

Pierre Geneviev  
18 Rue des Canadiens, Apt. 227  
86000 Poitiers, France  
Phone : (33) (0)9 84 55 98 69, Port. : 06 22 72 96 69, Fax: (0)9 89 55 98 69, Email: [pierre.geneviev@laposte.net](mailto:pierre.geneviev@laposte.net)

H.E. Mr. John W. Ashe, 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  
Mr. Macharia Kamau and Mr. Csaba Körösi, Permanent Representatives of Kenya and Hungary and Co-Chairs of the Open Working Group on Sustainable development Goals

Poitiers, June 5<sup>th</sup> 2014

Copy : Mrs. and Mr. Heads of States and/or Governments, and Mrs. and Mr. Heads of International Organizations

Object: Comments on your **May and June 2014 high level events** [on (1) the '*Contributions of North-South, South-South, Triangular cooperation and ICT for development to the implementation of the post 2015 Development agenda*' and (2) the '*Contributions of Human Rights and the Rule of law in the post 2015 Development Agenda*'; the proposals to help countries achieved their post-2015 development goals and my letter dated 20-12-13 ([exh. 1](#)); and the recent development in my ongoing legal proceedings. [A PDF version of this letter is at : <http://www.pierreeneviev.eu/npdf2/letunga-5-6-14.pdf> .]

Dear Mr. Ashe,  
Dear Mrs./Mr. Permanent Representatives of UN Member States,  
Dear Mr. Ban Ki-moon,  
Dear Mr. Macharia Kamau and Mr. Csaba Körösi,

(1) Referring to my letter dated 12-20-13 ([exh. 1](#)) concerning the preparation of few global project proposals to help countries achieve *their post-2015 development goals*, I take the liberty of writing you again (1) to send you the '*question prioritaire de constitutionnalité*' (QPC, [exh. 2](#)) I filed to denounce the unconstitutionality of the French legal aid system and (2) to make few comments on your May and June **high level events** that focus on two broad subjects that are directly addressed by the proposals I presented you in my 12-20-13 letter ([exh. 1](#)) [(a) *Contributions of North-South, South-South, Triangular cooperation and ICT for development to the implementation of the post 2015 Development agenda*' and (b) *Contributions of Human Rights and the Rule of law in the post 2015 Development Agenda*]. I feel also that it is important (a) to put back my proposals into the context of your preparation work for the 2 international summits in New York and Paris in 2015, and (b) to keep you up to date on my ongoing legal proceedings and efforts to present the proposals to French Politicians.

### **A The unconstitutionality of the French legal aid system and the comments on your June 9<sup>th</sup> and 10<sup>th</sup> 2014 High Level Event.**

#### **The relevance of human rights and the rule of law for poverty reduction evidenced by the consequences of the French legal aid system unconstitutionality.**

(2) First, the '*question prioritaire de constitutionnalité*' (QPC) ('*urgent human rights compliance question*'), you can probably find a better translation, see QPC [exh. 2](#)) I filed at the Appeal Court [handling my criminal proceeding at this time], **points out the reasons why the French legal aid system** associated with several law articles (imposing the presence of a lawyer to file pleadings in courts and limiting the access to the proceeding files to lawyers) **violates basic human rights** defined in the European Convention of Human Rights (ECHR) [namely articles 6 (right to a fair trial), 13 (right to an efficient access to courts) and 14 (right to be free from discrimination)]. This pleading formalizes the arguments I gave you in my last letter ([exh. 1](#), p. 11-20), and - I hope - will eventually result in a change in (or an improvement of) the law in France (and elsewhere); and the experience of France in this area could be very useful to the discussion you are planning to have **on June 9<sup>th</sup> and 10<sup>th</sup>** during your High Level Event, I believe. For example, **Panel 1** is supposed to '*examine the relevance of human rights ... and rule of law for poverty eradication ...*' and to '*identify the challenges that have been encountered at the national and international level in setting policy...*' (see background note page 4 and 5, [exh. 6](#)), and we see that what happened in France (how the French legal aid system worked...) could definitely help **panel 1** in its

reflection (discussion, thinking,) because **(1)** it establishes the '*the relevance of human rights ... and rule of law for poverty eradication*', and at the same time, **(2)** it gives a good example of the type of difficulties countries can encounter in setting policies [there is no doubt that we have designed a system of law (legal aid policy) to help the poor in 1991, but the obvious result is that **we failed** because the policy violates the poor fundamental rights, and as the result, the policy has helped increase the number of poor significantly, instead of protecting them, (see QPC, [exh. 2](#), the pleading also points out some weaknesses or flaws in our criminal procedure code)].

(3) And **Panel 2** is supposed to '*build on country experience and lessons learned ... to identify good practices and propose options for integrating rule of law into the post 2015 development agenda...*' (see background note page 5, [exh. 6](#)), and here again we see that we can learn from France's failure and propose an '**option**' to resolve the problems we had to make sure that other countries do not experience the same problems in the future (see proposal below and in [exh. 1](#), p. 11-20). We did '**try something**' to help the poor in France, and we even did more than what the US have done on this subject, but - like the US - we have obtained **very poor results** : In France (see, [exh. 1](#), p. 19), there were **in 2001 about 7,3 millions people** living under the poverty level (European standard), and the number was **in 2010 more than 8,7 millions people**, the augmentation is therefore **significant** (+1,4 millions over the past 13 years or so) ; while at the same time (period), Mrs. Bettencourt's fortune went from \$15,2 billions in 2000 to about \$30 billions today, Mr. Arnault's one went from \$12,6 billions to \$29 billions, Mr. Pinault's from 7,8 to \$15 billions ... (similar increase can be seen for M. Buffet, and other billionaires in the US), so we cannot attribute this significant increase of the number of poor all to the economic crisis or to the flaws of our economic system. It is obvious that **the unfairness of the legal aid system** (and the associated corruption of the justice) has **also plaid an important role in the creation of so many new poor and in the increase of inequalities** [my personal case is a good example of that]. And since France and the US are among the most advanced countries, we can expect that other countries less advanced are likely to experience the difficulties we encountered in France and in the US if '*we*' do not learn from the French and the US mistakes, and take action to prevent them from happening in other countries.

(4) Among the lessons we can learn from the French experience are : **(1)** the fact that it is **not** a good idea to rely on the goodwill of private citizens (the lawyers) and charity to resolve this **legal** problem, private lawyers have a personal interest in the matter that is most of the time in conflict with the interest of the poor we are trying to protect ; and **(2)** the fact that it is important to precisely check that every policy respect the fundamental rights of the poor before it is implemented, and to create a special procedure (QPC) to let the people question the constitutionality of laws as it is possible to do in France **since 2010** [The European court is still far from being perfect and it is very crowded]. In France and in the US we relied and still rely mostly on the goodwill of private lawyers to give legal protection to the poor **and it did not and still does not work**. And for the proposition of **options** '*for integrating rule of law into the post 2015 development agenda*', I would like to put forward again the proposal I presented you in December 2013 ([exh. 1](#), p. 16-20). The proposal was that France (perhaps with the help of another volunteer country or group of countries) **(1)** reforms its legal aid system **in front of the UN** so that each country can benefit from its experience and eventually points out oversight that may occur; **and also (2) develops - when possible - the global computer (Internet) applications** that could be used by every countries to support the implementation of the new designed (and human rights compatible) legal aid system. This is only a general description of what needs to be done, but in my last letter I proposed **a feasible solution** and I offered to prepare this proposal into more detail between now and September 2015 [organize the projects, identify basic computer applications to be developed, make an estimation of the cost, find the financing, ...] so that you can vote on its realization in September 2015. This proposal represents a new form of cooperation between a rich country (or a group of rich countries) and poor countries **in a way** since the Internet has not been used in this way so far, so it is also related to the subjects you addressed in your **May High Level Event** that I discuss in part B.

**The independence of justice, and the importance to improve the quality of justice decisions and of making judges and prosecutors more accountable.**

(5) The second proposal I made to improve the justice systems (in rich and poor countries) was **to make a special effort (1)** to improve the quality (and standard of quality) of justice decisions that are too often summary decisions (instead of precise and properly motivated decisions), and **(2)** to make judges and prosecutors (...) more accountable by withdrawing or limiting the immunity they enjoy. This is also a proposition that addresses a subject related to your **June High Level Event**, I believe. In my different letters over the years I described you how the US justice system works , and pointed out some of its weaknesses and some of the incoherence in the US constitution, which result in human rights violations ([exh. 15](#), p. 43-50). For example, I mentioned the fact that **more than 90%** of US Supreme Court's decisions are **summary decisions** and that Federal appeals courts also

render a very small number of '*opinions*' (precisely motivated decisions, perhaps 5% or less), and therefore that the quality of most of their decisions is not only questionable, but also that - as the result - **their justice system violates basic human rights**, in particular the right to a fair trial and the right to be free from discrimination ([exh. 15](#), p. 65). This added to the fact that federal judges have a full immunity and are hired for life, creates a justice system that is very unfair, especially to the poor, and corrupt [see the example of the 13 death row inmates in Illinois **only** that were innocent given in Mr. Obama's book]. In France also we need to make a special effort to improve the quality of decisions and to make judges and prosecutors more accountable (see part C). To me this recommendation is very closely related to the issue of the *independence of justice* that is very important to fight corruption which is an *important cause of poverty*.

(6) The concept of *independence of justice* is, I believe, that we do not want that the politicians (government,) be able to influence the justice decisions for political reasons or for personal reasons, we just want that the law be applied in a fair and equal manner for everyone (it is not because you are the friend of the country president that you should be able to commit a crime and not be prosecuted, for example). But as I explained it recently to M. Hollande .... ([exh. 3](#)), there are two ways that politicians (governments,) can use to influence (negatively or to corrupt) the process of justice : **(1)** first, they can put pressure on the judges or prosecutors so that they take a decision that they favor for political or personal reasons as opposed to based on proper principals of law (this can be done by offering a promotion, or threatening to punish the judge...or by taking a public position in favor of one or the other party...); and **(2)** second, they can say or do nothing when they hear that a judge or prosecutor's wrongdoings or unjust positions on a case affect a person they want to see loose in court ... [in this type of situation usually they hide behind the independence of justice or the separation of power to let the judge or prosecutor cheat or lie for them, this is a practical way of corrupting the justice because the judges and prosecutors have most of the time full immunity and because politicians cannot be easily criticized (this is type of process they used against me in 1998-2001...)]. Politicians in general ('*députés*,') have the responsibility to make sure that administrations work properly, and the Government is directly responsible for the work of administrations, including the justice department, but in the area of justice they can choose which responsibility they want to assume : **(1)** to let the justice '*be independent*' or **(2)** to point out a flaw of the administration of justice when it does not do its job properly to make win or loose the person they want to win or lose. This is why - to me - the only and best way to improve the *independence of justice* is to improve the quality (and standard of quality) of justice decisions and to make judges and prosecutors more accountable.

(7) If a judge or a prosecutor is '*criminally*' responsible for lying in a decision or for deliberately ignoring the law or the facts of the case to cause a prejudice to a party, he/she will be less tempted to render a decision that is not properly motivated or even outright dishonest. This is not easy to do, but possible to do if we organize the justice differently (use more efficiently information technologies,) and remunerate the judges and prosecutors more in proportion with the difficulty and importance of their work [hence the search for the alternative to market capitalism, see [exh. 1](#), [exh. 15](#), p. 60-63, and below]. These two proposals to improve our justice systems would have a significant impact on poverty reduction, not just because they would affect the day to day life of the poor who needs the justice system, and more generally the persons who are vulnerable, in improving the way the justice works, but also because it would affect the way politicians and government behave in rich and advanced countries, I believe, and indirectly affect the way they address **international** problems and negotiations [recently China accused the US and Japan of incitement ('*to sow controversy and division in the Asia-Paific region*'), and similar accusations or remarks could be made (or could have been made by some of you) against France (and Europe and the US) in Syria and Ukraine]. In my various letters I explained you that the development of global computer (internet) applications that can be used by every country in the world **would not** just help us to improve the justice system in rich countries, it would also help tremendously poor countries in their work to improve their justice systems because they would benefit from the intellectual work we would do and from the use of the computer systems we would develop; which is now extremely interesting because the ***cost of software development and maintenance in the administrations' budget*** has increased so much that it makes it now very relevant to mutualize this function for specific and appropriate projects [for example for the system allowing the e-filing...]. The proposal seems so perfect that you probably wonder '*where is the catch ?*', well the catch is that we must have a new Internet IO to develop and maintain these new global computer system, I will talk about that in part B.

**The search for the alternative to market capitalism another human rights issue.**

(8) Another one of the proposals I submitted to you that could be discussed during your June High Level Event is the proposal to search for '***an alternative to market capitalism***' that is **respectful of human rights**. As I explained you in my 12-20-13 letter ([exh. 1](#), p. 8-10), our old economic system, market capitalism, **(1)** creates automatically great inequalities of revenues that cannot be efficiently compensated by taxes, and indirectly **(2)** violates the right to be free from degrading treatments according to European standard. This remark is unusual to you surely, but human rights affect all aspects of our lives ; and since we are designing a

**15 years strategy** to eradicate extreme poverty and to resolve other global problems like our environment problems and the increase of inequalities, it is a good idea to incorporate them in all aspects of our strategy (including in the economic area) and to take them into consideration to create a fairer economic system and society. I will not go into the detail of this proposal **(1)** because here again this proposal is dependent on the improvement of our global information system and the development of new global computer internet applications that can be used by every country in the world, that requires the creation of a new Internet IO, and **(2)** because the proposal also involves a fair amount of technical analysis that must be done before September 2015 so that you can take a pertinent decision. The proposal to create a new internet IO and to develop global computer internet applications is a subject that is related to your May High Level Event, so I will discuss it now.

## **B The recent US decision on the Internet governance and and the comments on your May 21<sup>st</sup> and 22<sup>nd</sup> 2014 High Level Event.**

### *Your discussion on the use of ICT to eradicate poverty and the creation of a new Internet IO.*

(9) As I explained it in my 1997 INCO- Copernicus proposal [see proposal to improve the transfer and integration of statistical data at the world wide level at [exh. 19.1](#), and the EU evaluation and letters of support [exh. 19.2](#), [exh. 19.3](#)], the **development of global computer (Internet) applications** that can be used by all countries in the world **would be of tremendous help to eradicate poverty** [again because the cost of developing software takes a more important part of administrations' budgets, and we could transfer the technology (software) to poor countries at little cost; this type of work has already been done at a lower scale (individually with some countries), I believe : for example **in the 1990s, the US helped Turkey to use some (custom) software its administration was using**, I believe], but this is a complex technical problem **that requires the creation of a dedicated new Internet IO** that would be responsible for the development and maintenance of these global (internet) applications, among other duties. Another advantage of the creation of this new Internet IO is that it could develop **'a fairer Internet Site Fee System'** that would make it easier to finance several of our important actions in this matter [like the operation of this new IO, the transfer of technologies, ...]. The question of the financing of the efforts we need to do to achieve our post 2015 development goals is always present in your discussion, which is understandable, **so we should definitely not overlook this new financing possibility**. As I explained it in my 29-11-2005 letter [[exh. 12](#), letter commenting the report and propositions made by the WGIG], ICANN and the different independent organizations which administer the different domain names **(1)** cannot charge a site fee that is **in the interest of society** [ *a fee that is dependent on the use of the resources and on the revenues and profits that this use of the resources generates* ] and **(2)** cannot properly define what is a good annual fee to charge for every Internet site because they do not have most of the time the authority to do so and they do not have the budget and the other technical resources to do it [like the capacity to develop a complex global computer application...].

(10) To determine this right annual fee is **a complex (system development) technical problem** that can only be resolved by the new Internet IO because we need to develop a special global computer Internet application **(1) that will monitor and evaluate the use of the resources for each site**, and **(2)** that takes into consideration the revenues and profits generated (if any), the type of activity and the calculated use of the resources for each site. [As a parenthesis, this critical work that we need to do is also a reason *why the 'multistakeholder' Internet governance* (the way I understand it) that seems to be favored by many *is not appropriate if we really want to act 'in the interest of the people'* (the objective that is put forward by the persons working on the internet governance problems, for example see NETmundial Multistakeholder statement April 24, 2014, [exh. 19.4](#)). We are facing some sort of vicious circle, to find this right annual fee, we need an IO to design a system that will do it, but we cannot build or justify this IO without designing the system first]. Unfortunately, right now you do not have a UN special agency that can design a project proposal to develop such a system and give you an estimate of the costs you will have to finance for such a system (ITU cannot help you with this, even though the role of the network is critical when you develop a network computer application,). If you want to know what to do to fight global warming, you have the WMO and UNEP that can advise you and you also have the IPCC that makes specific studies of the impact of the presence of CO2 and other greenhouse gazes in the sky for the UN, but if you ask yourself questions like : What would a global computer application to resolve this specific problem that affects all the countries **look like** ? What would it cost and how long would it take to build ? No UN organization can do that; this is why I gave you few specific examples of actions we could launch and global applications we could develop to give you an idea and to be able to justify the creation of this new Internet IO [we need to do a work similar to the one I did for my 1997 project proposal in few other areas, [exh. 19.1](#)].

(11) Dr. Hamadou I Touré, the Secretary General of ITU, mentioned it in his opening statement for Panel Discussion 2 ([exh. 7](#)) *'In the 21<sup>st</sup> Century, ICTs are everywhere, all around us - and they affect almost everything we do, or even aspire to do ...'* and then later *'So why – with more than **four billions people still offline – are ICTs not playing a more central***

*and a more explicit role in the definition of the post-2015 development process ?'*; one of the reasons is, I think, the fact that we do not have a dedicated organization that has the responsibility to facilitate the technology transfer and the design of global computer applications that **would make it extremely worthwhile for countries and IOs to use these ICT to improve their efficiency** like the one I presented you to improve the transfer and integration of statistical data [[exh. 19.1](#)]. ITU is responsible for connecting the world, and facilitating and regulating the development of telecommunication system and of the networks that allow the Internet to work, but not responsible to develop and maintain the computer applications (software) that use these telecommunication systems and networks. The 'smart-phone' is 'smart', not just because of the network, but also because it has many software (computer applications) to give it its many functionality. Developing the software and global computer applications to help us resolve our global problems would make it **very useful** to give access to the Internet to a greater number of persons (right now many poor countries cannot pay for the software development and the development of the network), but this task is complex and expensive, so we need a dedicated and **self-financed** organization to do it (in cooperation with ITU).

**The recent US decision on the Internet Governance and the preparation of the proposals I presented you.**

(12) It seems that the discussion of the Internet governance was **not part** of your May 21-22 high level event, but **you surely understand** that we **cannot 'really' dissociate** the analysis of the use we want to make of the Internet (and more generally ICT) to eradicate poverty from the discussion on the governance of the Internet because, as seen above, today neither ICANN nor the other different organizations administering in part the Internet can help you in setting up an Internet strategy to eradicate extreme poverty or to resolve our other global problems [mainly because they cannot develop and maintain global Internet applications and cannot facilitate the transfer of technologies from rich to poor countries as we seen above and as explained in my 11-29-2005 letter, [exh. 12](#)]. In the background note of your May high level event ([exh. 5](#)), you agree that '*... use of ICT can help eradicate poverty*', and you planned to discuss, among other subjects, '*how can ICT help countries be integrated as technological enablers for the achievement of future sustainable development goals ?*', but the response to this question is greatly dependent on the type of governance 'we' will choose for the Internet **in the next 15 months** ; so it is critical to do the *technical work* I propose to do during the next months to give you a chance to take the right decision on these matters in September 2015, and a decision that is based on precise and adequate information. In his closing statement ([exh. 8](#)), Mr. Collin Beck mentioned the many possible uses for ICT you discussed, and this is true the possibilities are enormous, but realizing your ideas is not an easy work, so we must make sure that the choice of Internet governance that will be decided in the coming months allows you to realize everything that you expect to realize with ICT in the next 15 years. Again I presented you few specific global projects that will help you, but more work needs to be done to give you and the people working on this Internet governance issue a better idea of what this new Internet IO could help you to do in all the area you discussed [see my letters of 2005 ([exh. 12](#)), and 2008 ([exh. 14](#))].

(13) If 'you' ('we') do not have fairly precise project propositions and their potential benefits to help you achieve your goals [for example what Internet global applications we want to develop, for what purpose, what would be the expected costs, what missions would this new Internet IO have, what organization would it have, what would it cost to set it up, how we could finance it...], the ongoing discussions on the Internet governance initiated by ICANN and others (probably) **will be flawed** (and result in a failure very much like the 2005 failure, I believe). You are planning to have '*the second meeting of high-level political forum on sustainable development between June 30<sup>th</sup> and July 9<sup>th</sup>*', with among other themes '*...charting the way for an ambitious post-2015 development agenda*', so you could use this event to stress the importance of associating the discussion on the Internet governance to your discussion on how to use ICT to help countries achieve their post-2015 development goals, and to decide to prepare the proposals I presented you to be able to find and justify the right Internet governance and the creation of a new Internet IO. The recent US decision to relinquish the special relation it had with ICANN to allow a new form of governance of the Internet, has been followed – it seems - by an effort to come up with an '*Internet governance*' **transition plan** between now and September 2015. **This decision is important** because it gives you a chance to make a better use of the Internet to achieve your post-2015 development goals [and because if you recall the work of the WGIG in 2005 and the discussion that followed on this subject of the Internet governance, the US had mentioned that they would never give up the control they have over the Internet through their special relationship with ICANN], and it arrives **right on time** to help everybody including the US, but it is critical to do a better job than the one that was done by the WGIG in 2005 [as a parenthesis and as I have explained you before, the proposals I present you are aimed at helping you achieve your global goals like eradicating poverty, fighting global warming, decreasing the inequalities, achieving the convergence and maintaining peace..., but at the same time they aimed at improving the society in rich countries as well, not at making France and the US poorer, on the contrary, I think it is critical that the US and France.. continue to grow their economy, that they do better than what they are doing now (**France growth was close to 0 this past few months I heard; and it has regularly decreased for the past 50 years, according to my readings** !)].

## C The recent development in my legal proceedings and my letters to the French politicians.

### The ongoing criminal proceeding (identity theft,) and the disproportionate and hurtful delay in handling my case.

(14) I cannot write this letter without keeping you up to date **(a)** on the legal proceedings I started to denounce the injustices I was and am victim of and **(b)** on the efforts I make to 'discuss' my proposals with the French politicians and government **(1)** because the legal problems I encounter affect my capacity to work on my proposals and give you real life examples of the 'general justice problems' I propose to address in my proposals, and **(2)** because the lack of response from the French government and politicians is significant of greater problems that concerns you also, I believe. In my letter dated 12-20-13 ([exh. 1](#), p. 24-27) I explained you that on my return to France, I learned that I was victim of an 'identity theft' since **1987**, and that the French bank that used my name for 25 years to make money, was now doing all it could to cause me even more trouble, despite the fact that it had admitted having made an error. I have also described you briefly the response of the justice to my criminal complaint and the appeal proceeding ('request for nullity', [exh. 25](#)) I was forced to file to try to have the faults of the police, the prosecutor, and the 'instruction (investigative) judge' corrected. The decision on my appeal was supposed to come in April 15 after the March hearing ([exh. 25.3](#)), but a new hearing was set to June 3 for the QPC ([exh. 25.4](#)), and the decision is now scheduled for June 17 ; so all I can mention today is **(a)** the prosecutor's office (Justice Department) efforts to rob me, to hurt me, to prevent me from finding a job and from obtaining justice, and to cover up the criminal offences and the criminals, and **(b)** the long and unjustified delay in handling the case **that hurt me severely**. I filed my complaint on **1-13-12**, and despite a detailed and well documented complaint and several letters to the prosecutor to bring additional proofs of the bank's criminal offences and **to ask for an update on the police investigation** between 2-25-12 and 3-18-13, I received no response and nothing was done (no investigation, ...).

(15) It is only 13 months after I filed the complaint (on 2-11-13) that the prosecutor's office finally filed **a not properly motivated order** ([exh. 27](#)) to force me to meet the investigative judge (order that I saw only 4 months later). Then the judge I met was hostile, ignored the precise and detailed complaint I filed, and unjustly stopped the hearing without any good reason, without properly informing me of my rights, without allowing me to explain the proceeding problems I encountered and without addressing the problems of the lies in the prosecutor's order (!) ; so I had no other choice than to complain in an appeal procedure ([exh. 25](#)). And this appeal procedure ('request for nullity') that is supposed to be a **fast track procedure** to avoid slowing down the investigation, was also delayed several months. Usually, the Presiding Judge takes a first *admissibility* decision **within 8 days**, but in my case the admissibility decision came **more than two months later** because - I was told - the investigative judge waited more than 2 months to transmit the file. And once the request is found *admissible* ([exh. 25.2](#)), the file is forwarded to the appeal court's prosecutor so that he can prepare the file and **the position** of the prosecutor's office that usually set a hearing **within two months**, but in my case this office waited **more than 4 months to set a hearing date** ([exh. 25.3](#)). Both the Presiding Judge and the prosecutor **refused to let me see the file** and to give me a copy of the prosecutor office position ['requisition' in French, 'order of the public prosecutor'] (!) because **the law** - supposedly - **allows only the lawyers to see the file** (not the victim or suspect, see QPC, [exh. 2](#)), and I did not have a lawyer because the one that was designated had refused to meet me and withdrew from the case, and the lawyer association had refused to appoint another one [after reading the QPC, you will understand why he refused to help me, the legal aid system pays only **few hundred euros**, although as you know for such a complicated case a lawyer would ask a **minimum of 10 000 dollars** in the US (!)].

### The filing of the QPC, the obvious proofs of criminal offences, and the other ongoing legal proceedings.

(16) So I filed the QPC on 2-26-14 ([exh. 2](#)) to denounce the legal aid system illegality and the other obvious procedural problems (the impossibility to see the file,) that prevented (and prevent) me from having a fair trial, and as seen above the hearing took place on **6-3-14**, and the decision on whether the court will forward the QPC or not to the Supreme Court is due on 6-17-14 (again a delay Of **4 months** to take a decision although this is also a fast track procedure **that should have been ruled on within 8 days to 1 months!**). The prosecutor's office has asked the Court **not** to transmit the QPC to the Supreme Court, but it lied again and did not give any relevant reasons, I believe (since he criticized mainly my criminal complaint which is **not** at issue in the QPC proceeding, **according to what I heard** at the hearing, **again I was not allowed to have a copy of its order!**), especially when you know that even without an investigation, there are **obvious proofs** of criminal offenses. For example, the fact that the bank destroyed all the documents of the loan [contract, letters, copy of official documents (ID card...)] just after I filed my criminal complaint (at least that is what the bank employee who answered me told me), is according to the (jurisprudence) legal authorities a recognized by judges **proof** of the '*recel*'

offence ('receiving stolen goods'.. wrongdoing) and of '**obstruction of justice**' offence. And it is also obvious that they '**disturb my tranquility and impair my honor and dignity**' since March 2011 with this problem, and this is also criminal offence because they made no effort to cooperate and lied even, and because they forced me to denounce the legal aid system illegality and the other obvious procedural problems before I can have justice (which gravely disturb my tranquility; the Bank's lawyers knew very well that with the dishonest legal aid system and the limitation of the criminal procedure, I had almost no chance to win the case, so they refused to cooperate to make it even harder for me and to disturb my tranquility,). So the prosecutor's office could have resolved the entire case (or at least part of it) **on its own and very rapidly** without having to contact a judge, through a **mediation proceeding**, to avoid that the damage increases and that justice be forced to spend a lot of time on the case [the damage I suffered is important (**6,5 millions euros**) and increasing rapidly (by **250 000 euros monthly**), [exh. 26.3](#) ] ; again I spent a lot of time (**more than 5 months**) to write a detailed complaint to simplify and speed up their work. The prosecutors' behavior on my case shows you the importance of improving the quality (and the standard of quality) of decisions and of making judges and prosecutors more accountable because if the prosecutor office had been forced to write a precise and motivated decision, it could not have acted the way they did (lie in their order to delay proceeding and forced me to see the judge) ; it had all the necessary proofs, necessary facts and the necessary legal authorities to obtain confessions from the suspects (the Bank,) and to resolve the case **or part of it at least**.

(17) These recent problems are added up to the problems I encountered during my requests for legal aid [the wrongdoings of the lawyers, the lawyers' association and the legal aid office to prevent me from obtaining the legal aid], and to the ones I had and continue to have in my administrative proceeding to try to resolve the problems I have with the French administration because the government and the administration did not respond to my 28-8-13 letter **asking for a mediation** on this issue ([exh. 8](#)) [I explained you in my last letter that I had obtained a judgment in my favor ([exh. 33](#)) from the administrative court recognizing that I had obtained the refugee status in the US and the validity of my refugee documents, but the Court did not grant all the damage that I had asked for because I did **not** have a lawyer and the lawyer was required to obtain the reparation of the prejudice, so I tried to obtain the help of a lawyer to resolve the problem in an appeal or with a mediation but I cannot find a lawyer. And the legal aid office in Poitiers has **after 18 months** still not responded to my request for legal aid to start a legal procedure to address all these legal aid problems that prevent me from obtaining justice also ([exh. 1](#), p. 28-31) ! Finally, the prosecutor's office did not respond to a request for change of venue I sent and ignored my criminal complaint for harassment during my legal aid proceedings (see [exh. 3](#), p. 6-8) because they simply do not want to address the wrongdoings of their colleagues and the dishonesty of the legal aid system]. So you see that it is very easy for the Justice Department at every level (legal aid office, police, prosecutor, and appeal court prosecutor,) to prevent a poor from obtaining justice and to rob the poor ; it can lie, cheat, write summary decision, or **delay the procedure 'indefinitely'** without being accountable of anything, and the law is organized to rob a poor as well (to violate their basic human rights). Unemployment is the number one problem in France and the inequalities have become a grave problem, but the prosecutor's office has still lied and cheated to ask the court to reject my two requests **in the name of the French government** to (or at least try to) rob me [**10 millions euros**], to prevent me from finding a job, to maintain me in poverty and to prevent that the legal aid law obviously illegal be reviewed by the Constitutional Supreme Court. And if the Court's decision is against me, which seems (if not certain, at least) likely after so much dishonest delay and treacheries, I have only 5 days (to decide and then 10 days) to file a complicated appeal at the Supreme Court, **without a lawyer** and without any access to the file (including the prosecutor's office order !), which is '**Mission Impossible**' (MI 5 and 6, **without Tom Cruise** !). It is critical that you address these '**intellectual and integrity issues**' in rich countries otherwise you can be sure that their agenda (and intentions) in conflicts and crisis **such as** the ones in Syria and Ukraine will **not** be honest, **not** in the interest of the people of these countries, and **not** in the interest of the international community.

**My letters to the politicians (representatives and senators,) and to the new French government.**

(18) Of course, in France (like in the US) politicians [representatives, senators, ministers (government,)] are supposed to control the work of administrations and to point out the dysfunctioning when they occur, including at the justice department ; so I wrote to the politicians to describe these problems and the proposals I presented you last year as I explained you in my last letter ([exh. 1](#), p. 31-33) ; **and I wrote again this year**. First, I immediately forwarded the copy of the letter I sent you on 12-20-13 to Mr. Hollande, but he did not respond ; then I wrote to the representatives and senators **on 2-18-14** ([exh. 4](#)) also **(1)** to forward them the letter I sent you on 12-20-13, **(2)** to underline the importance of taking urgent action and of supporting the proposals I presented you (in particular to reform our legal aid system and the search for the alternative to market capitalism **because the two proposals are based on the fact that the actual systems violate human rights**), and **(3)** to discuss the justice problems I described you above (the unconstitutional legal aid system, the dishonest criminal legal procedure, the problem of independence of justice, ), but they did not respond either. And finally, more recently I wrote to the new French government **on 23-4-14** ([exh. 3](#)) to forward them the QPC, to keep them up to date on my legal proceedings, **and to ask them again to propose a fair settlement of my case against the administration** because I was obviously victim of grave injustices and of grave dysfunctioning of the justice **since 1998**, in particular of the legal aid system and the obligation to have a

lawyer [see the explanation given in [exh.3](#), p. 4 for details], and I suffered a very grave prejudice over many years [several millions of dollars ([exh.3](#), p. 4), **my revenues have been below the poverty level during the past 16 years**]. Moreover, these justice problems continue to affect my ongoing proceedings, to prevent me from finding a job, and to maintain me in difficult living conditions, but at this day they still did not respond and did not make any effort to resolve the issues [although I have at the same time done a serious work in 3 different areas (my computer project proposal that was supported by many experts, the QPC, and the proposals I present you in my UNSG applications), in the context of the strategy the unemployment agency had asked me to follow].

(19) The politicians and government's silence on these different subjects is **disrespectful** and dishonest because the unconstitutionality of the legal aid system does not affect me only, it affects **more than 9 millions people** and it has been working like this since 1991, so it means that many poor have suffered **over more than 20 years** and continue to suffer because of it ; the statistics on poverty in France that I gave you above **unequivocally confirm this fact**. And the silence on my proposal to search for the alternative to market capitalism and on the remarks I made concerning the fact that market capitalism violates basic human rights according to the CEDH standards shows also a lack of dignity and of courage as I explained you in [exh.1](#) (p. 9-10). Finally, given that unemployment is the number one problem in France, that I lived **more than 16 years** under the poverty level, that I made a significant work [Inco project proposal, QPC, management proposals,] in the context of the strategy the unemployment agency asked me to follow, and that I was victim of obvious faults from the justice in France and in the US, their silence on my case and their refusal to offer a mediation also **show a lack of compassion and a lack of political integrity** (not to say that they behave like thieves and criminals), in addition to being an effort to discredit me in front of you. Politicians profit from the dishonesty of the justice system ; it makes them more powerful because they keep the possibility to intervene for '*their friends*' (political or others) or when it can serve them politically [the French government is helping the Bank BNP PARIBAS against the US justice, to be able to say we defend the French Interest and respect justice. But if a case is not in the news like mine, they let the US justice rob **10 millions dollars** to a poor Frenchman refugee and hurt him although he has done a special work for the International Community !], so it is hard to believe that their silence be innocent. The US Ambassador to whom I wrote also ([exh.24.2](#), [exh.24.3](#)) to try to find a solution to the US injustices I described in my 12-20 -13 letter did not respond either, so because of the law and the procedural limitation, the silence of the French government on this issue prevents me from obtaining justice **against the US** also even though the injustices I was victim of there were obvious (as the lies on the deportation order) **and I have suffered a very grave prejudice in the US too !** It is important that you pay '*a more careful attention to what is going on in rich countries if you want to eradicate poverty and to maintain peace around the world*', I have now given you even more proofs of the pertinence of this remark, I hope

## D Conclusion.

(20) Your May and June High Level Events give me a chance to put back my proposals in the context of your preparation work of the post-2015 development agenda and to comment some recent decisions that may impact your preparation work. First, concerning the contributions of human rights and rule of law in the post 2015 development agenda, I wanted **(1)** to forward you the QPC explaining **why the French legal aid system** associated with several law articles imposing the use of a lawyer in courts and restricting the access to the proceeding files **violates basic human rights**, **(2)** to put forward the example of France to help your coming discussion because it evidences '*... the relevance of human rights ... and rule of law for poverty eradication ...*', and **(3)** to suggest you again the preparation of the proposal (*option*) I presented you in December 2013 to help all countries that need to improve their own legal aid system (surely most of them including some of the most advanced countries like the US as you know). At the same time you could see above that my other proposals [the proposals to make a special effort to improve the quality (and the standards of quality) of legal decisions, and to make judges and prosecutors more accountable, and the proposal to search for an alternative to market capitalism that respects human rights] are still pertinent and **could also be discussed during your June high level event**.

(21) Concerning your May high level event that already took place, I could not read the summary report yet, but I wanted to say that we cannot really dissociate the discussion you had in May on how we want to use ICT (in particular the Internet) to achieve our post-2015 development goals from the discussion on the Internet governance and on the creation of a new Internet IO. The recent decision from the US to allow a new form of governance of the Internet has prompted an effort to set up **a transition plan** (for the Internet governance) between now and September 2015, I believe, and has given you an opportunity to put your post-2015 development agenda at the center of the discussion on the new Internet governance to make sure that the

Internet and ICT can be used more efficiently to help every countries reach their post-2015 development goals. The development of global computer (Internet) applications that could be used by every country in the world would be of tremendous help to eradicate poverty and to resolve our other global problems, but it is a complex technical matter (separated from the work that IUT is doing for the UN and the international community) that requires the creation of specific specialized organization. And, the financing of a great deal of activities that could help us eradicate poverty would be made much easier if we implemented a '*new Internet site fee system*', but this also can only be done by a new dedicated Internet IO as seen above, so I urge you to allow the preparation of the proposals I presented you to find the best possible Internet governance to help you reach your goals.

(22) Finally, the difficulties to obtain justice I encountered (in France and the US) and continue to encounter in France give you good practical examples of the justice problems I proposed you to address and of the grave consequences they have for the poor and the society. And the French politicians and government's refusal to respond to my letters is **disrespectful** and dishonest because, for example, the unconstitutionality of the legal aid system does not affect me only, it affects **more than 9 millions people** and it has been working like this since 1991, so it means that many poor have suffered **over more than 20 years** and continue to suffer because of it. And for the proposal to search for an alternative to market capitalism that respect human rights, their silence shows also a lack of dignity and courage as I explained you in [exh.1](#) (p. 9-10). Finally, given that unemployment is the number one problem in France, that I lived **more than 16 years** under the poverty level, that I made a significant work for the International Community, and that I was victim of obvious faults from the justice in France and in the US, their silence on my case and their refusal to offer a mediation **show a lack of compassion and a lack of political integrity**, in addition to being an effort to discredit me in front of you and to prevent me from finding a job. This is why I urge you to pay a more careful attention to what is going on in rich countries if you want to have more significant results on poverty and on your effort to maintain peace around the world.

(23) You had set May 23 as a deadline to bring comments for your June High level event, so this letter is a little bit late, and I apologize for that, **but I had already addressed these issues in my 12-20-13 letter as well as in my earlier letters starting in 2005**, so you had a lot of time to think about the proposals and my arguments. And I hope also that you will be able to use this letter during the *Second Meeting of High-level Political Forum on Sustainable Development* you are planning to have **between June 30<sup>th</sup> and July 9<sup>th</sup>** to justify the importance of putting your post-2015 development agenda at the center of the discussion on the new Internet Governance. I would be grateful to Mr. Ashe if he could forward this letter to all the permanent representatives of member states that I was not able to reach [I may not be able to email it or mail it to everyone]. I look forward to hearing from you and remain

Yours sincerely,

Pierre Geneviev

PS: If you cannot visualize some of the documents, please let me know and I will forward you a pdf copy by email.

#### Exhibits:

##### *OPC and recent letters.*

- exh. 1 : Letter sent to the UNGA on 12-20-13 (38 p. ), [ <http://www.pierregenevier.eu/npdf2/letunga-v2-20-12-13.pdf> ].
- exh. 2 : QPC du 26-2-14 (8 p.) ; [ <http://www.pierregenevier.eu/npdf2/QPC-AJ-21-2-14.pdf> ].
- exh. 3 : Letter send to Mr. Hollande, Mr. Valls ... (18 p. ), [ <http://www.pierregenevier.eu/npdf2/let-pres-pm-min-5-23-4-14.pdf> ].
- exh. 4 : Letter sent to Députés et Sénateurs on 2-18-14 (12 p.), [ <http://www.pierregenevier.eu/npdf2/let-dep-sen-aut-4-18-2-14.pdf> ].
- exh. 5 : Background note for May High Level Event , [ <http://www.pierregenevier.eu/npdf2/High-level-event-Mai-14-ba-gr-note.pdf> ].
- exh. 6 : Background note for June High Level Event , [ <http://www.pierregenevier.eu/npdf2/High-level-event-June-14-ba-gr-note.pdf> ].
- exh. 7 : Statement from ITU Chief , [ <http://www.pierregenevier.eu/npdf2/ITU-Chief-stat-Mai-14-event.pdf> ].
- exh. 8 : Statement from from Mr. Collin D Beck , [ <http://www.pierregenevier.eu/npdf2/VP-UNGA-stat-Mai-14-event.pdf> ].
- exh. 9 : Net Mundial Statement , [ <http://www.pierregenevier.eu/npdf2/NETmundial-4-24-14.pdf> ].

##### *Previous letters sent to the UN and to French politicians.*

- exh. 10: Letter to the UNGA dated 12-1-11, [ <http://www.pierregenevier.eu/npdf2/letungaBP-Pre1-12-1-11-4.pdf> ].
- exh. 11: UNSG application dated 6-14-06, [ <http://www.pierregenevier.eu/npdf/ungeneralassemb.pdf> ].
- exh. 12: Letter to the UNGA dated 29-11-05, [ <http://www.pierregenevier.eu/npdf/uscongress10-20.pdf> ].
- exh. 13: Letter to the UNGA dated 4-5-05, [ <http://www.pierregenevier.eu/html/let5-4-05.htm> ].
- exh. 14: Lettre to M. Bloomberg dated 3-25-08, [ <http://www.pierregenevier.eu/npdf/letblo3-25-08.pdf> ];
- exh. 15: Letter to the UNGA dated 23-6-10 (72 p.) [ <http://www.pierregenevier.eu/npdf/letunga6-23-10.pdf> ].

- exh. 16: INCO project proposal (16.1, 31 p.), [ <http://www.pierregenevier.eu/npdf2/incoproposal7-1-11.pdf> ] ; EU evaluation and some letters of interest (16.2, 20 p.) [ <http://www.pierregenevier.eu/npdf2/incoproandletsup1.pdf> ] ; and (16.3) [ <http://www.pierregenevier.eu/npdf2/inctoletsup2.pdf> ].
- exh. 17 : Letter to Mrs. Taubira and Mr. Sapin, 18-3-13 (17.1, 8 p.), [ <http://www.pierregenevier.eu/npdf2/lettaubira-18-3-13.pdf> ],  
 Response from Mr. Chassaigne 15-4-13 (17.2, 1 p.), [ <http://www.pierregenevier.eu/npdf2/repchassaigne-15-4-13.pdf> ].
- exh. 18: Letter to MM. Hollande and Ayrault, 25-4-13 (5 p.), [ <http://www.pierregenevier.eu/npdf2/let-pres-pm-1-25-4-13.pdf> ].
- exh. 20 : Lettre à Mme Taubira..., 25-4-13 ( 4 p.); [ <http://www.pierregenevier.eu/npdf2/let-ministre-depute-2-25-4-13.pdf> ].
- exh. 21 : Lettre à Libération, 25-4-13 (5.1, 21 p.), [ <http://www.pierregenevier.eu/npdf2/let-liberation-2-25-4-13.pdf> ] ;
- exh. 22 : Lettre à Mme Taubira, 18-6-13 (6 p.), [ <http://www.pierregenevier.eu/npdf2/lettaubira-3-18-6-13.pdf> ].
- exh. 23 : Lettre à MM. Hollande, Ayrault..., 28-8-13 (11 p.); [ <http://www.pierregenevier.eu/npdf2/let-pres-pm-sap-2-28-8-13.pdf> ].
- exh. 24 : Lettre à MM. Hollande and Obama, 9-13-13 (24.1, 7 p.); [ <http://www.pierregenevier.eu/npdf2/let-holla-obama-3-13-9-13.pdf> ] ; Letters to the US Ambassador in Paris (24.2); [ <http://www.pierregenevier.eu/npdf2/let-ambass-USA-2-30-12-13.pdf> ] ; (24.3); [ <http://www.pierregenevier.eu/npdf2/let-ambass-USA-12-9-13.pdf> ].
- Various documents from my legal proceeding.***
- exh. 25 : Requête en nullité, 19-7-13 (25.1, 18 p.); [ <http://www.pierregenevier.eu/npdf2/let-pres-chambre-instruction-1-18-7-13-3.pdf> ].  
 Décision de recevabilité (25.2, 3 p.) ; [ <http://www.pierregenevier.eu/npdf2/let-pres-ch-instruction-dec-admin-1-9-10-13.pdf> ].  
 Convocation à l'audience (25.3, 1 p.) ; [ <http://www.pierregenevier.eu/npdf2/conv-audience-du-4-3-14.pdf> ] .  
 Convocation à une audience QPC, 3-6-14 , (25.4, 1 p.) ; [ <http://www.pierregenevier.eu/npdf2/conv-audience-du-3-6-14.pdf> ] .
- exh. 26 : Plainte avec constitution de partie civile (26.1), [ <http://www.pierregenevier.eu/npdf2/plainte-acpc-p1-5-24-25-depo-3-12-12.pdf> ] ; Plan et pièces jointes (26.2, 2 p.); [ <http://www.pierregenevier.eu/npdf2/Table-matiere-PACPC-29-11-12.pdf> ] ; Calcul du préjudice (26.3, 2 p.); [ <http://www.pierregenevier.eu/npdf2/cacul-dommages-final-29-11-12-1.pdf> ].
- exh. 27 : Réquisitoire du procureur, DA's order, 11-2-13 (1 p.) ; [ <http://www.pierregenevier.eu/npdf2/requisitoire-11-2-13.pdf> ].
- exh. 28 : Lettre au procureur général, 6-5-13 (1 p.) ; [ <http://www.pierregenevier.eu/npdf2/pages-tablematieres-planquelle-5-6-13.pdf> ] .
- exh. 29 : Lettre à la juge d'instruction, 31-5-13 (4 p.), [ <http://www.pierregenevier.eu/npdf2/let-jugeinstruction-3-31-5-13.pdf> ].
- exh. 31 : Mise en demeure de payer d'Intrum du 23-3-11, [ <http://www.pierregenevier.eu/npdf2/mise-demeure-23-3-11.pdf> ].
- exh. 32 : Lettre du CACF du 17-1-12 (32.1), [ <http://www.pierregenevier.eu/npdf2/let-ca-bruot-17-1-12.pdf> ] ;  
 Lettre du CACF du 13-6-12 (32.2), [ <http://www.pierregenevier.eu/npdf2/let-ca-bruot-13-6-12.pdf> ].
- exh. 33 : Jugement du TA of Poitiers, 17-7-13 (6 p.), [ <http://www.pierregenevier.eu/npdf2/jug-ta-vs-pe-17-7-13.pdf> ].