nuclear-ready status' for all the countries that want it.

First, there is no doubt that Iran is (or should be) entitled to (or has the right to) enrich uranium and to develop its expertise in nuclear matters. It is even in the international community's interest to see Iran use the nuclear energy and develop its expertise in this area **in the context of our grave environment problems**. France produces, I believe, more than 60 % of its electricity with its nuclear centrals which do not produce CO₂, so there is no reason why we should discourage Iran (and other interested countries) to do the same, on the contrary we should encourage them to do so. In fact several other countries have recently **rightly** started vast expansion of their nuclear civil program [England has approved ten new sites to build nuclear plants, I believe; the US is also planning on doubling its use of nuclear energy in the near future; and China is planning on building a new nuclear plant almost every year until 2030, etc.]. The use of this type of energy to meet at least part of Iran's electricity needs or demands (that should be growing over the years) is meaningful and coherent in the international context [we need to use more hybrid and electric cars, and to replace energy production plants producing CO₂ with clean energy sources to cover our electricity needs].

Second, Iran cannot have a 'Sakharov', if it cannot enrich uranium, and like every other countries in the world, it needs many 'Sakharov'. The more developed a country is, the easier the political changes or improvements of society are or will be [the political changes in the former USSR in the 90s were impressive, peaceful **mainly** and fairly quick for example in part because the country was very (technologically, scientifically,) advanced], so even if some of you do not think that Iran has an ideal form of society now (which country has?), you must not prevent them from learning and acquiring new knowledge. Of course, every country that masters the use of nuclear energy for civil

purpose and the Uranium enrichment process can fairly easily develop a nuclear bomb. This is the case of Japan, I believe [see **Wikipedia**: ‘it has been argued Japan has the technology, raw materials, and the capital to produce nuclear weapons within one year if necessary,’ and later ‘It has been pointed out that as long as Japan enjoys the benefits of a "nuclear-ready" status it will see no reason to actually produce nuclear arms, ...’], but the fact that they can easily build a bomb is not necessarily bad to reach the objective of preventing them from doing so, it gives them confidence and lower the level of threat for them and for others too. So given that Iran has seen two of its neighboring countries (Iraq and Afghanistan) destroyed (based on US lies at least for Iraq), and given that the tensions in the middle east are fairly high, letting Iran *enjoy the benefits of a "nuclear-ready" status* could help us discourage Iran from building a bomb (especially after they have repeatedly stated that they do not want to build a nuclear bomb) even if, of course, we must also do everything possible to decrease the tensions in the middle east, and around the world as well, **which is not what the US has been doing for decades now.**

The exaggerated US military expenditure, the greenhouse gas over-pollution and the failure to pay the 0.7% of GNP in ODA are security issues for poor countries, and the NPT obligations and violations.

As you know, in 2006 the US **alone** spent almost **as much money in military expenditure** as the rest of the world [US \$ 530 billion about in military expenditure and total of rest of the world \$630 b. about (!) according to Jeffrey Sachs CW p. 273, **it is up to about \$700 billion in 2010**, I believe!]. Even if the US were a perfect society that is always friendly and cares about other countries and its own citizens, this would be alarming. So when we know that the US is very far from being a perfect society and that it does not care so well for the more than 36 millions of its people living under the poverty level (including 2 million homeless every year), for the 11 millions illegal aliens and/or for the many others who do not have health care insurance, and that it does not hesitate to destroy a country based on lies as it did in Iraq, this situation is extremely dangerous for everyone and points out extremely serious problems that ‘we’, **the UNGA**, must address and talk about instead of letting the 6 nations (P5 + Germany) leading the negotiation with Iran put the responsibility of our disarmament problems on Iran and North Korea. Any country leader who cares about the situation of the world and the well being of its inhabitants including the people he/she represents should be very worried by this situation. I know that some of you pointed out the problems during a recent disarmament commission meeting [for example, Mr. Regis Zinsou from Benin and Chairman of the Disarmament Commission mentioned on 3-29-10, I

believe, that *'the international community was facing serious development difficulties and challenges, owing to climate change, which required the mobilization of enormous resources to ward off manmade dangers and that the current level of military spending was **problematic**'*, it was an understatement to say the least or a *'diplomatic wording'* of a grave problem without any doubt], but the issue is, obviously, not **publicly** raised in the context of the negotiation with Iran and North Korea.

Some of you also rightfully pointed out that some nuclear weapons states **did not fulfill their NPT obligations** in term of nuclear disarmament and effort to decrease international tension during the past 4 decades [for example, Maria Luiza Ribeiro Viotti from Brazil stated on March 29 2010: *'...Until now, 40 years after the entry in force of the NPT, the nuclear weapons states **have not been able to comply with their side of the bargain...**'*]. The unauthorized (by the UN) 2003 war in Iraq based on the US lies on the presence of weapons of mass destruction in Iraq is not the kind of act that qualifies as an effort to decrease international tension, on the contrary, it is an *'extraordinary event'* that can justify any country to (implicitly) leave the treaty [any NPT signatory country is entitled to leave the treaty if *'extraordinary events, related to the subject matter of this treaty, have jeopardized the supreme interest of its country'*, I believe], and the recent Iraq war is an *'**extraordinary event**'* related to the NPT subject matter that jeopardizes the supreme interest of Iran (of North Korea and of some other countries) because if the US can lie on this issue to destroy a country, then any other country can feel that its interest is jeopardized – in particular Iran that is Iraq's neighbor and that is under constant verbal threat from the US, and North Korea that is under regular threat from the US also. Iran is also under the threat of Israel that has built nuclear bombs, never signed the NPT, continue to refuse to comply with the IAEA resolution requiring it to open its nuclear facilities for IAEA inspection, and is almost never subjected to Security Council resolutions or sanctions for its military action (resolution 487 never led to any sanction or any compensation for Iraq, I believe) and violations of international law because the US usually vetoes such proposed resolution.

Finally, the failure to pay the 0.7% of GNP in ODA and to significantly decrease greenhouse gas emissions by 2020 in rich countries **are security issues** for poor countries just as the proliferation of nuclear weapons is a security issue for rich countries since global warming that was mainly created by the over pollution of rich countries will have devastating consequences for poor countries as the offer to pay up to \$100 billion per

year to poor countries in 2020 shows; and experts (including Jeffrey Sachs) agree that the ODA is critical to defeat poverty and to fight the instability in some poor countries, so we cannot dissociate rich countries' obligations in these matters from poor countries obligations toward the NPT. And the determination of Iran and North Korea NPT violations or of the appropriateness of their behaviors is more complex than evaluating Iran's failure to disclose a location where it plans to enrich Uranium or refusal to stop enriching Uranium or than evaluating North Korea's refusal to give up its nuclear weapons. It must be looked at **in the context** of the recent US war in Iraq, of nuclear weapons states failure to comply with their NPT obligations (their 'side of the NPT bargain'), of Israel refusal to comply with IAEA resolutions, of the over pollution in rich countries and their failure to pay the 0.7% of its GNP in OAD, of the US high level of military expenditure,, and of the effort to install a missile shield; **and given**, as seen below, that non-proliferation of nuclear weapons and nuclear disarmament are undissociable from conventional disarmament, and are economic and psychological issues.

The unfair and undeserved sanctions and P5+ Germany are biased.

Poor countries and most non-nuclear-weapon countries should **(1)** support Iran in this confrontation (and Brazil and Turkey oppositions to the recent sanctions are coherent, I believe), and **(2) stress (a) that** the US needs to lower its military expenditure [including scraping its missile shield project and significantly reducing its number of nuclear weapons **within an accepted/agreed by other countries time frame, not just by Russia**], and **(b)** that the US (and other rich countries) must pay the promised 0.7 % of GNP in ODA, and decrease its greenhouse gas emissions to 30% of its 1990 level **by 2020** (as Europe offered), **as part of the NPT obligations** '*to ease international tension and strengthen international trust*'. Mr. Erdogan, Prime Minister of Turkey, recently explained that **he opposed the sanction against Iran** for its nuclear program because Israel was not subjected to any obligation on its nuclear program and had committed crimes against humanity in Gaza (as described in the Goldstone report) and acted to increase the tension in the region and to provoke the Palestinian, and even though I believe the sanctions **are unfair for several other reasons as well** [as seen above and below], his argument is logic and fair, P5+Germany cannot harass Iran for **enriching Uranium** when they say and do nothing against Israel that has built many nuclear bombs and acted violently toward its neighbors instead of building trust and of working to ease tension in the region [this is the idea of double standard, I believe some of you mentioned during the 3-29-10 meeting, Kang Yong from China stated '*the practice of double standard*']

Page 21 of 72 6/21/2010 4:28:50 PM
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should be firmly abandoned']. The facts that the US destroyed Iraq (based on lies about Iraq's weapons of mass destruction) and Israel destroyed northern Lebanon and Gaza recently (for no valid reasons) show also that they should be the ones that must prove that they have no intention to harm Iran and that they want to work more actively toward the resolution of our global problems, including working on a global strategy to resolve our problems.

Rich countries, in particular the US, **have no 'moral' lessons to give to any country in the world**, not even to the very poor ones. And the 6 nations (P5 + Germany) **are biased in the negotiation with Iran** [the US sells for billions of dollars of weapons every year (recently it sold for \$25 billion of weapons to Saudi Arabia, \$16 billion to the UAE, \$6 billions to Taiwan...) and has given about as much aid to Israel as it has given to the entire Africa, 100 times more populated see CW 241; Germany sold a nuclear submarine to Israel; France, England, and Russia also sell their weapons everywhere around the world, and Russia has obtained the end of US imposed sanction on 4 of its corporations to accept to sanction Iran, I believe (!); and China, now the number 2 economy in the world, is very advanced in nuclear and armament matters also], **so the UNGA**, not just the 6 nations (P5 + Germany), **should look at** Iran and North Korea nuclear programs problems - as explained above in the context of nuclear weapons states failure to comply with their NPT obligation, of the recent war in Iraq, of the exaggerated US military expenditure, and of Israel failure to comply with IAEA resolutions, and of the interaction between disarmament and other global problems [like development as some of you mentioned, Lawrence Olufemi Obisakin from Nigeria stated on 3-29-10: *'the declaration should also stress the importance of the symbiotic relationship between disarmament and development and of striving to ensure the least diversion of the world's human and economic resources for armament, towards achievement of the Millennium Development Goals...'*.] and negotiate with Iran and North Korea or with other countries seeking to develop their nuclear capabilities.

We all [even Iran] agree that we should have no need to build new nuclear weapons [for the purpose of defending one country against another], and **that we must avoid building new ones** (for this purpose), but not just for the US or France benefit, for everyone's benefit and not by forgetting poorer countries' right to security also [including the middle eastern countries and those that hope to become one; and Africa where the illegal small arms and light weapons trade causes many deaths for the benefits of those that produce these weapons, not for the Africans' benefits for sure]. And for that we need to look at all the aspects of the disarmament problem including the fact that the non-proliferation of nuclear weapons and nuclear disarmament are undissociable from conventional disarmament, and that

disarmament is more an economic and psychological issue than it is to force Iran and North Korea to prove that they are not building bombs.

2) Non-proliferation of nuclear weapons and nuclear disarmament are undissociable from conventional disarmament, and nuclear and conventional disarmament are economic and psychological issues.

The right to have fear and the missile shield.

Non-proliferation of nuclear weapons is not just related to nuclear disarmament, it is also **undissociable** from ‘conventional disarmament’ - even if the US and France and other rich countries try to convince everyone that it is not. You surely remember the War in Kosovo in the late 90s during which the US destroyed Serbia and its army only with US aircrafts and without losing any soldiers’ life almost; and you have heard about the US (and its allies) effort to install a missile shield system, and about the US outrageous military expenditure, and can easily understand that in such a context, the development of a nuclear weapon becomes a **cheap way** to feel safe for poorer countries. Poorer countries do not have (and cannot afford) a CIA, NSA,, or satellites to watch everything that happens and monitor every phone conversation or email exchange that take place around the world, **but they have the right to have fear, especially when their neighboring countries are destroyed based on lies** [and when they are threatened to be ‘nuked’]. The missile shield system will also force Russia to develop new offensive weapons (as they said recently), which goes against our disarmament effort, and will hurt our effort to resolve our global problems, so we cannot dissociate non-proliferation of nuclear weapons from the effort to install or deploy the missile shield and more generally from conventional disarmament. **Poor countries** that have no means, no resources, and/or no interest to develop missiles that can reach the US or France and/or nuclear weapons, **should still be very concerned** by the deployment of the missile shield system, as much as Russia if not more, and not be fouled by the argument that it is deployed to contain the risk created by ‘rogue states’ as the US **incorrectly** and **inappropriately** calls Iran, North Korea and few other countries because it creates distrust among nations, it is expensive and it diverts us from focusing on the resolution of our global problems.

Nuclear and conventional disarmament is an economic issue.

The high military expenditure in the US (and around the world) and the importance of the armament industry in rich countries mainly make (conventional) disarmament (and by transitivity non-proliferation of nuclear weapons and nuclear disarmament) **an**

economic issue because the armament industry employs a lot of people, so if we decrease the military budgets in the US and around the world, it will have an impact on the unemployment level (and the economy) in rich countries (mainly) that is not very good at this time already after the recent financial crisis. The US unemployment level is at a highest level for many years [the high unemployment level may even have been **one** of the reasons the US sent 30 000 new soldiers in Afghanistan (!); as you know the US has invested a lot of money (\$700 billion in stimulus) to support the economy and the 30 000 additional soldiers represent a \$30 billion per year additional spending which supports the economy as well and indirectly creates job]. And the unemployment level is always fairly high in France and more generally Europe (20% in Spain now, I believe); so the **disarmament problem** is also how can we **transfer the armament industry jobs** to other '*peaceful industries*' **in an orderly and efficient fashion**. Rich countries have also the tendency to prevent poor countries from learning and developing their expertise in various areas to make poor countries completely dependent on them [for certain technologies,] and to increase their 'power', instead of assuming their responsibility of spreading their knowledge and expertise to speed up the development process in poor countries.

In the case of Iran, we see clearly that P5+ Germany want to prevent Iran **from developing its expertise and know-how in the nuclear area** (independently from the security issues), and **want Iran to remain dependent on them for the Uranium enrichment process for example**, although every country should be entitled to enrich Uranium and to safeguard its own enriched uranium (again even be entitled to the '*nuclear ready status*' in the sense mentioned above for Japan), and it is even in the international community interest that most countries make efforts to master and use the nuclear energy. According to a recent article in Le Monde dated 4-5-10, in February 2010, 53 nuclear reactors were being built, 182 were planned to be built, and 327 were in the study phase in 40 countries, so the nuclear industry is in an important expansion phase, and among the main actors of this industry, you have France (with AREVA, EDF,), the US, Russia that built Iran's reactors, and now builds Turkey's one, I believe, ... , so the more they harass Iran on this uranium enrichment issue, the more they slow down Iran (and others) progress in this area and **the more they maintain their monopoly in this area in great expansion**. The effort to sanction Iran **is therefore indirectly a violation of our international agreement in term of commerce**; and big money is involved [the Abou Dhabi market (to

build a nuclear reactor) was for \$20 billions, I believe, which is a significant amount]. The Le Monde article also states that the nuclear industry is a '*knowledge intensive industry*' and it stresses the importance of properly managing the knowledge in this area, so you understand the many (dishonest) benefits P5+Germany have/get when they harass Iran and North Korea and discourage them and other developing countries from developing their expertise in this area.

Nuclear and conventional disarmament is a psychological issue.

Disarmament **is also a psychological problem** because the US that has behaved so badly during the past 5 decades, has become afraid of its own shadow and find that every other countries no matter how tiny and poor it is, is a threat to the US (and to the world); and this feeling affects their ability to think correctly! I am certain that 9/11 did not help in that matter, but the main problem is **the US dishonest behavior** over 5 decades including: **1) the financing** of the El Savador death squad (and various other violent actions described in Jeffrey Sachs' book CW 10 and even in Mr. Obama's book AH 273, 276, 286, 289 as seen above and below); **2) the significant** decrease of ODA, official development assistance, from 1960 to 2000 by the US and other rich countries [from around **0.5%** of GNP in the 1960, to **0.35%** in the 80s to **0.22%** in 1997 as seen in CW 52] which has indirectly killed 100s of millions of people and increased the suffering of billions of others during these 4 decades [*'In 1970, rich countries of the OECD agreed at the United Nations (Resolution 2626) to give 0.7% of their GNP (now GNI) as aid to the developing countries'. '... the accumulated total shortfall in their aid since 1970 (when the target of 0.7% was set) amounts to \$4.01 trillion (at 2008 prices).'*']; and **3) the US CO2** over-pollution per inhabitant and number one polluter status for years which prevent poor countries to develop and will have devastating impact on the world and in particular poor countries.

The constant decrease of **ODA was a deliberate strategy to make sure that poor countries would not develop** (and pollute) and that rich countries would be able to pollute more and to use more of the earth resources to get richer (to continue to increase or improve their living standard) until they can develop new technologies to fight global warming and benefits even more by forcing poor countries (indirectly) to buy these new technologies under a general agreement to limit global warming (as they did with the NPT and the nuclear technology). The US has the highest CO2 pollution level per inhabitant in the world and still makes no significant effort to decrease its greenhouse gas emissions by

2020 (a) although it is critical to allow poor countries to develop faster, and (b) although Europe has offered significant (30%) decrease of greenhouse gas emissions by 2020, so it is possible to do it. So the US **knows it behaves (d) badly, and it is afraid** (of retaliation) which leads to a need to greater military expenditure. If, **instead of giving moral lessons** to other countries, the US (and rich countries) started behaving a little better – **pay the promised 0.7% of GNP in ODA**, admit their responsibility in polluting the atmosphere until now, and end their sanctions that make certain poor countries even poorer,, it (they) would feel better about itself (themselves) and loose its (their) fear and will see other countries more as partner than as foe, which would help to resolve the disarmament problems and nuclear security issues.

3) Mr. Obama's point of view and the US objectives.

Mr. Obama's Nobel lecture.

In his Nobel lecture Mr. Obama wrote on the nuclear disarmament issue the following: *'In the middle of the last century, nations agreed to be bound by a treaty whose bargain is clear. All will have access to peaceful nuclear power; those without nuclear weapons will forsake them; and those with nuclear weapons will work towards disarmament. I am committed to upholding this treaty. It is a centerpiece of my foreign policy* (of course!). *And I am working with President Medvedev to reduce America and Russia Stockpiles. But it is also incumbent upon all of us to insist that nations like Iran and North Korea do not game the system. Those who claim to respect international law cannot avert their eyes when those laws are flouted. Those who care for their own security cannot ignore the danger of an arms race I the Middle East or East Asia. Those who seek peace cannot stand idly by as nations arm themselves for nuclear war. The same principle applies to those who violate international laws by brutalizing their own people. When genocide in Darfur, ...'* Obviously, Mr. Obama has a very narrow and biased interpretation of the NPT, and **he closes his eyes (1)** on the US failure to comply with its obligations under this treaty, **(2)** on the implication of the recent 2003 war in Iraq (**that he opposed by the way**) and of the US lies in front of the UN Security Council that led to it, **(3)** on the fact that **the US violated a big load of international laws** when it started the recent war in Iraq without the UN consent, it killed many innocents civilians as the result, and then tortured many others in Iraqi prisons and Guantanamo bay, **(4)** on the many grave mistakes the US has made in its recent past and he described in his book, and **(5)** on the fact that Israel is not even part of the NPT, does not comply with IAEA resolution and is never sanctioned for its behaviors and even for its crimes against humanity (see Goldstone report).

For example, how can Mr. Obama pretend that Iran and North Korea ‘*game the system*’ **(1) when** the US lied in front of the UN Security Council to destroy Iraq and kill hundred of thousands innocent civilians in the process according to US scientists; **(2) when** Israel that is not even part of the NPT, is not subjected to any obligation or sanction on its nuclear program and recently refused to comply with any obligation of the 9-18-09 IAE resolution (!); and **(3) when** the US has made so little effort to decrease its nuclear armament over the years [a US official recently confirmed that the US nuclear arsenal ‘was as strong as ever’! The US now tests its nuclear weapons with supercomputer and laser, I believe, which allows them to make tests much more precise that if they were actually blowing up a bomb, and increases the reliability and quality of their weapons most certainly; and of course the weapons are more powerful than the Hiroshima bomb most certainly also.], and spends almost as much as the rest world in military expenditure, and therefore did/does not comply with its NPT obligations [the US and Russia’s effort to reduce their stockpile **is meaningless in term of security for other countries** since the US and Russia still have a very large number of nuclear weapons **40 years after signing the NPT** (5100 about for the US), **and their new Start treaty** offers only to reduce the number of active weapons to between 1500 and 1700 (about), I believe, which is still enough to ‘nuke’ more than 7 times every county in the world. Do you imagine the damage **7 nuclear bombs** would do to a Country like France (one bomb on Paris, Bordeaux, Toulouse, Marseille, Lyon, Strasbourg and Lille!) or to a country like the Burkina Faso!]

Mr. Obama writes also ‘*I – like any other head of state – reserve the right to act unilaterally if necessary to defend my nation*’, **but he denies this right to Iran and North Korea** because the only thing that can allow Iran or North Korea to defend its nation after the US destroyed Iraq based on lies, and when Israel regularly threatens Iran, Syria., and recently committed crimes against humanity in Gaza (see Goldstone report), **is to build a nuclear bomb** [how can he writes this, he - the champion of **empathy**- at least according to his book, see AH 66-68]. How can Mr. Obama also state: ‘*Those who claim to respect international law cannot avert their eyes when those laws are flouted*’ and implicitly suggest that the US does respect international laws **(1)** when, again, the US has just violated **a big load of international laws** when it lied in front of the UN Security Council to invade Iraq, killed 100 thousand of innocent civilians in the process, and then tortured Iraqis and others in the Iraqis prisons and in Guantanamo Bay (!?); **(2)** when the US just closed ‘its eyes’ on Israel crimes against humanity (violation of international law) according to the (UN) Goldstone report; and **(3)** when Mr. Obama obviously associates

China in his effort to sanction Iran although, at the same time, he (and other rich countries) does not miss a chance to criticize China for violations of human rights (international laws) verbally or by inviting the Dalai Lama and honoring him at every possible opportunity (for criticizing China's behavior in Tibet).

A history of violence.

Mr. Obama writes: '**nations agreed to be bound by a treaty whose bargain is clear: All will have access to peaceful nuclear power**', but he forgets to mention that Abou Dhabi had to pay \$20 billion to '*have access to peaceful nuclear power*' which is not within the capacity of many countries who have signed the treaty, and he forgets that developing an expertise in nuclear matter for the dual purpose of peaceful nuclear power and of defending the country - as the US, Russia and other countries have done - saves a country a lot of money while decreasing the threat a country is subjected to. Mr. Obama also writes: '**Whatever mistakes we have made, the plain fact is this: The US has helped underwrite global security for **more** than six decades with the blood of our citizens and the strength of our arms. The service and sacrifice of our men and women in uniform has promoted peace and prosperity from Germany to Korea, and enable democracy to take hold in place like the Balkans...**', but the '**whatever mistakes we have made**' far outweighs the positive role the US played over the past 50 years, and not just by the number of interventions **as Mr. Obama, himself, probably thought when he wrote in his book**: '*For decades we would tolerate and **even aid** thieves like Mobutu, thugs like Noriega, ... Occasionally, US covert operations would engineer the removal of democratically elected leaders in countries like Iran – **with seismic repercussion that haunt us to this day***' (AH 286), later '*his (Mr. Reagan's) administration support for the apartheid regime of South Africa, **the funding of El Salvador's death squads, the invasion of tiny, hapless Grenada ... the more I studied nuclear arms policy, **the more I found star wars to be ill conceived**; the chasm between Reagan's soaring rhetoric and the tawdry Iran-Contra deal left me speechless.***' (AH 289).

He also described the US support to General Suharto in Indonesia and his extermination of between 500 000 and 1 million communists and their sympathizers (AH 273), and '*throughout the seventies and eighties, all this (arrest, torture, murder, rape, village set afire) was done with the knowledge, **if not outright approval**, of the US administration..*' (AH 276). As seen above, Jeffrey Sachs also denounced this type of US dishonest behavior when he writes: '*the CIA-led overthrows of several governments (**Iran**,*

*Guyana, Guatemala, South Vietnam, Chile)...the assassination of countless foreign officials ... The United States has thrown elections through secret CIA financing, put foreign leaders on CIA payrolls ... (including Saddam Hussein and Osama Bin Laden, both once on the CIA payroll)’ (CW 10), so ‘**the plain fact is this**’: the US has supported much more often dictators, thieves and terrorists (like Bin Laden) than it ‘has helped underwrite global security, and enabled democracy to take hold’, and it has been responsible (directly or indirectly) of much more deaths than it has saved lives. It is important that Mr. Obama admits (or re-admits since he explained the problem in his book) this plain fact and the gravity of the US mistakes and their disastrous impact for the world and **on the US level of compliance with its NPT obligations**, and that he reconsiders the US right to sanction Iran’s and other countries in the light of his Nobel lecture comment mentioned below.*

The USA can do no wrong.

Mr. Obama also talks about the ‘**concept of just war**’ in his Nobel lecture although the US is still fighting the 2003 war in Iraq [‘*I am the Commander-in-Chief... of a nation in the midst of two wars*’] that was **not** authorized by the UN, and that Mr. Obama **opposed** and qualified it in his book as a dumb, harsh,, war: ‘*What I could not support was ‘a dumb war, a harsh war, a war based not on reason but on passion, not on principle but on politics*’ (AH 294). He makes reference to the UN authorization for the first Iraq war in 1991 [‘*likewise, the world recognized the need to confront Saddam Hussein when he invaded Kuwait – a consensus that sent a clear message to all about the cost of aggression*’] to minimize (and even to hide) the fact that the recent war in Iraq was **not** authorized by the UN and/or the result of **an international consensus**. Mr. Obama understands perfectly that to justify his sanctions (and then military actions) **against Iran**, North Korea, and other countries, the US has to appear following the rules (international law) as he writes [‘*America – in fact, no nation – can insist that others follow the rules of the road if we refuse to follow them ourselves...*’], so he makes the US perfect – in his speeches (and in his mind) and indirectly gives China, Russia,, ‘immunity’ for their own violations of international law for accepting to sanction Iran! This is very wrong, terribly unfair, and dangerous for the world, it is not because Mr. Obama just arrives that US bad behaviors should be forgotten.

Like Tiger Wood who lies to his wife about his meetings with his girl-friends, Mr.

Obama forgets his opposition to **the unauthorized by the UN ‘dumb and harsh war’ and the torture and killing of innocent civilians that resulted**, forgets about the US financing of the Salvador **death squad**, and about the US support to the thugs, dictators and terrorists, and forgets all together about the US history of violence (and repeated violations of international law) to foul the world **and himself** so that (he and) the US can continue to justify its sanctions against Iran, North Korea, and other countries, and **provoke the violent outcome the US craves for and is addicted to**, and that allows it to avoid addressing and resolving its own problems and the world’s major problems like global warming and poverty. Although Mr. Obama was receiving also the prize for his initiative in the global warming area, he is very brief on this issue (no wonder): ‘*It’s also why the world must come together to confront climate change...*’, but obviously without the US offering a 30% reduction from the 1990 level by 2020 so that the poor can come out of poverty faster without destroying the planet. To resolve our international problems we must have US politicians including Mr. Obama understand that the US is very far from being perfect, admit the US errors of the recent past, and restrain from sanctioning other countries.

The dishonest and shortsighted US Objectives.

The US refusal to admit its violent past (and violent tendencies) and its positions on disarmament and environment have (dishonest and shortsighted) political and economical benefits: **First**, the US want to build a world free of nuclear weapons - excepts for the US, Israel and a tiny group of nations that already have the bomb - with the US and Europe protected by the missile shield system, so that no one almost can ‘sanction’ them if they refuse to limit their greenhouse gas emissions or refuse to pay the promised ODA or when they behave very badly [destroy countries like Iraq based on lies or destroy Northern Lebanon and Gaza and commit crimes against humanity ...] – they want to give themselves ‘*full immunity*’ (to commit any crimes) as they give to their judges. **Second**, they want that those countries that do not have the nuclear bomb and do not master the nuclear technology **(1)** remain extremely vulnerable or even powerless in case of a conventional conflict (so that they can destroy them with advanced airplanes and satellite system without any loss of life) which is the first step to slavery (and we know the experience the US has in this matter already!), and **(2)** remain dependent technologically

on those few nations that have the bomb and capabilities and know how to enrich uranium to maintain their monopoly in this area in great expansion.

Finally, the US offer to implement an important decrease of greenhouse gas emissions **by 2050** only without offering significant decrease by 2020 because they know that by 2020 China and India will (most certainly) be the number 1 and 2 polluters by far and that they will be able to erase their responsibility '*for putting the vast majority of the gases blamed for global warming in the atmosphere*' by pointing the finger on China and India, and because by 2020, they will have developed advanced technologies to fight global warming [advanced solar panels, wind turbine, ..., electric cars,] that will allow them to make more significant decrease of greenhouse gas emissions by 2050 **without doing any significant effort**, and, at the same time, benefit from the sales of these new technologies to poor countries **that will be forced to buy them** if they do not want to be sanctioned under the new international treaty the US is now trying to impose on them [the US has stated recently that the \$30 billion a year to be paid between 2010-12 offer will be paid only to the countries that signed the treaty or agreement!], which of course will allow the US (and few others) to stay ahead without doing any significant effort and while poor countries remain in a difficult situation!

These objectives are not good of course, so we must encourage the US to correct its strategy. The US must admit now its (with other rich countries) responsibility '*for putting the vast majority of the gases blamed for global warming in the atmosphere*', and offer significant greenhouse gas decrease (in the order of 30% below 1990 level as the European Union offered). The US must admit **its** past mistakes and history of violence, must decrease its disproportionate military expenditure and must make more efforts to decrease international tension and strengthen international trust as it agreed to do under NPT [the missile shield does not help to build trust and neither does the sanction against Iran, North Korea,]. Instead of sanctioning countries, we want that countries come to the UN and admit their problems, and resolve them under the eye (and/or with the help and support) of the UNGA so that every other country can benefit from their effort and experience. And finally the US must focus on resolving our global problems including defeating poverty, decrease the environment stress, develop a better justice system and a better economic system that will help us to resolve the poverty and

environment problems more rapidly, which will also implicitly diminish the tension around the world and the need to invest in the military area, and will show the way to other countries.

4) The manipulation of the public opinion and the Nobel Peace prize selection process.

*The **unconscious** use of Nobel Peace Prizes to promote Norway's agenda.*

The (theatrical) announcement about Iran's new nuclear facility from MM. Obama, Brown and Sarkozy on September 26 2009 during **the G20 summit** dedicated to the financial system problems although there was a meeting scheduled just few days later (on October first) to address the nuclear issues with Iran, was more an effort to manipulate the public opinion and to put the responsibility for not addressing the economic system problems and the problem of global warming **on** Iran (!) than it was a genuine effort to inform the public on an important security issue. Yes, Iran did not inform – **on time** - the IAEA of its new facility, but this is a **minor** problem, if any (given that they had informed the IAEA they would not comply with this requirement earlier, I believe), especially when it is compared to the US lies on Iraq's weapons of mass destruction in front of the UN Security Council that started or led to the unauthorized Iraq war and to many innocent civilian deaths. MM. Obama, Brown and Sarkozy have obviously a short memory and a biased evaluation of the gravity of certain events. They could have easily waited few days (October first) to talk about that, everyone was waiting for announcements about the reform of the financial system, not for a condemnation of Iran related to disarmament issues. This announcement and the related perspective of a military action against Iran that will make the price of oil go up [and that will make Norway even richer than it is] may have helped Mr. Obama to win the Nobel Peace Prize, but this is not an honest result.

The Nobel Peace Prizes are **unconsciously** used to promote Norway's (and few other countries) economic and political interest and to manipulate the public opinions. In our **new global** information society and knowledge based economy, 'Norway' has no more legitimacy to (indirectly) select the winner of an international peace prize (an **international political prize**), and no honest reasons to maintain a selection process that is not at all transparent since we don't know who is nominated and by whom and on which grounds (at least for 50 years), and we don't know what the experts point of view

on these nominations are. More important than the prize itself are the points of view of those who have the right to nominate someone, and of the experts who analyze these nominations, just like what makes a decision of justice pertinent is the reasoning leading to the decision and the application of the existing laws to the facts and context of the case. Nothing in Mr. Nobel's will prevents the Norwegian parliament to select the Nobel Peace Committee based on the recommendation of an international panel of experts and to appoint on the committee international experts who are not Norwegian citizen, I believe. So if the Norwegian parliament felt that the Nobel Peace prize were an important responsibility entrusted to it (I believe it is, and it probably do too), it should agree that the selection committee be chosen among (and by) experts from around the world and to change the selection process to allow more transparency.

The President of the Nobel committee, Thorbjorn Jagland, when asked to justify the prize given to Mr. Obama, responded '*who else more than him deserve the prize this year*', which was, as you all understand, an '*inappropriate*' answer because, unlike him, we don't know who were the nominees, we don't know what the experts' points of view were, and we don't even know the reasons the existing pull of nominees were nominated (or by whom), so we cannot respond even if we know that Mr. Obama does not deserve it! Mr. Jagland wrote in his lecture: '*It is now, today, that we have the opportunity to support President Obama's ideas. This year prize is indeed a call of action for all of us. ...The US is now paying its bill to the UN...*'. The Nobel Peace Prize is not about supporting political ideas of a newly elected US President or to give a call of action to everyone, it is to reward an extraordinary effort in the areas of peace and human rights in its most recent interpretation of the will [*'arms control and disarmament, peace negotiation, democracy and human rights, and work aimed at creating a better organized and more peaceful world*'; the will states '*the person who shall have done the most or the best work for fraternity between the nations and the abolition or reduction of standing armies and the formation and spreading of peace congresses*']. And it is not because the US has behaved so badly and that it is now finally paying its UN bill that the new US President should get the Nobel Peace prize; this is absurd. In the past 8 years 3 US president, former president and former vice president received the Peace prize although none of them deserved it.

The undeserved Nobel Peace prizes.

First, Mr. Obama for, among other reasons, his position or vision on

disarmament [*the Committee has attached a special importance to Obama's vision of and work for a world without nuclear weapons*], although as we have seen above the US spends in military expenditure almost as much as the rest of the world, and is therefore the number one country responsible for our (nuclear and conventional) armament problem (!). Mr. Obama did not make any significant effort to change that since he decided to increase by 30 000 the number of soldiers in Afghanistan which represents an increase of \$30 billion a year in military spending (that was already \$700 billion in 2010, I believe). And the US and Russia offer to decrease their number of active nuclear warheads is not significant **after forty years of NPT** as we have seen above. The Committee also writes: *'Thanks to Obama's initiative, the USA is now playing a more constructive role in meeting the great climatic challenges the world is confronting'*, this is also outrageous when you know that the US was the country the most responsible for Copenhagen's failure (as seen above) when it only offered (under Mr. Obama's leadership) to decrease its greenhouse gas emissions by **4%** from its 1990 level in 2020 although Europe had offered a **30%** reductions from their 1990 level, and the US still is the greatest polluter per inhabitant!

Second, Mr. Carter supposedly for, among other reasons, his effort to *'promote social development'*, and for his mediation role in the Israelo-Egyptian peace effort [*in itself a great enough achievement to qualify for the Nobel Peace Prize*']. Obviously, US Presidents have not been very much concerned about **social** development when you know that (again) *'the US among the richest of all the countries in per capita GNP, also has the highest poverty rate by far, at 17.1 percent of households living on 50 % or less than the average household income.'*, CW 260-261, and CW 264 *'Countries like the US with very low social spending at home are also the countries with low levels of international development aid...'*, and the US failed to pay the promised 0.7 % of GNP in ODA. A Nobel Peace prize given to a country president or former president indirectly rewards the president's country institutions. And if Mr. Carter's mediation role in the peace process between Israel and Egypt was enough to give him the prize why wait 25 years to do so, why not give it to him at the same time they gave it to Sadat and Begin in 1978? Don't you think that it is insulting to use this ground when one of the 2 Nobel recipients on this issue lost his life for his work and prize! The Prize given to Mr. Carter – a former US President when the US was talking about a war in Iraq - **was an indirect unconditional support for the US institutions and for the US invasion of Iraq** (even if Mr. Carter criticized

the idea of a war) that made the price of oil go very high and made Norway an extremely rich country per inhabitant, if not the richest one in the world.

Finally, Mr. Gore, supposedly for his role in the fight against global warming [or more precisely for *'his effort to build up and disseminate greater knowledge about man-made climate change and to lay the foundation for the measure that are needed to counteract such change'...* 'Al Gore has for a long time been one of the world's leading environmentalist politicians'], here again the US is the country that has the highest CO2 pollution level per inhabitant in the world (and was until recently the number one polluter also), and **this situation is due to the lack of effort to resolve this problem by the previous US administrations for the past 4 decades** including **MM. Clinton and Gore's administration in the 90s**, not just Mr. Bush's administration, [as you know the US did not even sign the Kyoto protocol under Mr. Gore's administration (and to put the responsibility only on the US Congress is a little too easy, when Mr. Gore or Clinton certainly did not express their outrage loudly or made any effort to change the institutions that allow such decision)]. Giving the prize to Mr. Gore for making a documentary on environment when you know that he was/is the chairman of the TV station that makes documentaries is like giving the peace prize to the hairdresser who combed the hair of Nelson Mandela, Desmond Tutu and Gandhi when they all lived in South Africa because he made them look good when they talked to the people and therefore contributed to peace and the unification of India!

The need to develop international standards for the main international prizes.

Moreover, the Noble Peace Committee should focus on its area of specialty – Peace and Human Rights – instead of giving reward in other areas because we still have a lot of progress to make in the human rights and peace areas, and there exists other international prizes that are specialized in environment and economics. The Prize given to Mr. Yunus and the Grameen Bank in 2006 was ambiguous for example even though there is **no doubt** that they **deserve hundred times an important international prize and recognition** (and the money that goes with it) for their work. But their work is primarily an *'economic achievement'*, they proposed a practical economic solution that helped millions of poor, so why not give them the Nobel Prize in Economics instead of giving it almost every year to a US citizen when we know that the US economics system is full of flaws that have grave consequences for the world and the US society is unsustainable and

dependent of the suffering of many people around the world as seen above [the US economists deserve a 100 kilo bag of potatoes every year, not Nobel Prizes, until they design an honest system that redistribute the wealth fairly and that resolve the poverty problem in the US and around the world]. Similarly, the prize given to Mrs. Wangari Maathai was ambiguous also **even if she deserves ten thousand times an important international prize** and recognition (and the money that goes with it) **for her work that was primarily a great achievement in the environment area**. There exists an international prize for environment [the **Zayed International Prize** for the Environment with the same amount of money (\$1 million) about I believe], so there was **a possibility to reward her more precisely** [if not in 2004, at least in 2005]. There are so many conflicts and human rights problems in Africa that giving the Peace prize for an environment achievement was almost insulting for Africa because it meant: *'we don't care if you massacre yourselves by millions, or if you torture each other and die of aids by millions, but don't forget to plant trees because here in rich countries we pollute a lot!'*

The last selection of Mr. Obama and the prizes to MM. Carter and Gore were insults to all the country leaders of the world who work toward peace and to improve human rights in their country and around the world [and frankly MM. Obama, Carter and Gore do not need the prize, to assume the highest responsibilities in the most advanced and richest country in the world should be already a great honor. The US (or other countries) presidents should receive the prize only in really extraordinary situations], so we must think about this problem, perhaps define common selection standards for international prizes, and think about ways to coordinate the attribution of the main international prizes, to make sure the various international awards and prizes are used for everyone benefit as they were intended to be. It is critical in our **global information society** and knowledge based economy that we pay attention to *'these details'*, and I don't think that the generous donators like the late Mr. Nobel would object to agreed international standards that makes their prizes more efficient for the world. Norway is one of the most important UN contributors and one of the **very few** rich countries **that pays more than the promised 0.7% of GNI (P) in ODA**, I believe, so they will surely understand the management, fairness, psychological,, and political implications that are at stake here and the importance to have Nobel Peace prize laureates and other important international prizes laureates selected by international experts and in a transparent process, and perhaps will try to find solutions to improve the selection processes of important international prizes in cooperation with Sweden's Nobel foundation and other institutions offering similar rewards.

C My lawsuits against the US administrations and the flawed US justice system and US Justices.

In my previous letters I talked to you about the various injustices I was victim of here and in France because they prevented the realization of the projects I presented you, and because they were significant of serious problems in the US and France, so I will now review the recent legal decisions on my case and make some comments on the US justice system.

1) The deportation case, the right to \$2 840 000 default against the LA County, and the US Justices dishonest behavior.

3 courts incorrectly declined jurisdiction to avoid reviewing a full of lies deportation order.
The ICE office issued **on 1-11-08** a full-of-lies-removal-order stating that **I never applied for asylum and never had any permission to remain** here [exh. 15] to avoid being liable in the 3 civil lawsuits I filed (the damage is more than \$3 millions), and to hurt me even further after I filed a new criminal complaint and several appeals in 12-07, so I asked for an evidentiary hearing under 8 USC 1252 (e) (exh. 16) on the refugee status and documents the INS gave me over the years. The District Court dismissed my habeas corpus petition under 8 USC 1252 (e) because it said it did not have jurisdiction (**under the new Real ID Act**) and could not transfer the case to the CA9 (exh. 17), **both of which are wrong** (see exh. 28, exh. 25); but, **on 7-22-09**, the Ca9 still incorrectly confirmed that the District Court did not have jurisdiction with a very badly motivated decision (exh. 22) [and despite an earlier order exh. 18 asking the parties to brief at least 2 issues including ‘*whether I applied and/or was granted refugee status (asylum)?*’ which is the key issue]. 2 out of the 3 senior Circuit Judges on the panel had recently confirmed in 2 other cases that **District Courts retained jurisdiction** to review these 8 USC 1252 (e) petitions under the new Real ID Act [please see the 2 cases in my Supreme Court petition for rehearing exh. 28], so they (and the DC) lied about this jurisdiction issue to avoid having to admit that my refugee documents are proofs that I was granted refugee status (asylum) by the INS in 2002 which is the critical issue [they cannot/could not even wrongly pretend that my refugee documents are **not** evidence of my refugee status because it puts the responsibility of a fault on the USCIS Director who issued my refugee EA card on 12-10-04 (exh. 124) and on the ALJ who confirmed that the refugee verification of status was evidence of my grant of refugee status (asylum) (exh. 122), so they invoke (any kind of reasons, here) a jurisdiction reason to put the responsibility on me for not addressing the validity of my refugee documents].

I filed a petition for writ of certiorari (SC no 09-8222, [exh. 25](#)) **(1) explaining** the 2 lower courts obvious errors, **(2) describing** the criminal wrongdoings that took place on the case, and **(3) justifying** the grant of refugee status by the INS in 2002. The Solicitor General waived its right to respond ([exh. 26](#)) and indirectly **admitted the well-founded of the criminal wrongdoings allegations** and of the jurisdiction arguments (the Solicitor General **must** oppose any perceive misstatements in the petition, SC rule 15), but, on 2-22-10, the US Supreme Court still denied summarily again the petition ([exh. 27](#)). So I immediately filed a petition for rehearing ([exh. 28](#)) **(1)** presenting 4 recent cases supporting my jurisdiction arguments, **(2)** reminding the US Justices that they indirectly covered up the crimes described in the petition unopposed by the Solicitor General, **(3)** explaining that I had made many efforts over 8 years to try to resolve the problems created by the initial lies on my refugee status of 4 INS employees in 2002, and **(4)** finally, mentioning the platform of proposals I presented you and the fact that, in such context, the petition was about the integrity of the US justice system and about the perception you (UNGA) would have of this integrity. I also asked the US justices not to let their judgment be influenced by my comments on their lifetime job prerogative, but they ignored all my arguments, of course, and denied again summarily my petition ([exh. 29](#)), and later even sanctioned me in the other petition against the LA County filed concurrently by saying that I had abused the process and that I was forbidden to file any more petition in the US Supreme Court if I did not pay the fee (see [exh. 59](#)).

‘The petition is also about the perception the UNGA (international community) will have of the integrity of the US Justice System and of the US Supreme Court’.

The Supreme Court perfectly understood that something went very wrong at the INS on my case: **I applied for asylum** in 2002, the INS gave me **refugee** documents [verification of status ([exh. 121](#)), whose validity was confirmed by an ALJ ([exh. 122](#)) and by the Director of the National USICS Refugee Center (see refugee EA card [exh. 124](#))], and then six years later on 1-11-08, the INS (ICE or DHS) tries to have me deported with a full of lies removal order stating that I never applied for asylum and never even had any authorization to remain here, so it is obvious the INS did something very wrong [and that at least the Courts should tell (or have told) the INS to get its facts straight to have me deported, and not to use an altered document]! The Supreme Court also had with the petition’s exhibits obvious proofs of grave wrongdoings since it had a copy of the fraudulent altered verification of status **(a)** that was issued by the INS in 2003 [where the word ‘*refugee*’ has been erased ([exh. 138](#)), the INS forbids

the use of altered documents and the law makes it criminal when they are used in the context of or to influence legal proceedings], and **(b)** that was used by the LA County to steal me the refugee benefits, to influence a legal proceeding and **to send me more than 16 times in the street between 2002 and 2003 (!)** [which, again, is an obvious crime and/or fraud at least,].

Finally, the Supreme Court knew about my previous lawsuits against the administrations and about my efforts to resolve the problems **(a)** because I had filed 4 (previous) petitions for writ of certiorari to point the obvious errors of the lower courts in the related lawsuits, **(b)** because they saw the previous decisions were very badly motivated and **(c)** because the refusal to address the issue of the validity of my refugee documents was obvious also, and they knew about the platform of proposals I presented you, and the implications on my work and indirectly yours if you accept the platform, so its 2 recent summary denials with sanction and the cover up of criminal wrongdoings **are outrageous**. [As a parenthesis, I filed a motion to reopen at the immigration court ([exh. 32](#)) and the ICE lawyer again lied in its opposition ([exh. 33](#)) as seen in my reply [exh. 34](#)), the motion is still pending (to my knowledge).]

Before I talked more about the US Justices dishonest behavior, I must briefly describe you the legal issues of my other petition for writ of certiorari (SC no 09-9780, [exh. 58](#)) against the LA County to try to have a default entered on a **\$2 840 000** damage complaint. In the Superior Court's negligence case against the LA County (no BC 364736, my **third** complaint), the LA County responded **more than 20 days** after the deadline (in early 2007, even 30 days after because I dropped a courtesy copy of the complaint 10 days before the official service), so **I was entitled to a default and the County did not oppose my request**, but the various Courts (including the US Supreme Court) refused to enter default **without even asking the LA County** why it had not responded on time [see 4 orders, [exh. 38](#), [exh. 40](#), [exh. 42](#), [exh. 44](#), and petitions [exh. 39](#), [exh. 41](#), [exh. 43](#)]. By doing so they made **me loose (or rob me of) \$2 840 000 without explanation** and although a default would have ended all the lawsuits of course as I had explained you in my letter of June 1st 2007 ([exh. 7](#)). The proceeding went on, and I filed an amended complaint ([exh. 37](#)) **as required by the court** ([exh. 36](#)), but the Los Angeles County again refused to **'answer'** to my amended complaint, and instead it filed a **new** similar demurer **which is forbidden** in this context [and it failed to notice its demurer for 7 months which is not allowed either], so **I was again entitled to a default**. The right to a default (this time) is due to a statute (CCP 471.5) stating that the respondent must **'answer'** an amended complaint **that complies with the judge order** dismissing **with leave to amend** an initial complaint after a first demurrer.

The meaning of the word 'answer' in CCP 471.5, a 130 years old issue the various courts refused to address to rob me \$ 2 840 000.

This CCP 471.5 (formerly called 432) statute is **more than 120 years old**, and its meaning was clarified by the California Supreme Court **in 1881** [in *McGary v. Pedorena (1881) 58 C. 91, [exh. 54.1](#)*], but the provision allowing the entry of default in the context of my case was never used or questioned (it seems) **perhaps because it is obviously so very dishonest to file a new demurer (as the LA County did) in such a context (that no one dared to do it until now)**, so the meaning of the statute is **not clear for 2 of the main publishers of Civil Procedure Guides** [Rutter Group, and Matthew Benders] that present contradictory information on the issue - Matthew Benders states that CCP 471.5 does **not** allow the filing of a demurrer while the Rutter Group guides state that CCP 471.5 **does** allow the filing of a demurrer. Their 'public' controversy on this issue is unjustified, though, because the wording of the statute is coherent with the existing legal authorities [*McGary v. Pedorena (1881) 58 C. 91*] and other statutes [in particular CCP 1008 which also forbids the filing of a new demurrer in this context], but the logic behind the statute is a little tricky (clever). I requested again ex parte the entry of default, but the Superior Court judge first refused to enter default without explanation ([exh. 45](#)) and so did the higher Courts [see orders [exh. 47](#), [exh. 49](#), [exh. 51](#), [exh. 52.1](#), and petitions [exh. 46](#), [exh. 48](#)] despite the more precise explanation (on the meaning of the word 'answer' in CCP 471.5) I presented in my motion to reconsider the denial of in forma pauperis status in front of the US Supreme Court ([exh. 52](#), SC no 09-6525, see petition for certiorari [exh. 50](#)).

Because the Courts deliberately refused to address the issue (with summary decisions) during this first set of pleadings (requesting the entry of default) and the issue is obviously an important one, I asked the Superior Court to strike the 2nd demurrer on the same grounds ([exh. 52.2](#)) and to reconsider again the default ([exh. 52.3](#)) based on the more precise explanation on CCP 471.5 including the case *McGary v. Pedorena*, but the Superior Court again refused to strike the demurrer ([exh. 53](#)) and used as ground for denying the strike the case presented by the County's lawyer [*McAllister v. County of Monterrey (2007) 147 Cal. App. 4th 253, 281 (exh. 54.2)*], saying that 'answer' **may** mean 'respond' according to the Rutter guide', meaning may allow the filing of a demurrer, but this case does not specifically address this issue so it does not give any explanation, justification, or analysis for this position, on the contrary it leaves a clear doubt about the assertion], so I filed again an 'appeal' [petition for writ of mandate, [exh. 54](#)] to explain why the Superior Court was wrong and to **describe precisely the logic behind**

the statute (I had not given in the first request until the motion to reconsider filed at the Supreme Court), but again the Appeals Court rendered a summary decision ([exh. 55](#)) although it perfectly knows that CCP 471.5 **cannot** allow a demurrer in this context (because of CCP 1008) and that the entry of default is deserved. With its summary denial, the Appeals Court refused **to resolve a 120 years old issue** that creates a small public controversy (although it is precisely its job to resolve this kind of issues - especially a 120 years old one), it violated the California Constitution because decisions of Appeals Court *‘that determine a cause’* (as in this case) must **be motivated** according to the California Constitution Art 6 [please see [exh. 58](#)], and it robbed me again of **\$2 840 000** while at the same time the DHS is trying to have me deported with a full of lies deportation order!

The Appeals Court also violates the US Constitution as the result of the CA Constitution violation (principle of equal justice because other obtain motivated decisions conformed to the constitution) to delay the resolution of the case long enough to have me deported first (!), to prevent me from obtaining justice and indirectly to cover up the civil servants wrongdoings **which is very dishonest** (!). Sadly, the California Supreme Court also refused to address the issue with a summary decision (see [exh. 57](#), petition [exh. 56](#)) although again it is its job to clarify the California law and to resolve this kind of issues, the wrongdoings described in the complaint are grave, the initial complaint was already incorrectly dismissed and **I suffered a grave prejudice over 8 years**; so I filed another petition for writ of certiorari at the US Supreme Court [[exh. 58](#), SC no 09-9780], but, as explained above, the US Supreme Court denied my motion to proceed in forma pauperis and forbade the clerk office from filing any further petition if I do not pay the filing fee on the ground that I abused the process [please see their order [exh. 59](#)]. This **was extremely dishonest**, of course, because I did **not** abuse the process in any of my 6 petitions for writ of certiorari, on the contrary there have been obvious treacheries or errors (**at least**) in each of the cases I had presented to the Court (including in the 3 requests for a default). When you are victim of grave injustice **that affects dearly you everyday life**, you **have to** do everything you can to obtain justice, meaning go all the way to Supreme Court if necessary, so I did not abuse the system – I had to petition the Supreme Court.

‘I have a lifetime job and he (the president) does not’.

The US Justices **are the ones who abuse the ‘system’** (their lifetime job prerogative)

by staying on the Court after 70 (and even 75) although they have already earned the right to retire with full pay. 5 of the 9 US justices **are older than 75 years old and have already earned the right to retire with full pay**, so they stay on the court for ‘pleasure’ and for the non-monetary (sick) ‘benefits’ they get out of it obviously (not by patriotism or not to help the society). By doing so, **(1) they show** an obvious hate for the new generations and for society in general [especially when there is 10% unemployment level]; **(2) they show** that they have a high opinion of themselves to say the least because obviously they believe that no one younger could do a better job than them; **(3) they show** that they feel they have no responsibility over all the problems of society (the financial crisis, the unemployment, the poverty in the US and around the world, the environment problems, the administrations efficiency problems,) although justice has a critical impact in all these areas, **(4) they show** that they don’t care about the preparation of the new generation of judges, and **(5) they show** they have serious psychological problems – an addiction to their job and to the power their job give them because they could be enjoying life at home with the same salary (and still contribute to society’s progress while keeping a lower profile if they wanted to) and instead they go every day to **an absurd job** as seen below even when they are not so healthy (Judge Rehnquist died of cancer while being Chief Justice at 80 about I believe!). This addiction makes them forget all their responsibilities and prevents any significant reform and/or improvement of the US justice system and of the constitution.

And since they have a full judicial immunity, they don’t care about any critics that are made about their work and/or role in society, even when they come from the US President (and they don’t care either about the UNGA point of view of their work, obviously). On February 5 2010, I went to a (one hour) conference of US Justice Anthony Kennedy at Pepperdine University Law School (the university in the Malibu mountain with a breathtaking view on the sea), and I noted two of his comments: First, at one point he was asked to comment on President Obama’s statement during the State of the Union speech in early 2010 in which he criticized a recent Supreme Court decision giving the possibility to big corporations to finance more significantly political campaigns, and his comment was ‘*I have a lifetime job and he (the president) does not*’ **meaning** ‘*I don’t care what the US president says about my work, I can do anything I want, and I still be here when his term as President is over no matter what he says!*’. A little later he was talking about how European countries have beautiful old castles and old buildings (that the US does not have), but he explained, ‘*in America we*

have the oldest Constitution in the world and 'you' (the law students) must protect it', **meaning** 'you must protect my lifetime job with full judicial immunity that I enjoy very much, so that I can continue to be very powerful for the few 80 motivated decisions (opinions) I (with my colleagues) render in a year out of the about 8000 petitions we receive!'. Please understand that my remarks on the age issue are not absurd, the age of the judges of the European Court of Human Rights (that has 47 member countries) **is limited to 70**, so if 47 countries think a 70 years age limit is worse **it, there must be some reasons. And I presented management, ethical, psychological and good sense grounds supporting the age limit proposal for the main high level government and administration positions.**

2) The US Supreme Court and Appeals Courts' 2 responsibilities and the contradictions in the US Constitution.

Two complementary and undissociable responsibilities.

The US Supreme Court and Appeals Courts have two important responsibilities: **first**, they interpret the law (constitution, statute, etc.) to make it more precise and applicable to the specific facts of the cases they review [by doing so they basically make laws in some way]; and the second responsibility is **to make sure the law is properly applied** by all the lower Courts. The two responsibilities are **complementary** and **undissociable**, as you surely understand, because there is no point making laws if they are not applied **with consistency**. Unfortunately, in the US justice system as it works today, Courts do not fulfill their 2 responsibilities [they are even very far from it]. The US Supreme Court renders **only 80 'opinions'** out of about 8000 petitions it receives in a year (state Supreme Courts also have a similar ratio of opinions), meaning it interprets the law in only **1% of the cases** and **pays absolutely no attention to its 2nd responsibilities** which is to make sure that the lower courts apply the law correctly. It is even explained to the prospective Supreme Court petitioners, the role of the US Supreme Court is **not** to correct the lower courts' errors, meaning the US Supreme Court does **not** care if the law is applied properly or not (!). This fact makes their work of interpretation of the law **completely absurd and in complete contradiction with the principle of the constitution** they are supposed to interpret. You surely understand that there **cannot** be any fair trial (or right to a due process including equal justice) when one percent (1%) of the petitions only gets a motivated decision while most of the others (99%) gets summary decisions **without a written logic that differentiates one from the other.**

The law (constitution) gives judges the right to render these summary (or inappropriately motivated) decisions, and gives the judges the full judicial immunity for rendering dishonest decisions, so **the law creates this incoherence** since on one hand it guarantees the right to a due process to the parties and on the other hand it gives judges the right to deny summarily their petitions and the immunity for denying the right to a due process [as you could see above in my case against the County, the Courts also sometimes cheat the law to avoid giving motivated decisions, the California Constitution guarantees a motivated decision for petitions ‘*that determine a cause*’ and the Courts allow themselves ‘*to decline jurisdiction*’ (with summary decisions) for petitions for a **peremptory** writ of mandate although they have agreed that these petitions determined a cause. Moreover in the context of a petition to force the Superior Court to apply the law properly, the petition is like an appeal that also requires the court to render a motivated decision (see explanation in [exh. 58](#))!]. And **the very bad organization of the justice makes the problems even worse**; for example the number of US justices has not changed **since 1860 about**, I believe, and neither has the Supreme Court way of working although, of course, the US population has grown a lot since 1860, and the number of petitions the Court receives has grown a lot as well [the ECHR has twice as many judges (and ‘Courts’) **per inhabitant** as the US Supreme Court; **it produces (about) 10 times as many opinions per inhabitant and per year as the US Supreme Court**; and each judge of the ECHR produces **5 times as many opinions per inhabitant and per year** as a Justice of the US Supreme Court (!), I believe. And most of the petitioners (found inadmissible) receive **at least a technical report or evaluation on their petitions during the admissibility phase**. The ECHR is **not** perfect either though; although I was asked twice to present additional arguments supporting the admissibility of my complaint against France, the Court rendered a **summary** decision which did not address the arguments I had to present and violated the European Convention of Human Rights guaranteeing a motivated decision! So it is critical that we improve the quality standards for justice decisions everywhere.]

Appeals Courts (state and federal) also render **only** a very small number of ‘properly’ motivated (and published) decisions (called opinions) since they render mostly summary decisions or memoranda that do not refer to the facts and/or the legal authorities presented in the briefs or motions like everyone of the decisions I received in my cases over 6 years. This situation does not bother any of the US Justices although they have a supervisory responsibility over the lower courts and their job is to interpret the Constitution, so they should understand its contradictions and weaknesses and ask the politicians to correct them. Of course, Appeal Courts’ judges and lawyers who know well the justice system also are not bothered by these contradictions or by the fact that

there is no public legal aid system in civil matters and a very imperfect one in criminal matters, on the contrary, they implicitly support the system that facilitates corruption and discrimination and gives each of the actors (in the system) a lot of power, at the expense of the users of the system that are supposed to be protected by the law (the citizens, in particular the poor). The US Justice System is therefore extremely dishonest - it is even **a complete fraud** at the image of the 5 75 years old US Justices who pretend they help the community by staying in their position after they have earned the right to retirement **with full pay**. Even if to give a motivated decision to everyone who asks for justice is not easy, **it is doable**, but for that the US justices and politicians must admit first that rendering 99% of summary decisions and only very few opinions is in complete contradiction with the right to a due process of the US Constitution.

A dishonest system accepted by the politicians.

Politicians are well aware of the problems caused by the judges' immunity and the possibility to render 'summary' decisions, as we can see also in Mr. Obama's book [at AH 84, he recalls a discussion he had with one of his colleagues in the Illinois Senate about an amendment he was trying to pass, and after he explains to his colleague that if the amendment did not pass, the judges would find the law unconstitutional, his colleague responded that '*it did not matter what amendment was attached – judges would do whatever they wanted to do anyway*'!]. But politicians who have the responsibility to control the courts' work and to improve the efficiency of administrations (including the courts), do not make any effort to improve the system because the imperfection of the system does not affect them personally, on the contrary it gives politicians a lot of power because when the justice does not work, the people must turn to them to resolve their problems with the administrations or other (as in the case with the BP oil spill) and they can or not resolve the problems depending on a lot of factors ... [as a parenthesis, I wrote to Senator Feinstein about my immigration problems that were obvious and not difficult to resolve, but she did not help of course (at 77, and with a fortune estimated at between \$40 to \$90 million, she is not in the Senate for the \$200 000 yearly salary, by patriotism or for the community's interest, and is certainly not interested in helping a poor French refugee who explains the importance of establishing age limits for justices and senators and does not vote).]. Moreover, the Senators (and other politicians) do not want to point out the importance of establishing age limits for the US justices (and more generally federal judges) because they abuse the system in a similar manner as we have seen above [the average age in the Senate is 63.1 year, 49 senators are older than 65, 29 are older than 70, 17 older than 75 and 5 (democrats) older than 80 with one senator at 92!].

Mr. Obama sees nothing wrong either in the constitution or with having old senators (even until 92 or more) in the senate, and older than 70 justices, on the contrary, in his book he (a black president) **makes** Senator Byrd (92), again a former Ku Klux Klan member, **a hero**, and he recently supported (for re-election) Senator Specter (**80**) who after 44 years switched from Republican to Democrat – it seems because the polls showed it would most certainly be defeated by his republican opponent in the primary election. Despite Mr. Obama’s support, he still was recently defeated in the democrat primary by his democrat opponent Joe Sestak. Mr. Obama had offered Mr. Sestak a non paid high level position in his administration to try to convince him **not to run against Senator Specter** in the primary, and some argued that the White House committed a crime (by doing so) when it tried to interfere with the democratic process. As you surely understand, Mr. Obama did not make this offer on what he calls in his book ‘*principle*’ AH 294 (!), but Mr. Sestak (59), a former 3 stars vice admiral with a Phd from the Harvard School of Government and 4 years experience as US representative, may have declined the offer on *principle*. In any way when he supported the 80 years old senator, Mr. Obama showed little respect for the new generation, and he showed that he wanted to keep the Senate the way it is with 80 years old senators who have no or very little sense of responsibility and who are addicted to the power of their job [as ‘*A tool to protect the wealthy from the rabble, and assure slaveholders of non-interference with their peculiar institution*’], so Mr. Borloo should be careful not to exonerate so easily Mr. Obama of any wrongdoings on the global warming issue and not to dissociate him from the Senate when it comes to the US international responsibilities.

To stay in the senate until 92 and to be a member of the Ku Klux Klan show the same type of character profile since both show an obvious hate for others and for society in general [hate for the black people for the Ku Klux Klan member and hate for the new generation (and for the poor) for the old senator who prevents a younger politician to assume his responsibilities]; both show a ‘*feeling of superiority*’ over others or at least a ‘high opinion of oneself’ [superiority over the black people for the Ku Klux Klan member and a superiority over the new generation for the old senator who feels that no younger politician can assume the senator job as well as him obviously]; and finally, both show serious psychological problems [an addiction to violence for the Ku Klux Klan member who do not hesitate to hurt the black people, and an addiction to the power of his job for the old senator who remains in office although he could enjoy a retirement and/or even **continue**

to contribute to society's progress in a less demanding position, if he were still healthy and motivated].

[As a parenthesis, the previous US Senate hero, Strom Thurmond was a segregationist **who stayed in the Senate until 100** (in 2003) and hid (during his long political career in which he fought hard to pass laws not favorable to black people) that he had had an illegitimate daughter with a black woman who worked as a maid in his house when he was young. He probably stayed so long in the Senate because it gave him the power to hide the existence of this illegitimate daughter! So after learning that the US Senate heroes for the past 40 years are/were a 92 years old former Ku Klux Klan member and a 100 years old segregationist, you probably will not be surprised to read Jeffrey Sachs' remark about **the US giving about as much aid to Israel as it has given to Africa 100 times more populated** CW 241, and understand the importance of reforming the 'US Senate rules'.]

'The declining sense of global responsibility' CW 109.

These old Senators like the old justices feel that they have **no** responsibility over the problems of the US and of the world, and that they have achieved perfection and can do no wrong for being in the senate at 70, 80 or 90 (when in some countries people barely live to be 40 on the average). As seen above, Jeffrey Sachs states about the *Byrd-Hagel resolution passed by 95-0 vote at CW 109*, *'the resolution exemplifies **the declining sense of global responsibility felt by US politicians***, but the problem is not just a *'declining sense of **global responsibility***', it is a **total lack** of sense of responsibility (global and national) including (but not limited to) the lack of responsibility **(1)** to prepare the new generation, **(2)** for putting the vast majority of the CO2 in the atmosphere, **(3)** for the justice problems and **(4)** for the poverty problem. If one feels responsible for what is going on, one does the best one can (including preparing the new generation to take over) and then let the new generation take over and hopefully do better (or at least try to do better) when the 'normal' (65, 70 at most,) time to retire comes, but one does not hold on to high level administration positions until 75, 80 or 90. I am the first one to say that younger generations must show respect toward the older generation, but this respect must be **mutual** and the old justices and senators show an obvious disrespect toward the new generations and the poor. In our information society and knowledge based economy, retired administration officials have many ways to (continue to) contribute to society's progress (if they feel like it) **without holding on to the highest positions**. I understand that Mosquito kill millions of people in Africa, and that establishing age limits for high level administration officials **may not seem as important as giving bed nets to everyone** over there, but here the society is very precise, and it is a very important issue that affects everyone, **even Africa**.

The US Constitution was written by ‘*slave handlers*’ and ‘*massacreurs* (slaughterers) *of Indians*’, who had a very limited vocabulary – they did not know the words Internet, United Nations, electronic filing, nuclear bomb, global warming, and many other important words useful to understand a modern society, and they did not know about the psychological, fairness, and management implications associated with staying in high level public office after 65 or 70. And even if they identified some important fundamental rights as President Obama explains it in his book [AH 86 ‘*the right speak our mind, the right to worship how and if we wish , .. the right to be free form from unreasonable search...the right to a fair and speedy trial*’], these rights mean little if the US Constitution and US politicians maintain a very corrupt justice system giving judges the right to render summary (or inappropriately motivated) decisions and the full judicial immunity for their work, maintain an inefficient organization of the Courts and maintain corrupt institutions that allow old judges and senators who have lost all sense of responsibility to remain in office. And these rights mean even less **for the poor** if the constitution does not guarantee an efficient legal aid system, but politicians and judges still defends the constitution – as Mr. Obama writes in his book: ‘*Conservative or liberal, we are all constitutionalists*’ (AH 88) (!); this is absurd. A Constitution is a piece of paper that **should be rewritten regularly** as the society, the people and the language progress, and so that the institutions evolve with these progresses (it is ok to keep the 250 years old initial one in a museum for historical purpose, but not to interpret it over and over, especially when the ones who wrote it were ‘*slave handlers*’ and ‘*slaughterers of Indians*’).

The US ‘psychological problems’ and their consequences.

In my previous letter I used Mr. Bloomberg’s comparison between the US and a champion, and mentioned that the US cheated and lied, and hit its opponent where it is not permitted as 2 US champions Marion Jones and Mike Tyson ([exh. 1](#)). I also explained that the ‘champion’ (US) had psychological problems and that it was addicted to the lies ...[‘*the champion has serious psychological problems since he refuses to admit that he is addicted to the lies, to the institutionalized corruption, and to the treacheries to hurt people and to get ahead in a dishonest manner*’ - I could have written as Tiger Wood as we now know], and we see better now how this translates in reality. Mr. Obama (in his Nobel lecture) hides the US violations of international laws and other violent actions (including the unauthorized by the UN recent war in Iraq he had opposed) **he had described in his 2007 book**, so that he can justify the sanction against Iran and other countries and later the military actions that usually

result, so he hides the truth to the world and **to himself** to give himself more power, which is '*problematic*' (to use Mr. Regis Zinsou '*diplomatic language*'). And the old US Justices and Senators who hold on to their high level positions (even after they have earned the right to retire with full pay or when they don't need their salary and although they have a responsibility to prepare the new generation) show **a lack of sense of responsibility** (for what it is going on in the US and in the world) and an addiction problem (addiction to the power of their job).

These efforts to hide the truth (on the US violations of international law) and lack of (or declining for Jeffrey Sachs) sense of responsibility have grave consequences for the world since they lead to the US refusal to diminish significantly the greenhouse gas emissions **by 2020**, the refusal to pay the 0.7% of GNP in ODA over decades, the high military expenditure, the undeserved sanctions against Iran, North Korea and even possibly to event like the recent war in Iraq based on lies ..., the flawed justice system (that has a great impact in many areas of society), our grave poverty problems, and the US incapacity to reform its own institutions and justice system. So just like Tiger Wood admitted its behavioral (addiction,) problems and his lies, we would like that Mr. Obama admit his effort to hide the US violent past and recent violations of international law and that the US Senators and Representatives admit that they have a responsibility to prepare the new generation to replace them, and a part of responsibility with what is going on around the world (including the fact that, in some countries the life expectancy is barely 40, that the refusal to significantly decrease the US greenhouse gas emissions by 2020 and to pay the promised 0.7 % of GNP in ODA for 4 decades **affect dearly poor countries and the world**), and therefore that they should not hold on to their job after 70.

And of course we want them to take corrective actions immediately [like accepting greenhouse gas emissions limitation in relation with the European Union's offer (at the '*masters*' in Cancun from 11-29-10 to 12-10-10), paying the promised 0.7% of GNP in ODA, ending the unfair sanction against Iran, North Korea, and other, implementing age limit in the Supreme Court and Senate and reforming the justice system in front of the UN, and support a global strategy that to help us resolve our global problems]. The sanctions often hurt the people of the countries, are often inefficient and are very unfair because like Mr. Obama said in his Nobel lecture '*America – in fact, no nation – can insist that others follow the rules of the road if we refuse to follow them ourselves...*',

and as we know it from reading MM. Obama and Jeffrey Sachs books, and from the international actuality, neither the US, Russia, China, France, ... are so perfect and/or follow the 'rules of the road' enough to have the right to impose sanctions on Iran and other countries. So instead of having to sanction countries, we want that the countries come to the UN, discuss and admit their problems, explain how these problems affect the realization of our global objectives, and work with (and/or under the eyes of) the UNGA to resolve them for everyone benefits (this is the idea of group therapy that I mentioned in my last letter). The US that is one of the most advanced countries and the number one economy in the world, is the best candidate to start this process because they obviously tend to hide their problems, and their problems have more grave consequences for the world than the problems in the Burkina Faso for example [moreover they have high level experts in psychology so they know the important role it can play to help us resolve our problems].

3) The conspiracy, deprivation of civil right and negligence case, and the 2 cases against the SSA.

The same 2 District Court judges who handled the deportation case ruled on **my 3 other cases**, and also avoided evaluating my refugee documents, and ignored legal authorities in my favor to deprive me of justice (rob me) and to cover up the wrongdoings, so I will explain what happened as briefly as possible.

Dishonesty, treacheries and cooperation between the USDOJ and the judges to cover up grave wrongdoings and to rob a very poor French refugee.

Appeal no 07-56730 (DC no 05-7517) refers to a complaint ([exh. 65](#)) with (initially) 4 causes of action: (1) a civil rights cause of action against the LA County and several civil servants in their individual capacity, (2) a conspiracy to interfere with civil rights, and (3) a common law conspiracy cause of action against 22 several civil servants in their individual capacity, and (4) a negligence cause of action against the US and LA County filed **on 10-25-05**. The District Court refused to order the service of 17 civil servants in their individual capacity (defendants) despite my right to a service by the US Marshal due to my in forma pauperis status granted by the Court (!) [I was able to serve myself only the AUSA (Robinson), the 4 state employees who accepted the waiver of service and the two public agencies (US and LA County)]. The Judge-defendant, who had ruled on my previous case, was immediately dismissed by the Court because of the judicial immunity despite my explanation that the immunity did not apply in this context of his refusal to sanction the AUSA, a ministerial act not a judicial act. The 4 served defendants (AUSA, State employees,

LAC, US) filed 4 motions to dismiss on time except for the US that filed its motion to dismiss after 9 months only **more than 150 days late, which should (or could) have led to default** (!). I immediately opposed their motions, but the Court waited a long time to rule on the motions, and most of the un-served defendants were dismissed 1 year and half after the filing.

In its **first order on 1-4-07**, the District Court dismissed **without prejudice** the negligence cause of action against the LA County (declined supplemental jurisdiction) to force me to re-file it at the Superior Court [which I did, it is the case I mentioned above BC 364 736]. It also dismissed **with prejudice** (a) the civil right claim against the County because of the statute of limitation and the res judicata principle, (b) the 4 State of California employees because of the statute of limitation and the judicial immunity, and (c) AUSA Robinson because of the judicial immunity! **In its second order on 2-15-07**, the Court dismissed the US **without prejudice** because it was not clear that I alleged the filing of claim when I wrote in the title of the cause of action ['claim filed on xxx', I had followed a lawyer's complaint sample, so it was clear enough for some (!)]. The judge agreed that I had filed a claim despite the contrary allegations by the US, and he asked me to wait for his next order to file my amended complaint with the allegation of claim filing. **Then in its third order on 3-5-07**, the Court dismissed all the un-served defendants **except 2** of them because the complaint was not timely [but the common law conspiracy was necessarily timely and the other statutes of limitation should have been tolled, see [exh. 68](#)]; and it also asked me to re-write (by hand) my amended complaint for these 2 un-served defendants (and indirectly the US) **only** on a special Court form for civil right complaint. The form ([exh. 68.1](#)) **did not** reserve any space for the negligence cause of action against the US [and which was very important for me of course], **so I could not comply with the court order as written!** The order was also very unclear, and it forced me to do a lot of unnecessary work (while I had only \$1 per month to live on), so I filed a motion to reconsider and to clarify twice, but the Court refused to reconsider and to clarify its orders.

I then filed first an amended complaint ([exh. 66](#)) with the amendment requested for the US only so that we can address only this cause of action at least and resolve the problems, but the Court did not accept it. I then filed a 2nd amended complaint ([exh. 67](#)) in which I tried to comply with the Court order as best as I could, but again the Court

refused to accept it and dismissed the entire complaint **with prejudice** for failure to comply with its order [FRCP 41 (b)] – it argued that I had unfairly and on purpose **delayed** the case to cause prejudice to the defendants **although it is the Court that waited so long to render its orders** [1 year 1/2 to dismiss the un-served defendants for example], and the US also was late in responding to the complaint by 150 days, so it could not be prejudiced by the delay, and I could not be made responsible for the delay (on the contrary I was suffering from the delay). The un-served defendants could not be prejudiced either since they never received the complaint and were not even informed of the case probably! The Court also argued that I defied the court orders and refused to comply, but it was impossible to comply with the orders and the Court refused to clarify them! I filed an appeal that the LA County, AUSA Robinson, and US opposed [see briefs [exh. 68](#), [exh. 69](#)], but the State of California did **not** respond to my appeal brief against the CA state employees in their individual capacity [which, to me, should have led automatically to a reversal of the decision against these employees]. The Ca9 Appeals Court confirmed the District Court’s judgment of dismissal with an inappropriately motivated decision as usual ([exh. 70](#)) on the ground that I was informed that the failure to comply would result in a dismissal. It did not even address whether the order requiring me to use the form was just or not, whether I could use the form for the negligence cause of action or not, and/or whether all the intermediate orders were correct or not [see petition for rehearing ([exh. 71](#)) and denial of rehearing ([exh. 72](#))].

The 2 necessary certifications from DOJ officials and the USDOJ officials’ responsibility.

Two important issues of the case against the US and its employees were the refusal to present the **authorization to represent AUSA Robinson in her individual capacity pursuant to 28 CFR 50.15** and the fact that the certification that the US employees were acting within the scope of their employment pursuant to 28 CFR 15.14 was **not** done on a claim by claim basis. They are important issues because they show the involvement of high level US DOJ officials (AG, LA USA,) in the treacheries and the cover up of criminal wrongdoings. The certification pursuant to 28 CFR 50.15 was or should have been issued in 2006 by former **AG Gonzales** (no certification was presented to the Court). There is a possibility that none was issued because at about the same time it was supposed to be issued in 4-2006, **AG Gonzales** fired 8 US Attorneys, so it did not make sense to ‘encourage’ AUSA Robinson to hurt me by granting this authorization to defend her [in the conspiracy case no. 05-7517] while firing the 8 USAs to improve the operation at

the USDOJ [It was also potentially politically dangerous if the press and media talked about the detail of the case because of the criminal wrongdoings allegations]. Moreover, there is a strong possibility that it is Mr. Gonzales' predecessor (Mr. Ashcroft) who granted me the refugee status (**or the INS Commissioner**) in 2002, and therefore that AG Gonzales knew it (when he and his colleagues reviewed the request for an authorization pursuant to 28 CFR 50.15). **If** AG Gonzales did grant this certification (although there were allegations of criminal wrongdoings in the complaint including lies on the refugee status and he knew the refugee status was granted by a high level INS official), his grant of the authorization to defend Robinson **would** be a 'personal' cover up of the criminal wrongdoings in my case.

Again **no authorization was presented** and it seems there is none as explained in [exh. 115](#), but the District Court refused to force the USA office to present the authorization to cover up the wrongdoings and the fraud of the USDOJ. At the same time on 8-1-06, the LA USA (Wang, at the time, she resigned 2 months later to accept a high paying job in the private sector) signed a certification that the federal employees (including AUSA Robinson) were acting within the scope of their employment pursuant to 28 CFR 15.14 that was **not** done on a claim by claim basis also to cover up the criminal wrongdoings. This second certification must be done on the claim by claim basis under FTCA, meaning each individual wrongdoing must be analyzed, for example in this case, the LA USA should have analyzed my allegations that the INS employees violated criminal statutes (when they altered the verification of status or lied to influence a legal proceeding and to maintain it, etc.), and decided whether the actions were within the scope of their employment (crimes are not usually within the scope of employment of civil servants, but there are rare exception), and instead she wrote a general certification to avoid doing so because she wanted to cover up the crimes. No criminal investigation was done in this case to cover up the crimes and to prevent me from obtaining justice and a compensation. I raised these two certification problems before the district judges, and the USDOJ officials who ignored them to cover up the wrongdoings, and so did the Ca9 and its Chief judge in my judicial misconduct complaint.

The 2 cases against the SSA, the obvious bad faith of the SSA, AUSA attorneys and the judges.
In the case against the SSA to obtain the SSI disability benefits, the SSA ALJ (Reich) pretended that I was not an eligible alien (a refugee) in 9-2005 when I applied for SSI (1) because I presented **only one page** of my 2 pages (refugee) verification of status ([exh. 121](#)) **which was a lie**, of course (the District Court agreed with that at least, [exh. 84](#)), (2)

because my refugee EA card ([exh. 124](#)) was not a proof of my refugee status which was also incorrect, and (3) because the previous ALJ decision ([exh 122](#)) confirming my refugee status could not be used to establish eligibility, which was incorrect also. The District Court judges confirmed the SSA ALJ decision because they thought that the INS did **not** ‘verify’ **my refugee status** in 2005 (see R&R [exh. 84](#)) when the INS wrote that my A3 **refugee** EA card was ‘*currently valid*’ on 10-5-05 (see G845 verification form, [exh. 136](#)), which was incorrect also because the SSA regulation 20 CFR 416.1618 requires **only** that the INS verifies that the immigration document is ‘*currently valid*’, not that it is an evidence of qualified status, it is obvious already from the document (see my appeal brief filed recently [exh. 86](#) and [exh. 126](#)). The court also argued that the DPSS and SSA employees were not in privity with each other because they did not belong to the same government and therefore that the collateral estoppels doctrine did not apply to the previous ALJ decision confirming my refugee status, which again is incorrect! My appeal is pending ([exh. 86](#)).

In the related negligence case ([exh. 90](#)) against the SSA and CADSS (AC no 08-55236) to obtain a compensation for the delay in paying the SSI disability benefits, the District Court dismissed my complaint ([exh. 92](#)) because, in my opposition to the US motion to dismiss ([exh. 91](#)), I established the liability of the US for negligence with a statute G815.6 applying to California public agencies (or for the US if a California public entity) instead of establishing liability of the US with statutes CC1714, EC 669 applying to private persons (or for the US if a private person as usually required). I had presented the different 2 liability theories in my complaint ([exh. 90](#)) **and they are equivalent in the special context of the case** (see briefs [exh. 96](#), [exh. 97](#)), but the Court was of bad faith again and the Ca9 Appeal Court affirmed the decision ([exh. 98](#)) although the US Supreme Court case that makes the differences between the 2 liabilities theories, also asks Appeals Court to look for similarity between the 2 theories which the Court did not do in this case because the 2 theories are rigorously equivalent in this particular context [see petition for rehearing [exh. 99](#), order, [exh. 99.1](#)]. These 2 cases against the SSA and the previous ones shows how precise the law is and how easy it is for the judges to lie, cheat and ignore the legal authorities to deny a victim justice and a compensation, and even to hurt him over several years [I could not file a petition for writ of certiorari in this last SSA case and the conspiracy case because of the Court order preventing me to do so. Only the disability case appeal, the negligence case against the LA County, and the motion to reopen at the immigration court are still pending].

4) The judicial misconduct complaints and conclusion on the lawsuits.

The judges can do whatever they want.

As seen above, some judges have repeatedly cheated to cover up the administrations and their employees and to prevent me from obtaining justice [they delayed the proceeding, wrote unmotivated or inappropriately motivated decisions, **stole documents** ...], so I filed 3 complaints of judicial misconduct [[exh. 110](#), [exh. 112](#), [exh. 113](#)] against the 2 District Court judges [who delayed 2 years the case 05-7517] and 4 Circuit judges [who denied summarily 2 critical motions in appeal 08-55236 and 07-56730, refused to sanction the ASUAs, refused to appoint another pro bono lawyer, and more generally covered up the wrongdoings and the AUSAs], but the CA9 Chief Judge dismissed my 3 complaints [one on 12-4-08 ([exh. 111](#)) and 2 on 6-11-09 ([exh. 114](#))] with inappropriately motivated orders because my complaints referred to the merits of the judges' decisions. The Judicial Council dismissed my appeal [[exh. 115](#)] of the Chief Judge's decisions also because they thought that my complaints referred to the merit of the judges' decisions (see JC order [exh. 117](#)), but allegations of conspiracy with prosecutors or of unfair delay as the ones I made **are not supposed to be found 'merit related'**, and I had stressed the judges' role in covering up the criminal wrongdoings and the dishonesty of the LA US Attorney office employees and other civil servants, and the fact that the Ca9 judges could have and should have addressed the issues of the validity of my refugee documents **in 2005**, and then **in 2006 already**, and that instead they cheated and lied to avoid it and to dismiss my appeals for unfair reasons. The judges can commit obvious crimes and render badly motivated decisions **without being accountable** even if they intentionally and fraudulently create a huge prejudice to the losing party as you can see, and neither a lawsuit nor a judicial misconduct complaint can correct their error. And since the States and US Supreme Courts review only a very (very) small portion (1%) of the requests they receive, they do not correct the lower courts errors or treacheries as seen above and the system is very corrupt of course.

The sanction against Myanmar's judges and the manipulation of the public opinion.

Last year incident in Myanmar (a US citizen trespassing on Mrs. Suu ky's house) that led the European Union to sanction the judges and prosecutors who sentenced Aung Sang Suu Ky and the US citizen shows well how rich countries use the flaws of poor countries justice to manipulate the public opinion and to minimize the weaknesses of our justice system. As you have seen above, in the US it would be impossible to punish (or sanction) a judge who sends an innocent in prison [or even on death row as it happens often as

Mr. Obama pointed out in his book AH 58: *'the way capital cases were tried in Illinois at the time was so rife with error, questionable police tactics, racial bias, and shoddy lawyering that 13 death row inmates had been exonerated ...'*] or rob an individual even if his decision were malicious and/or resulted from a deliberate negligence and/or bad faith. Judges are protected by the **judicial immunity** which encompasses all the actions that are related to their legal work as judge (meaning the issuance of legal decisions), and as seen above, the judicial misconduct process does not accept complaints which are related to the merit of the judge's decision [which is completely absurd, of course, because taking or rendering legal decisions is what judges do, and/or is the center of judge's work, so judicial misconduct complaints are (or should be) mainly linked in some way to the merits of their decisions!]. The system is based on the idea that a complainant has the possibility to appeal a judge decision to question the validity of the legal analysis, but this is not true for 99% of Appeals Court decisions, of course, or even less for the US Supreme Court's decisions. It would be therefore impossible to punish the judges who sentenced Mrs. Suu Ky in the US justice system, but Europe still imposed sanctions on them and the US vigorously criticized Myanmar.

The objective of the sanctions against Myanmar's judges and prosecutors are therefore only to manipulate the public opinion – to pretend, or make the people in rich countries believe, that our justice system is fair and honest, **when it is not**; and/or that our justice does not punish innocent people or victims, and that if it does, then the judges and prosecutors are sanctioned, which is **not** true either. **And** to make the people believe that 'we' (rich countries) are good and that poor countries are bad which is not true either as the environment problems, the refusal to pay the 0.7% of GNP in ODA, and events like the recent war in Iraq based on lies confirm it. When 'you' (one) complain about the justice to politicians (in US or France, for example), politicians often hide behind the so-called '**independence of justice**' (or separation of power between the 'judiciary' and the 'legislative' or 'executive') which, of course, is not at all justified when the administration is a party in a case (or in criminal cases) because the heads of administrations (including the DOJ, FBI, that investigate and prosecute crimes, and defend the government in Court) are politicians and one of politicians' responsibilities is to control the work of administrations. Moreover, as you could see in Myanmar's case, politicians in the US and France do not hesitate one second to interfere in the justice's work in other countries or to comment some other countries justice decisions they find unfair (**they also intervene at the national level here** of course, as the

firing of some US Attorney under Bush showed and **the BP case shows now**, especially when the press and media discuss a case and **they can win some popularity points**). This obvious incoherence in rich countries politicians' positions, and the tendency to manipulate the public opinion must be pointed out and addressed to improve our chance to resolve our global problems more rapidly, and are another reasons to pay a more careful attention to what is going in rich countries to resolve our global problems as I offered you to do in my platform.

Conclusion of the asylum application in the US and of the 7 different lawsuits.

To conclude my comments on my legal case and in the US justices systems, I just want to say that my case was very simple and it should have been resolved easily, and never led to such an obvious display of hate and tragedy for me. I came in the US in 2002 **to ask for protection** (political asylum) and **for the help of the US justice** to obtain justice again France where I was victim of a very advertised political scandal and of persecutions [I came here after applying for asylum in 2 other countries, I studied here 5 years in the 80s, and obviously I am not a terrorist, on the contrary I presented you several project proposals and even received letters of support for one from international and national experts as you know, see initial project proposal and letters of support ([exh. 14](#), [exh. 14.1](#))]. After I applied for asylum and my case was referred to the immigration court in 7-2002, on 9-5-02 I was issued a document ([exh. 121](#)) evidencing my grant of refugee status (asylum) by the INS [nothing unusual there except perhaps the fact that I am French]. Then, as I was trying to obtain a more appropriate refugee document, 4 INS employees told me that the status verifier who issued me the document made a mistake in reading the INS record, but on 11-13-02 several INS status verifiers confirmed me that they did not make any mistake and that they even had the date I was granted refugee status (asylum), so there was an obvious contradiction problem at the INS with devastating consequences for me!

There are really **two possibilities** and in both several civil servants committed a lot of grave wrongdoings: **the first one** – a very unlikely one – an error was made by the employee who entered the refugee status and the date on the INS computer [unlikely because I am French, so the person who entered the status would have probably noticed a problem, and because such an error would have most certainly been rapidly and easily corrected; there exists a statute to terminate a refugee status granted by mistake ([exh. 131](#))]; and **the second possibility** – the likely one – the refugee status was granted by someone who had the authority to do so and rightfully granted [likely possibility because the refugee status is justified on the merits for several

reasons (see [exh. 5](#), [exh.25](#)) and because I contacted 8 university presidents to obtain their aid in my asylum application,], probably granted by a high level INS official (INS commissioner, Attorney General,..) with experts advice as explained already ([exh. 5](#)). In both cases, the problems could and **should have been resolved rapidly** and **I cannot be given any responsibility for any of the problems** because I **immediately** informed the concerned agencies and described the problems, because the DSS ALJ in 2003 ([exh. 122](#)) and the Director of the USCIS National Refugee Center in 2004 confirmed my refugee status (see, [exh. 124](#), [exh. 134](#), [exh. 135](#)), and because the INS is required by law to render its decision on an asylum application **within 180 days**. Instead, of resolving the problems **(1)** several other civil servants [from the LA County DPSS, the CA DSS, and later the US Attorney office, SSA and the INS] committed additional grave wrongdoings and repeatedly lied [the US DOJ (AUSA office) lawyers in particular repeatedly lied in their pleadings and cheated], **(2)** the ICE office issued on 1-11-08 **a full of lies deportation order**, **(3)** the judges cheated and lied to avoid addressing the issues of the case and to cover up every body as seen above, and, **(4)** of course, the politicians closed their eyes on everything.

[Even after the INS gave me an EA card in 2002, I could **not** find work or do anything because I was repeatedly sent in the street, forced to file pleadings after pleadings to try to resolve the problems and to oppose the constant lies, and someone fraudulently altered the INS record to erase my refugee status and prevent any easy verification of status by employers or other public agencies); then I was run into by a car and became very sick of course in these conditions (which led to more treacheries on my status at the SSA), and I was still forced to file a lot of pleadings while living under difficult condition; finally they gave me the housing assistance (a room I could afford), but not before they issued a new full-of-lies-deportation-order and took my EA card, and of course they refused to grant me the disability benefits to help me improve my health while they make up their mind about what to do! So I suffered a very grave prejudice (loss of income capacity...) **over 8 years**].

The administrations officials could have easily (and should) resolved the problems also, not just the immigration problems by explaining what happened and/or simply adjusting my status to permanent resident, **but also by granting me a financial compensation** [I was entitled to a default twice against the LA County and there are obvious proofs of my good faith, of the grave wrongdoings from the administrations, and of the very grave prejudice I suffered **over 8 years** ([exh. 2](#)); the damage is more than **\$2 840 000**, so they had room to give me a significant compensation]. As you know I contacted Mrs. Napolitano (DHS Secretary), MM. Brown (CA AG), Holder (AG), and Fortner (County Counsel at the time) ([exh. 2](#)),, and, of course, Mr. Obama ([exh. 1](#)) who have/had **plenty of good reasons** (and **the authority**) to

give me justice (**to settle the case**) including the proposals I presented you, the difficult work I made to prepare them, the obvious injustice I was victim of in France, and the grave prejudice I suffered over **18 years** including 8 years here, but they remained silent [I received only two automated emails (I had not requested) from the Whitehouse with speeches from Mr. Obama!]. Recently, **the Solicitor General**, former Harvard law School Dean and intellectual Elena Kagan, who implicitly admitted (the well-founded of) the criminal wrongdoings allegations I made in my petition for writ of certiorari when she did not oppose my petition, **should also have taken action** to resolve the case [like ask the DHS to cancel the full of lies removal order, and settle the case, especially when, at the same time, the default against the LA County is deserved based on the 130 years old issue in an area of law she has an expertise in. The waiver to respond and the refusal to act on the criminal wrongdoings described in petition either (1) show that the Solicitor General office was informed ahead of time that the Supreme Court would not review the petition which points out a legal fraud, or (2) express a total lack of professionalism from the Solicitor General because when 'they' see criminal wrongdoings allegations in a petition, they should either oppose them if they can to simplify the work of the Supreme Court or address them in some way because if they don't, then they cover up crimes, which is also criminal(!)].

Justice is important for everyone as we see it in the case of the BP oil spill, where the US politicians - including Mr. Obama – make every possible effort to have BP compensate the victims of the oil spill rapidly (in front of the press and media to increase their popularity), but they must **not** forget to compensate the very poor victims like me of the negligence (and crimes) of the US civil servants (rapidly not wait 8 years or more) and/or must not use the treacheries of the judges and lawyers to escape liability. The Governor of Louisiana said that they were tired of talking to lawyers and that they wanted the money now, but this is how the US works, it lets its lawyers and administrations lie, cheat, and lie for years to avoid admit the obvious facts and wrongdoings as in my case and to refuse to compensate a victim, even when they are obvious treacheries from the courts [please see the 12 orders in which the various courts refused to address the **\$2 840 000** default issues including a 130 years old issue I, a very poor prose, made the effort to explain.: [exh. 38](#), [exh. 40](#), [exh. 42](#), [exh. 44](#), [exh. 45](#), [exh. 47](#), [exh. 49](#), [exh. 51](#), [exh. 52.1](#) [exh. 53](#) [exh. 55](#) [exh. 57](#), [exh. 59](#); they robbed me \$2 840 000 **and the intellectual work** I have done to explain the CCP 471.5 statute that 2 leading publishers with many legal experts had not been able to explain]. I have done everything I could possibly do to encourage the US to show some reason, so even if you have doubts about my project and UNSG application, you may accept to encourage - or to ask the OHCHR or UNHCR to encourage - the US to compensate me.

D The logic behind the platform of proposals and a meaningful

UNSG application.

The need to agree on long term changes.

Copenhagen's failure reinforces the need to develop a comprehensive platform of reforms as the one I presented you so that we can **(a) agree** on a common strategy to resolve our global problems, **(b) make** sure everyone **is given an equal share of effort** in our fight to resolve our global problems in particular environment and poverty, **and (c) insure** fairness; and you surely understand now better the logic behind the platform.

First, four reasons **force us to join the two problems** – development (poverty) and environment – and to assign significant greenhouse gas emission limitation targets (and few poverty reduction objectives) to rich countries, significant poverty reduction objectives (with green projects, green technologies, and green attitude) to poor countries, and (mixed objectives) significant carbon intensity reduction and poverty reduction (with green projects...) to emerging countries: **(1)** the fact that our agreement to work toward a goal to limit global temperature rise to below 2 degrees Celsius is meaningful, honest and human only if it is achieved in a world free of poverty around 2030 (or earlier); **(2)** the impossibility to impose now meaningful and honest greenhouse gas emissions targets on rich, emerging and poor countries **at the same time**; **(3)** the necessity to require equal share of effort on each country; **and (4)** the psychological aspects of the issue – the need to fight the fear to defeat poverty some people in rich countries may have because they think it would worsen our environment situation. **Second**, if we impose significant greenhouse gas emission reduction objectives on rich countries, poverty reduction objectives on poor countries and mixed objectives on emerging countries, and **invest significant amounts of money and efforts** in the realization of these objectives, we must also agree on a common strategy to reach these objectives in the most efficient manner.

A strategy that includes **(a) building** a new Internet International Organization to develop the use of the Internet in poor countries, to use it more efficiently, to facilitate the transfer of computer technologies (computer applications,) to poor countries [either by developing global Internet computer applications that can be used by every countries, or by transferring specific existing applications to specific countries], and to support our global strategy in general; **(b) designing** a better economic system that redistributes the wealth more honestly and more efficiently at the country and international levels; **(c) improving** the justice system

in rich countries to make it more accessible to the poor, to change rich countries' behavior toward poor countries that hinder our poverty reduction effort, and indirectly to improve the justice system in poor countries as explained in my earlier letter ([exh. 4](#)); **(d) designing** a new system (and possibly new institutions) to ensure compliance with the objectives or targets; and **(e) addressing** few UN management issues like the UNSG selection process. **Finally**, to agree on this strategy we must first prepare one platform (s) of proposals precise enough, discuss it with all countries ahead of time (as I have done, and we must continue to do until next year) to avoid Copenhagen's problems; and then be prepared to implement it when (and if) the agreement is reached which includes finding the best possible persons to implement the strategy and addressing the financing issue, so preparing such a platform in the context of the UNSG selection process makes perfect sense. We all know that the UNSG selection process should **not** be the time for the 5 permanent members of the UN Security Council to choose the UNSG; but the time for the entire UNGA to review our strategy to resolve our global problems **in cooperation with the possible candidates** and **then to agree on long term changes** and choose the right persons to implement the strategy and changes.

An equal share of effort and equal share of benefits, and some psychological aspects.

You will note that the platform of proposals requires an equal share of effort from every country and brings an equal share of reward or benefits to every country. The fulfillment of rich countries' obligation to significantly decrease their greenhouse gas emissions **by 2020** and to pay the 0.7% of GNP in ODA helps and allows poor countries to come out of poverty (faster) and increases their level of security. While the fulfillment of poor countries' obligation to defeat poverty with green projects, green technologies and green attitudes, and the fulfillment of emerging countries' mixed obligations lead also to **a stable (and more important) economic growth over a long period time** in rich countries and to an increased level of security for rich countries also (rich countries need this stable economic growth for several reasons, and the poor do not participate in the economy when they remain so poor, so to take them out of poverty will increase the economic exchanges and bring a steady and significant growth in rich countries). And of course everyone effort to set up and implement a common strategy to resolve our global problems will give everyone the necessary help to achieve the country objectives and our common global objectives, will help build trust between nations, and will diminish international tensions.

Concerning the proposal to improve the justice system in rich countries (in particular the US), no country in the world follows the '*rules of the road*' (as Mr. Obama calls them in his Nobel Lecture) **enough** to impose sanctions on other countries (certainly not the US), so there should not be any UN sanction, or if any, only in extreme cases when the 'entire' international community (UNGA) agrees to them (the recent sanctions against Iran did **not even** have the support of **the full** UN Security Council and certain important issues were not taken into consideration to justify them). So instead of sanctioning countries, we want them to come to the UN and explain (admit) their own problems to the UNGA, and work to resolve them under the eyes (and/or with the help and support of) the UNGA **so that every other country can benefit from their experience** (this is the psychological technique used to help the alcohol addict, I believe). Since the US is one of the most advanced countries and the number one economy, and the US problems have a greater impact on the world than other countries', the US should be the one to start with this process and to show the example. This is why the US should admit its justice problems, **the responsibility problems Jeffrey Sachs mentioned** (CW 109) and I described into more details above [including the responsibility for putting the vast majority of CO2 in the atmosphere, the responsibility to prepare the new generation and for the imperfect justice system, and the responsibility in the poverty problem after failing to pay the promised 0.7% of GNP in ODA for 40 years...], Mr. Obama must admit (or readmit) the US violent history and the US violations of international law, he so precisely described in his book, and the US must refrain from sanctioning Iran and other countries.

You did not respond to my letters and/or comment my platform of proposals, but I cannot/could not pretend that 'you' did not express your points of view on important problems (like environment, nuclear weapons proliferation,) as seen above, so I have tried to 'listen to your comments' and take into consideration your points of view to clarify the logic behind my platform of proposals and also to give you a more detailed point of view on some ongoing international problems. I also tried to give you the reasoning behind (and the information sources I used to arrive to) my point of view so that, if you don't agree with me, you have the tools to convince me of the pertinence of your position, and we can come up with the best possible platform together. Some complicated problems are more easily resolved by cutting them down into smaller sub-problems and then resolving the sub-problems independently and aggregating the solutions to find the global solution, but I don't think this approach can work for our

main problems (Copenhagen difficulties proved that). Here the best way to resolve the pressing environment, poverty, security, problems is not to tackle these problems independently as we are doing right now, it is to address them concurrently so that we can ensure fairness and give an equal share of effort for each country.

A meaningful UNSG application.

Despite the US administration's treacheries and refusal to resolve my legal problems, my UNSG application remains meaningful – the justice system flaws are not just a problem for me, they are serious problems for the international community as seen above, and they are also problems for the US people. My experience is appropriate for the UNSG post because I designed the platform of proposals and made the important, very long and rigorous preparation work that led to it and because my effort *'demonstrates commitment over time to the objectives and purposes of the United Nations'*. I also bring new ideas and propose to use new tools to tackle our problems, which could help us tremendously. And I believe that I have earned the right to continue working on the project in better condition during the next few months and that I deserve justice, so the US must stop harassing me, and instead it must urgently compensate me for the grave prejudice I suffered so that I can improve my health and work more efficiently on my proposals.

The universities I contacted did not respond to my letters either, but Columbia has hired a new provost who is an expert in psychology, I believe [Mr. Claude Steel, the new boss of Jeffrey Sachs], so given the important consulting (or advising) role Columbia plays for the UN [with Jeffrey Sachs and the Earth Institute, and with Joseph Stiglitz who worked for the UN on the financial reform, I believe,], they **may have read my letters and think that my idea to integrate psychology in our approach to resolve our global problems is not so absurd.** It is sad that they did not contact me, not because they did not comment on the project – obviously I cannot finance it and you are the ones who can approve it, so they have not much to say to me on this subject now, but because they can understand well the injustice I am victim of, and they had ways to help resolve the problems with the administration and therefore they could have facilitated my work and efforts.

E Conclusion.

Copenhagen's failure reinforces the need to develop and to agree on a common strategy to resolve our global problems, and points out the pertinence of the project proposal to develop further the platform of proposals I presented you in my previous letters. The difficulties of finding an (or even the impossibility to find an honest) agreement on greenhouse gas emission limitation targets for rich, emerging and poor countries (at the same time) has confirmed in particular the necessity to join the two problems – environment and poverty (development) - together (or to add poverty reduction objectives to the Kyoto protocol as I phrased it) and Mr. Ban's creation of a high level panel to look at the two problems together is without any doubt a **good start** even if we need to do more and prepare a comprehensive and coherent strategy also.

If we impose significant greenhouse gas emissions reduction objectives on rich countries, poverty reduction objectives (with green projects,) on poor countries and 'mixed' (carbon intensity reduction and poverty reduction) objectives on emerging countries, and **invest significant amounts of money and efforts in the realization of these objectives**, we must also agree on a common strategy to reach these objectives **in the most efficient manner** – a strategy that includes using the Internet more efficiently, designing a better economic system, improving the justice in rich countries (and indirectly in poor countries) – hence the necessity of the project proposal to develop further the platform of proposals I presented you. Because of the coming Mexico's meeting on environment (from 11-29-10 to 12-10-10), there is now **an urgency** to clarify Copenhagen's agreement [as explained in A] and to approve the project to develop further the platform for next year UNSG selection process.

The confrontation between P5+Germany and Iran raises important issues related to the platform of proposals I presented you, and disarmament is an important subject to be discussed in the context of the UNSG selection process, so I had to give you a general point of view on these issues also. It appears that the 'Iranian crisis' is due **(a) to a too narrow analysis** of the 'nuclear disarmament and non proliferation of nuclear weapons' issues, **(b) to the misunderstanding** some nuclear weapons states have about their NPT obligations, **(c) to the fact that P5+ Germany are not partial judges** to evaluate Iran, North Korea and their own levels of compliance with the NPT treaty during the past 4

decades, and **(d)** to Mr. Obama's effort to hide the recent US violations of international laws and violent past. This is why I believe that the UNGA, not P5+ Germany, should review Iran and North Korea arguments and propose solutions in the context of our global strategy to resolve our global problems and given that nuclear disarmament and non proliferation of nuclear weapons **(a) are not dissociable** from conventional disarmament, **(b) are also economic and psychological** issues, and **(c) are in some way related to development and environment issues** as explained above.

The US justice system does not work for the poor and has many flaws in general like the contradiction between the US Constitution guarantee of the right to a due process and **(1)** the right given to judges to deny summarily petitions or request for justice and to render inappropriately motivated decisions, **(2)** the judicial immunity given to judges and prosecutors, and finally **(3)** the lack of public and efficient legal aid system for the poor in civil matter (and to a lesser extend in criminal matter). Giving properly motivated decisions to everyone asking for justice is not easy, **but it is critical and doable**, if the US justices and politicians admit the weaknesses of the Constitution and of the justice organization and take actions to address them. Because their effort in this matter could help other countries as well as them, I recommended the proposal to improve (rich countries, in particular the US) justice system in my platform.

Since the justice system problems are due in part to the unethical behavior of the old US justices who hold on to their job after 70 (**unlike their ECHR colleagues**), and of the old senators who have lost their sense of responsibility for what is going on, the proposal to improve the US justice system has a psychological dimension to it also. And since Mr. Obama has hidden (in his Nobel lecture and his mind) the US violations of international law he denounced in his book to pursue sanctions against Iran and other countries, we must encourage Mr. Obama (and the US) to admit the US history of violence and recent violations of international law, and refrain from sanctioning other countries. Finally, I am victim of a grave injustice that is even more unfair in the context of my work and UNSG application, so I would be grateful to you if you could encourage – or ask the OHCHR and UNHCR to encourage – the US to urgently compensate me for the grave prejudice I suffered.

Jeffrey Sachs' book presents two important diagrams that I believe everyone on the planet should have in mind as often as possible. The first one on page 85 (Figure 4.1) is called: '*Atmospheric Carbon Dioxide, 1960-2010 Carbon Dioxide Concentration (parts per million by volume)*', and it shows the increase of Carbon Dioxide concentration in the atmosphere over the past 50 years - an obvious trend upward without any showing of the slightest decrease. The second one on page 86 (Figure 4.2) is called: '*Global Average Near Surface Temperature from 1850 to 2005, Temperature Difference (*C) with Respect to the Average of 1861-1900*', and this one shows the increase of temperature in comparison to the end of 1900 century average – and here again an obvious trend upward without any showing of decrease. We must have these 2 diagrams in mind because we must **do everything possible** to have these two upward trends become horizontal lines **before 2020** I believe (not by 2050). And to achieve this we need, in addition to the efforts from governments mentioned above, to associate everyone on the planet in some way as I proposed to do in my platform.

Even though UNSGs are often asked to stay on for a second term, Mr. Ban Ki-moon and 'you' (UNGA) can decide otherwise and take advantage of the 2011 UNSG selection process **(a)** to encourage an important management reform at the UN (the reform of the UNSG selection process), **(b)** to agree on critical long term changes for everyone benefits, and **(c)** to stress the importance of showing respect toward the new generations and the poor. I hope the additional arguments and points of view I presented you above will help you to resolve our global problems and to evaluate my UNSG application, and of course I can bring you any additional explanation you may need.

I look forward to hearing from you and hopefully to work with you on this platform and remain

Yours sincerely,

Pierre Genevier

Ps: I would be grateful to H.E. Dr. Ali Abdussalam Treki if he could make sure that every permanent representative gets this letter because I may not be able to email it to everyone, and I thank him in advance for this. If necessary, you can access this letter on the Internet to use links more easily at <http://pgenevier.110mb.com/npdf/letunga6-23-10.pdf>.

If you have difficulties to access any of the documents listed below please let me know, I will forward you an email copy. I linked many documents for reference only (I understand you don't have the time to read everything). I will also try to mail a written copy to some of you.

Copy: Mrs. Navanethem Pillay (OHCHR), Mr. Antonio Guterres (UNHCR), the Press and Media.

Page 66 of 72 6/21/2010 4:28:50 PM

File name: letunga6-23-10

Table Of Contents.

<u>A Copenhagen's great failure, our democracy's problems, and Jeffrey Sachs' flaws.</u>	P. 1
<u>1) Mr. Ban's report to the UNGA dated 12-21-09.</u>	P. 2
<i>The missing issues or objectives.</i>	P. 2
<i>The need to pay the promised 0.7% of GNP in ODA.</i>	P. 3
<i>The imprecise meaning of 'legally binding' and the population growth issue.</i>	P. 4
<u>2) Individual reactions to the agreement and responsibilities in Copenhagen's 'great failure'.</u>	P. 7
<i>The impossibility to impose now honest limitations' targets by 2050.</i>	P. 7
<i>The responsibilities in Copenhagen's failure.</i>	P. 8
<u>3) Some democracy problems, and the US Senate flaws.</u>	P. 10
<i>The US Senate flaws.</i>	P. 10
<i>'A tool to protect the wealthy from the rabble, and assure slaveholders of non-interference with their peculiar institution'.</i>	P. 11
<u>4) What is wrong with Jeffrey Sachs?</u>	P. 13
<i>The scandalous US behavior.</i>	P. 13
<i>Real estate does matter and some humility could help.</i>	P. 15
<i>The omission and the defeatism.</i>	P. 16
<u>B Disarmament issues and the US positions and objectives.</u>	P. 18
<u>1) Iran's right to enrich Uranium, the International Community's interest in Iran's effort to develop its civil nuclear program, and the NPT violations.</u>	P. 18
<i>The 'nuclear-ready status' for all countries that want it.</i>	P. 18
<i>The exaggerated US military expenditure, the greenhouse gas over-pollution and the failure to pay the 0.7% of GNP in ODA are security issues for poor countries, and the NPT obligations and violations.</i>	P. 19
<i>The unfair and undeserved sanctions and P5+ Germany are biased.</i>	P. 21
<u>2) Non-proliferation of nuclear weapons and nuclear disarmament are undissociable from conventional disarmament, and nuclear and conventional disarmament are economic and psychological issues.</u>	P. 23
<i>The right to have fear and the missile shield.</i>	P. 23
<i>Nuclear and conventional disarmament is an economic issue.</i>	P. 23
<i>Nuclear and conventional disarmament is a psychological issue.</i>	P. 25
<u>3) Mr. Obama's point of view and the US objectives.</u>	P. 26
<i>Mr. Obama's Nobel lecture.</i>	P. 26
<i>A history of violence.</i>	P. 28
<i>The USA can do no wrong.</i>	P. 29
<i>The dishonest and shortsighted US Objectives.</i>	P. 30
<u>4) The manipulation of the public opinion and the Nobel Peace prizes selection process.</u>	P. 32
<i>The unconscious use of Nobel Peace Prizes to promote Norway's agenda.</i>	P. 32
<i>The undeserved Nobel Peace prizes.</i>	P. 33
<i>The need to develop international standards for the main international reward prizes.</i>	P. 35
<u>C My lawsuits against the administrations and the flawed US justice system and US Justices.</u>	P. 37
<u>1)The deportation case, the right to \$2 840 000 default against the LA County, and the US Justices dishonest behavior.</u>	P. 37
<i>3 courts incorrectly declined jurisdiction to avoid reviewing a full of lies deportation order.</i>	P. 37
<i>'The petition is also about the perception the UNGA (international community) will have of the integrity of the US Justice System and of the US Supreme Court'.</i>	P. 38
<i>The meaning of the word 'answer' in CCP 471.5, a 130 years old issue the various courts refused to address to rob me \$ 2 840 000.</i>	P. 40
<i>'I have a lifetime job and he (the president) does not'.</i>	P. 41
<u>2) The US Supreme Court and ACs' 2 responsibilities and the contradictions in the US Constitution.</u>	P. 43
<i>Two complementary and undissociable responsibilities.</i>	P. 43
<i>A dishonest system accepted by the politicians.</i>	P. 45
<i>'The declining sense of global responsibility' CW 109.</i>	P. 47
<i>The US 'psychological problems' and their consequences.</i>	P. 48
<u>3) The conspiracy, deprivation of civil right and US negligence case, and the SSI disability cases.</u>	P. 50
<i>Dishonesty, treacheries and cooperation between the USDOJ and the judges to cover up grave wrongdoings and to rob a very poor French refugee.</i>	P. 50
<i>The 2 necessary certifications from DOJ officials and the USDOJ officials' responsibility.</i>	P. 52
<i>The 2 cases against the SSA, the obvious bad faith of the SSA, AUSA attorneys and the judges.</i>	P. 53
<u>4) The judicial misconduct complaint system and conclusion of the lawsuits.</u>	P. 55
<i>The judges can do whatever they want.</i>	P. 55
<i>The sanction against Myanmar's judges and the manipulation of the public opinion.</i>	P. 55
<i>Conclusion of the asylum application in the US and of the 7 different lawsuits.</i>	P. 57
<u>D The logic behind the platform of proposals and a meaningful UNSG application.</u>	P. 60
<i>The need to agree on long term changes.</i>	P. 60
<i>An equal share of effort and equal share of benefits, and some psychological aspects.</i>	P. 61
<i>A meaningful UNSG application.</i>	P. 63
<u>E Conclusion.</u>	P. 64
<u>Table Of Contents.</u>	P. 67
<u>Exhibits:</u>	P. 68

Exhibits:

Some of my previous letters to the UNGA, administrations, and universities.

Letters related to my USNG application and updated platform.

- Exh. 1: Letter to the UNGA dated 2-5-09,
[<http://pgenevier.110mb.com/npdf/letunga2-5-09.pdf>];
- Exh. 2: Letter to administration and 8 universities president dated 2-5-09,
[<http://pgenevier.110mb.com/npdf/letalladmin-uni2-5-09.pdf>];
- Exh. 3: Letter to the UNGA dated 3-25-08,
[<http://pgenevier.110mb.com/npdf/letunga3-25-08.pdf>];
- Exh. 4: Letter to Mr. Bloomberg dated 3-25-08
[<http://pgenevier.110mb.com/npdf/letblo3-25-08.pdf>];
- Exh. 5: Letter to administration and 8 universities president dated 2-27-08 (3.2),
[<http://pgenevier.110mb.com/npdf/letallcalcsm2-27-08.pdf>];
- Exh. 6: Letter to 16 US Universities date 4-4-08,
[<http://pgenevier.110mb.com/npdf/uniall4-7-08.pdf>];
- Exh. 7: Letter of application for World Bank President 6-2-07,
[<http://pgenevier.110mb.com/npdf/letwb6-2-07.pdf>];
- Exh. 8: Letter of application for UNSG 6-14-06
[<http://pgenevier.110mb.com/npdf/ungeneralassemb.pdf>]
- Exh. 9: Updated platform,
[<http://pgenevier.110mb.com/npdf/updatedplatform.pdf>]

Earlier letters and initial project proposal.

- Exh. 10: Letter to the UNGA 11-05,
[<http://pgenevier.110mb.com/npdf/uscongress10-20.pdf>]
- Exh. 11: Letter to the UNGA 5-05,
- Exh. 12: Letter to US officials dated 1-14-03;
[<http://pgenevier.110mb.com/npdf/gwb1-14-03.pdf>];
- Exh. 13: 5-29-02 letter to 8 University presidents, [<http://pgenevier.110mb.com/npdf/unipres05-29-02.pdf>];
- Exh. 14: Computer Project proposal to INCO program and letters of support,
[<http://pgenevier.110mb.com/npdf/incoproandletsup1.pdf>];
- Additional letters of support (14.1), [<http://pgenevier.110mb.com/npdf/incoletsup2.pdf>];

Pleadings and orders in the deportation case.

- Exh. 15: Deportation order dated 1-10-08, [<http://pgenevier.110mb.com/htm/deportorder1-11-08.pdf>],
DC no 08-881
- Exh. 16: Petition for writ of habeas corpus,
[<http://pgenevier.110mb.com/npdf/habeascorpus2-7-08.pdf>];
- Exh. 17: Order dismissing the habeas petition dated 2-15-08,
[<http://pgenevier.110mb.com/npdf/dechabeas08-881-2-15-08.pdf>];
- AP no 08-55492*
- Exh. 18: Ca9 order staying the deportation dated 4-17-08,
[<http://pgenevier.110mb.com/pdf/order4-17-08in08-55492.pdf>];
- Exh. 19: Petition for review of Mr. DeMore's order or appeal brief in 08-55492,
[<http://pgenevier.110mb.com/npdf/apbrief08-55492-10-24-08.pdf>];
[list of exhibits, <http://pgenevier.110mb.com/htm/Suprecordv110-20-08.htm>, (19.1)]
- Exh. 20: DHS's answer brief in 08-55492,
[<http://pgenevier.110mb.com/npdf/answerbrief08-55492c.pdf>];
- Exh. 21: My reply brief in 08-55492,
[<http://pgenevier.110mb.com/npdf/replybrief08-55492-2-15-09.pdf>];
- Exh. 22: Ca9 order affirming the DC order dated 7-22-09,
[<http://pgenevier.110mb.com/npdf/dec08-55492-7-22-09.pdf>];
- Exh. 23: Petition for rehearing in 08-55492,
[<http://pgenevier.110mb.com/npdf/petreh08-55492-8-25-09.pdf>].
- Exh. 24: Ca9 order denying rehearing,
[<http://pgenevier.110mb.com/npdf/dec08-55492-7-22-09.pdf>];
- SC no 09-8222*
- Exh. 25: Petition for writ of certiorari no 09-8222;
[<http://pgenevier.110mb.com/npdf/petsupdeportation12-15-09.pdf>];

Exh. 26: Solicitor general waiver to respond;
[<http://pgenevier.110mb.com/npdf/sg-waiver-09-8222-1-21-10.pdf>];
Exh. 27: US Supreme Court order denying the petition dated 2-22-10,
[<http://pgenevier.110mb.com/npdf/usscdec09-8222-2-22-10.pdf>];
Exh. 28: Petition for rehearing in 09-8222
[<http://pgenevier.110mb.com/npdf/petrehsupco09-8222-3-12-10.pdf>];
Exh. 29: US Supreme Court order denying the petition dated 4-19-10,
[<http://pgenevier.110mb.com/npdf/usscdec09-8222-4-19-10.pdf>];

Application for a stay.

Exh. 30: Application for a stay of deportation presented to Justice Kennedy is at:
<http://pgenevier.110mb.com/npdf/motstaydeportussupcourt-12-17-09.pdf>;
application attachment: Objections of R&R in the RFJN 1-13 (30.1),
[<http://pgenevier.110mb.com/npdf/Objectionssa08-5681-11-16-09.pdf>];
Petition for review in RFJN 16-40 (30.2),
[<http://pgenevier.110mb.com/npdf/petrevsupwmbc364736-12-17-09.pdf>];
Exh. 31: US Supreme Court order denying application dated 1-4-010,
[<http://pgenevier.110mb.com/npdf/usscdec09A601-1-4-10.pdf>]

Motion to reopen at immigration court

Exh. 32 : Motion to reopen immigration court case,
[<http://pgenevier.110mb.com/npdf/motreopen5-5-10.pdf>],
Exh. 33 : DHS opposition to the motion to reopen ,
[<http://pgenevier.110mb.com/npdf/dhs-opp-motionreopen-5-12-10.pdf>];
Exh. 34 : Reply to the DHS opposition to the motion to reopen ,
[<http://pgenevier.110mb.com/npdf/reply-opp-motreopen5-20-10.pdf>];

Pleadings and orders in the negligence complaint against the LA County.

BC 364 736.

Exh. 35: Third complaint for negligence against LA County BC364 736,
[<http://pgenevier.110mb.com/npdf/lacneglicomp2.pdf>];
Exh. 36: Superior Court order dismissing complaint without prejudice dated 6-21-07,
[<http://pgenevier.110mb.com/npdf/scdecbc364736-6-21-07.pdf>];
Exh. 37: First amended complaint, [<http://pgenevier.110mb.com/npdf/amendlacneglicomp2.pdf>];

First request to enter default

Exh. 38: Court order denying first request to enter default dated 3-28-07,
[<http://pgenevier.110mb.com/npdf/scdecbc364736-3-28-07.pdf>];
Exh. 39: Petition for writ of mandated to compel entry of default,
[<http://pgenevier.110mb.com/npdf/petitionwritapp.pdf>];
Exh. 40: Appeal Court order denying petition dated 4-13-07 no B197948,
[<http://pgenevier.110mb.com/npdf/acdec197948-4-13-07.pdf>];
Exh. 41: Petition for review at the California Supreme Court,
[<http://pgenevier.110mb.com/npdf/petitionforreviewsc.pdf>];
Exh. 42: California Supreme Court order denying petition dated 6-13-07 no S152131,
[<http://pgenevier.110mb.com/npdf/cascdec152131-6-13-07.pdf>];
Exh. 43: Petition for writ of certiorari at the US Supreme Court,
[<http://pgenevier.110mb.com/npdf/petsupremecourtvs1asc9-5.pdf>];
Exh. 44: US Supreme Court order denying petition,
[<http://pgenevier.110mb.com/npdf/usscdec07-6445-10-29-07.pdf>];

Second request to enter default

Exh. 45: Superior Court order denying 2nd request to enter default,
[<http://pgenevier.110mb.com/npdf/decbc364736-2-25-09.pdf>];
Exh. 46: Petition for writ of mandated to compel entry of default,
[<http://pgenevier.110mb.com/npdf/petitionwrit2-4-21-09.pdf>];
Exh. 47: Appeal Court order denying petition,
[<http://pgenevier.110mb.com/npdf/dec215584-5-8-09.pdf>];
Exh. 48: Petition for review at the CA Supreme Court;
[<http://pgenevier.110mb.com/npdf/petrevsupcpwm5-18-09-2.pdf>];
Exh. 49: CA Supreme Court order denying petition,

[<http://pgenevier.110mb.com/npdf/decs173079-7-8-09.pdf>];
Exh. 50: Petition for writ of certiorari at the US Supreme Court ,
[<http://pgenevier.110mb.com/npdf/petsupcovslac-ed2-8-31-09.pdf>];
Exh. 51: US Supreme Court order denying in forma pauperis status,
[<http://pgenevier.110mb.com/npdf/usscdec09-6525-10-20-09.pdf>];
Exh. 52: Motion to reconsider the denial of in forma pauperis in 09-6065,
[<http://pgenevier.110mb.com/npdf/motreconsisupcovslac-ed2-11-5-09.pdf>];
Exh. 52.1: US Supreme Court order denying reconsideration,
[<http://pgenevier.110mb.com/npdf/usscdec09-6525-12-7-09.pdf>];

Third request to strike the demurrer (and indirectly to enter default).

Exh. 52.2: Motion to strike LA County demurrer,
[<http://pgenevier.110mb.com/npdf/motionstrikelac2-11-5-09.pdf>];
Exh. 52.3: Motion to reconsider entry of default,
[<http://pgenevier.110mb.com/npdf/motrecbc36473611-5-09.pdf>];
Exh. 53: Superior Court Order denying strike of demurrer dated 12/2/09,
[<http://pgenevier.110mb.com/npdf/scorderbc364736-12-2-09.pdf>];
Exh. 54: Petition for writ of mandated to compel strike of demurrer,
[<http://pgenevier.110mb.com/npdf/petitionwrit3-12-7-09.pdf>];
Related cases: McGary (54.1), [<http://pgenevier.110mb.com/npdf/mcgary.pdf>];
McAllister (54.2), [<http://pgenevier.110mb.com/npdf/mcallister.pdf>];
Exh. 55: Appeal Court order denying petition,
[<http://pgenevier.110mb.com/npdf/caorderB220781-12-11-09.pdf>];
Exh. 56: Petition for review at the CA Supreme Court;
[<http://pgenevier.110mb.com/npdf/petrevsupwmbc364736-12-17-09.pdf>];
Exh. 57: Order of CA Supreme Court denying the petition dated 2/3/10,
[<http://pgenevier.110mb.com/npdf/supcaorderS178869-2-3-10.pdf>];
Exh. 58: Petition for writ of certiorari no 09-9780,
[<http://pgenevier.110mb.com/npdf/petsupcovslac-strike3-12-10.pdf>];
Exh. 59: US Supreme Court order denying in forma pauperis status and sanction no 09-9780,
[<http://pgenevier.110mb.com/npdf/usscdec09-9780-4-26-10.pdf>];

Pleadings and orders in civil right, conspiracy and negligence case.

DC no 05-7517

Exh. 65: Complaint no 05-7517, [<http://pgenevier.110mb.com/npdf/neglicomplast.pdf>];
Exh. 66: First Amended Complaint, [<http://pgenevier.110mb.com/npdf/neglicompameded.pdf>];
Exh. 67: Second Amended Complaint, [<http://pgenevier.110mb.com/npdf/secondamendcomp.pdf>];

Appeal 07-56730.

Exh. 68: Appeal brief in 07-56730; [<http://pgenevier.110mb.com/npdf/ab07-56730-9-30-08.pdf>];
Exh. 69: Reply brief in 07-56730; [<http://pgenevier.110mb.com/npdf/replyb07-56730-3-12-09s.pdf>];
Exh. 70: CA9 order affirming DC order dated 3-30-10,
[<http://pgenevier.110mb.com/npdf/ca9dec07-56730-3-30-10.pdf>];
Exh. 71: Petition for rehearing, [<http://pgenevier.110mb.com/npdf/petrehearing07-56730-5-10-10.pdf>];
Exh. 72: CA9 order denying rehearing dated 6-11-10,
[<http://pgenevier.110mb.com/npdf/ca9dec07-56730-6-11-10.pdf>];

Pleadings and orders in the 2 SSA cases

Request for SSI benefits no 08-5681.

Exh. 80: Complaint, [<http://pgenevier.110mb.com/npdf/ssifedcourtappeal8-25-08.pdf>];
Exh. 81: Motion for summary judgment in 08-5681,
[<http://pgenevier.110mb.com/npdf/motsumjudg2-20-09s.pdf>];
Exh. 82: Cross-Motion for summary judgment in 08-5681,
[<http://pgenevier.110mb.com/npdf/08-5681cross-motion.pdf>];
Exh. 83: Reply to cross-Motion for summary judgment in 08-5681,
[<http://pgenevier.110mb.com/npdf/replycrossmotsumjudg5-21-09.pdf>];
Exh. 84: District Court R&R, decision (R&R) confirmed by District Judge,
[<http://pgenevier.110mb.com/npdf/RR08-5681-10-30-09.pdf>];
Exh. 85: Objection to the R&R, [<http://pgenevier.110mb.com/npdf/Objectionssa08-5681-11-16-09.pdf>];
Appeal 09-57040.

Exh. 86: Appeal Brief 09-57040, [<http://pgenevier.110mb.com/npdf/aob09-57040-5-19-10.pdf>];

Negligence case against the SSA dc no. 07-5548

Exh. 90: Complaint, [<http://pgenevier.110mb.com/npdf/ssineglicomp.pdf>];

Exh. 91: Opposition to the US motion to dismiss;
[<http://pgenevier.110mb.com/npdf/oppomotdisUS.pdf>];

Exh. 92: District Court decision in 08-5548;
[<http://pgenevier.110mb.com/npdf/dec07-5548-11-17-07.pdf>];

Exh. 93: Motion to reconsider in 08-5548;
[<http://pgenevier.110mb.com/npdf/motionreconusdismlast07-5548.pdf>];

Exh. 92: District Court decision denying reconsideration in 08-5548;
[<http://pgenevier.110mb.com/npdf/dec07-5548-12-11-07.pdf>];

Appeal 08-55236.

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